



Northern Ireland
Assembly

OFFICIAL REPORT

(Hansard)

Volume 55

(13 September 2010 to 3 October 2010)

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O'Neill, Mrs Michelle (Mid Ulster)
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Principal Officers and Officials of the Assembly

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Deputy Speakers.....	Mr John Dallat MLA Mr David McClarty MLA Mr Francie Molloy MLA
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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
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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	Mr Alex Attwood
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

Assembly Sittings

Northern Ireland Assembly

Monday 13 September 2010

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

Members observed two minutes' silence.

Executive Committee Business

Employment Bill: Royal Assent

Welfare Reform Bill: Royal Assent

Roads (Miscellaneous Provisions) Bill: Royal Assent

Mr Speaker: Before we proceed to today's business, I welcome all Members back after the summer recess and draw the House's attention to some announcements.

I inform Members that the following Bills have received Royal Assent: the Employment Bill; the Welfare Reform Bill and the Roads (Miscellaneous Provisions) Bill. The Employment Act (Northern Ireland) 2010 became law on 2 August 2010. The Welfare Reform Act (Northern Ireland) 2010 and the Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010 became law on 13 August 2010.

Assembly Business

Resignations of Mrs Naomi Long, Mr Jim Shannon and Mr Nigel Dodds

Mr Speaker: I advise the House that Mrs Naomi Long has resigned as a Member of the Assembly with effect from 5 July 2010. Mr Jim Shannon has resigned with effect from 1 August, and the Rt Hon Nigel Dodds has resigned with effect from 10 September.

New Assembly Members:

Mr Paul Girvan, Mr Sydney Anderson, Mr Chris Lyttle and Mr Simpson Gibson

Mr Speaker: The Chief Electoral Officer has notified me that the following people have been returned as Members of the Assembly: Mr Paul Girvan for the South Antrim constituency with effect from 2 July to fill the vacancy resulting from the resignation of Dr William McCrea; Mr Sydney Anderson for the Upper Bann constituency with effect from 2 July to fill the vacancy resulting from the resignation of Mr David Simpson; Mr Chris Lyttle for the East Belfast constituency with effect from 5 July to fill the vacancy resulting from the resignation of Mrs Naomi Long; and Mr Simpson Gibson for the Strangford constituency with effect from 2 August to fill the vacancy resulting from the resignation of Mr Jim Shannon.

Mr Girvan and Mr Anderson signed the Roll of Membership in my presence and that of the Clerk to the Assembly/Director General on 2 July and entered their designation. Mr Lyttle signed the Roll of Membership in the presence of Deputy Speaker Molloy and the Clerk to the Assembly/Director General on 5 July 2010 and entered his designation. Mr Gibson signed the Roll of Membership in my presence and that of the Clerk to the Assembly/Director General on 4 August 2010 and entered his designation.

Those Members have now taken their seats, and I offer all of them my congratulations now and for the future.

Audit Committee

Mr Speaker: I also advise the House that I have received notification from the nominating officer of the Democratic Unionist Party, the Rt Hon Peter Robinson, that he has nominated Mr Jonathan Craig as Chairperson of the Audit Committee. Mr Craig has accepted the appointment. If all of that is clear, let us move to today's business.

Ministerial Statements

Northern Ireland Water

Mr Speaker: I have received notice from the Minister for Regional Development that he wishes to make a statement. Before I call the Minister, I remind the House that there will be a number of statements from Ministers today. Let us be clear that questions must refer directly to the statement; we cannot have questions that have nothing to do with the statement. Members might intend to make statements and then try to ask a question. Again, further statements are not needed; there are enough today. Let us have questions on the statement. Of course, Chairpersons of Committees will have some latitude before developing their questions. If that is clear, we shall proceed.

The Minister for Regional Development

(Mr Murphy): Go raibh maith agat, a Cheann Comhairle. I welcome the opportunity to update the Assembly on recent events relating to NI Water. I previously addressed the Assembly on the matter on 15 March 2010. At that time, I explained my decision to remove the chairman and a number of non-executive directors from the board of NI Water because of procurement governance failures. I welcome the general support for the actions that I took. Since then, the Public Accounts Committee (PAC) has been holding hearings on the matter. I welcome that, and I look forward to the outcome of its deliberations. There has also been intense media speculation about the events that led to my decision.

The procurement governance failures in NI Water are serious matters that involved more than 70 contracts worth £28.4 million of public money. As Minister, I am charged with protecting the public interest, and, on the evidence presented to me, I am satisfied that I took the right course of action. A number of issues are being followed up through appropriate channels. The governance failures at NI Water and matters relating to the report of the independent review team will now be subject to robust scrutiny from the PAC. Separately, events following the PAC hearing on NI Water, which led to the suspension of Paul Priestly, are the subject of an inquiry. I consider those investigations to be the right and proper course of action.

The position of NI Water staff has been dealt with through the company's disciplinary

procedures. The disciplinary process has taken longer than expected. However, I am advised that matters are being progressed by the chief executive as expeditiously as possible, bearing in mind that due process must be followed. I will make public any further action that may be taken in that regard. I will refer to the appointments to the board of NI Water later.

I turn to the wider implications for the governance of water and sewerage services. We need to remind ourselves how essential and basic those services are. The water that we drink and the disposal of our waste water affect fundamentally our health, environment and economic development. When I took office in May 2007, that area was already mired in controversy, principally connected to the direct rule plans to impose water charges but also because we needed to meet EU environmental standards and improve an infrastructure that had suffered from underinvestment in the past.

My main aim has been to ensure that the investment issues are addressed, which has been done by pumping £750 million into the infrastructure over the past three years. To its credit, NI Water now delivers the best drinking water quality that the North has ever enjoyed. Waste water treatment standards are the highest ever, although there is more to be done, and leakage has reduced. We have achieved that without introducing domestic charges for water.

I will continue to fight for the investment that we need and to acknowledge what NI Water has achieved, but we have seen a catalogue of events and governance failures that has made improving those essential services more difficult. The structure that I inherited, a Go-co model that was set up through direct rule legislation, is at odds with the public sector provision of water and sewerage services that most people support. That legacy has not best served the public interest here.

We have moved forward on the investment priorities, but we now need to address the difficult governance issues in the short and longer term. Long-term solutions will take longer, and they will involve extensive legislation to establish new governance arrangements. That process will extend beyond the lifetime of this Assembly. It includes, for instance, the commitments that we have given to public consultation and the need to take into

account the conclusions of the Public Accounts Committee.

I will bring proposals to the Executive. The governance arrangements should be based on water and sewerage services being delivered by a body that is clearly within the public service, subject to public service controls and standards and not set up to introduce separate water charges for households or be privatised. That is my long-term aim. In the meantime, I must deal with the realities of what it is possible to do in the short term.

Immediately following the publication of the report on procurement failings, I agreed a joint DRD/NI Water action plan, which has delivered the following actions to date: a departmental representative now attends all NI Water audit committee meetings; NI Water has prepared a new procurement manual and circulated it throughout the organisation; and procurement compliance is now a standing item at NI Water board meetings. The Department has also introduced a revised reporting format at all quarterly shareholder meetings that provides more comprehensive assurances on adherence to delegations and other governance requirements. A comprehensive training programme that deals with all aspects of procurement and financial delegations was developed and has been delivered to all senior staff in NI Water. An external review of the adequacy and competence of the NI Water internal audit function has been completed, and a report is due to be finalised very soon. A new procurement compliance officer was appointed on 20 August.

Making wide-ranging changes to structures will extend beyond the present Assembly term. I also need to allow for the conclusions of the Public Accounts Committee's inquiry. Going forward, I will work within existing structures and with stakeholders to ensure that the most appropriate controls and accountability are in place. Those controls need to reflect the reality of continued majority public funding of water and sewerage services. I am clear that arrangements need to reflect public sector disciplines and standards.

I recognise that there are tensions between the company's freedom and flexibility to deliver services to customers and regulatory requirements and public expenditure rules. However, that should not compromise

accountability for use of public resources, including reporting to the Assembly. Where there is a lack of clarity or unavoidable tension, public sector requirements should take precedence. If necessary, I will bring forward proposals for legislation to clarify that position. In particular, I will consider whether I should have a power to direct the company to adopt policies and procedures that reflect public sector disciplines. The company is also subjected to regulatory controls, and I will consider whether I should have a power to direct the regulator to investigate or take action under those controls if the need arises. While the majority of funding continues to come from government, I will also consider whether I need to have the power to direct changes to the company's terms of appointment, which are commonly referred to as the licence. The proposals will support my aim of ensuring that public accountability is the key consideration, regardless of the mix of regulation, company law or public expenditure structures that we inherited.

I made it clear in March, when I announced my decision to remove four of the five existing non-executive directors from the NI Water board, that the Department will take action to appoint a number of new non-executive directors to the board on an interim basis. Given the urgency and the need to bring some stability to the organisation, the Department secured the agreement of the Commissioner for Public Appointments to run an emergency process as a deviation from the Commissioner for Public Appointments' code, subject to a demonstrable level of independent participation and conditional on the appointments being short-term in nature. That was done, and, as Members will be aware, an interim chairperson and four interim non-executive directors were appointed to the NI Water board recently.

I would like to express publicly my appreciation to each of those individuals for offering their services at relatively short notice. It is important to emphasise that those are interim appointments pending the running of a full appointments process, which I intend to commence as soon as possible. The full appointments process will take between six and nine months and will be carried out in an open, transparent and independent manner in accordance with the Commissioner for Public Appointments' NI code.

Of course, no governance arrangements can rule out all risks. However, I believe that these measures, together with the work of the Public Accounts Committee, will resolve the situation in the interim until longer-term solutions can be implemented.

The Chairperson of the Committee for Regional Development (Mr Cobain): The Minister's statement touched on many far-reaching issues. The statement has significant implications for Northern Ireland Water, the Executive and the Budget, not least what he is really describing: the renationalisation of Northern Ireland Water.

I do not think that anyone would disagree that Northern Ireland Water has had a difficult history. Significant governance issues have to be addressed, and confidence in Northern Ireland Water has to be restored.

However, the question of Northern Ireland Water's future has been with the Executive since the publication of the independent water review team's report in early 2007. What do the Executive propose to do to resolve the issues that the Minister identified as tensions in his statement? Is this a matter for the Executive, or is it a matter for him and his Department?

Significant amounts of money have been spent transforming the Water Service into Northern Ireland Water as a Go-co. Will more money be spent in achieving the new governance arrangements that the Minister talks about? What guarantees do we have that it will not be a case of throwing good money after bad?

Finally, the Minister mentioned the need for legislation to provide clarity. Does he propose to bring forward legislation in this mandate? If so, when and how does he propose to engage with the Regional Development Committee?

12.15 pm

The Minister for Regional Development: I thank the Chairperson of the Committee for his statement. He is quite correct in identifying significant implications for the future of NI Water, and he shares my view that it has a troubled history. It is appropriate that we look to correct the serious failures of governance. In the longer term, there are financial implications for the Executive in changing the status of NIW, because HMRC could increase NIW's costs by between £45 million and £55 million per annum. That would depend on the precise

status of the water and sewerage undertaker, and it would have to be considered in longer-term proposals. Therefore, there would be implications in respect of tax, VAT and other issues for the Executive, and, naturally, the Executive would want to consider that. The Chairperson asked whether there would be a further cost in that, and it is my intention over the coming period to develop ideas and bring them to the Executive.

Obviously there is a limited time frame for longer-term legislation. There are 300 articles and 13 sections in the legislation that set up NIW, so it would be impossible to change that between now and the end of this mandate. However, there are short-term measures. I want to ensure that where there is a potential conflict between what company law requires and the public sector interest in all of this — it is the public sector interest that has suffered as a consequence of what we discovered was going on at NIW — public sector interest overrules that. If it is necessary to make some short-term amendments to ensure that that is the case in the interim, I will do that. I will engage with the Chairperson and the Committee as I go along on that process to ensure that they are fully informed and able to apply the level of scrutiny that they have been doing.

Miss McIlveen: Given the recommendations made today about the way forward, when did the Minister first have concerns about the Go-co model and how Northern Ireland Water was being run, and when did the Minister last propose bonuses for the chief executive?

The Minister for Regional Development: All parties expressed concerns about the Go-co model in advance of 2007. As I said, it has been a controversial proposition. It was part of direct rule. It was not simply about the idea of a separate double taxation on water, which was part of the direct rule proposals, but there was a very strong suspicion that NIW was being created as a company that was being set up for privatisation. Therefore, there have always been concerns about the Go-co model.

What have specifically arisen as a result of this inquiry are the ongoing governance issues at NIW. The issues that have been brought to light, on top of other issues that gave concerns in the arrangements and handling in NIW, have allowed us to look very carefully at those arrangements in the short term to take whatever action is

necessary — I listed a series of actions that we have taken — and to make some proposals to the Executive. It is up to an incoming Executive if they want to legislate properly for an entirely new arrangement, but there are short-term measures that I can take.

I have made it clear many times that I am happy for the Executive to look at the whole issue of pay, remuneration and bonuses across the board. There is no point in doing it for one individual organisation in one individual Department. The Finance Minister has also discussed those issues. The sooner the Executive, particularly in the current climate, look at salaries, bonuses and remuneration right across the board, the better for all of us.

Mr Leonard: Go raibh maith agat, a Cheann Comhairle. I welcome the statement, particularly the indications for the longer-term structures, but how confident is the Minister that the measures outlined today will help to resolve a lot of the difficulties in the interim or shorter term?

The Minister for Regional Development: I have already outlined actions that have been taken on the back of the report from the independent team. That certainly increases the Department's involvement in audit and its connection with NIW. Obviously, there are measures that relate to procurement and advice to NIW senior staff which I have listed. Certainly, as regards the potential conflict of a company that is set up to operate under company law yet receives the vast majority of its income from the Executive through public subsidy, I want to ensure that the public interest in NIW takes precedence over any company law or regulatory requirements in order to ensure that the public interest in the vast amounts of money that NIW spends is maintained and protected. If necessary, I will take measures in the short term to do that. Of course, I have outlined my view of where NIW should go in the longer term as well.

Mr McDevitt: I wonder whether the Minister remembers that he commissioned Professor Paddy Hillyard to advise on the future of water services and accepted many of his recommendations, not least that the Go-co structure would remain. Does he agree that what he has announced today is, therefore, a total U-turn of his policy? Does he accept that to come to the House during these times and admit to exposing the region's taxpayers

to potential costs of £55 million each year is probably not the best way to address what everyone agrees is a significant crisis in Northern Ireland Water?

The Minister for Regional Development: The Hillyard review was commissioned as soon as I came into office. The Executive have had many discussions on NI Water. We have discussed and accepted my proposition of deferral. That brings us into the territory where we are at present. Of course, there are risks for NIW's longer-term future with regard to the attitude that the Treasury might take to it. The Executive need to discuss that issue. It is clear from the report that I received, from the action that was taken and from the events that happened in NI Water that it could not be left as it was. An option might have been to sit and do nothing and, therefore, have no consequences flow from that. However, my responsibility is to protect the public interest. I was elected to do so and appointed to run the Department for Regional Development, of which NIW is a component. Therefore, I need to highlight those issues, deal with them and take action when evidence is presented to me. I must also discuss fully with the Assembly, the Regional Development Committee and my Executive colleagues all the consequences that flow from that.

Mr Lunn: The Minister has been fairly critical of NIW's current Go-co status. However, in his statement, he acknowledged the company's achievements, which include improved drinking water quality and waste water treatment and reduction in leakages. Given that contrast, does he believe that another complete restructuring of Northern Ireland Water is actually necessary?

The Minister for Regional Development: Perhaps the Member is suggesting that NIW's achievements would not have happened under any other structure: I believe that they would have. As I said, we made a substantial investment of £0.75 billion during the past three years. Any structure that operates in any way efficiently to deliver projects on the ground would manage to improve the system. NIW has done a good job to improve the water and sewerage infrastructure. That was absolutely necessary. Continued investment is absolutely necessary. The issues that have been thrown up, such as procurement; governance failures; the tension between company law and the fact that NIW continues to receive the majority of its money from the public purse, which was not

the intention under direct rule; and even the treatment of NIW as a Go-co under one sector and as an NDPB for public expenditure purposes create a series of contradictions which I need to address in the short term and either the current Executive or an incoming Executive must address in the longer term.

Mr Bresland: I thank the Minister for his statement. There is considerable public concern about what is going on in the Department. It is important for the Minister to move to the appointment of new directors. What timetable and process does he intend to follow?

The Minister for Regional Development: I intend to start that process fairly soon. It will take around six to nine months. It will be the standard process as approved and laid down by the Commissioner for Public Appointments.

Mr Boylan: Go raibh maith agat, a Cheann Comhairle. I welcome the Minister's statement, especially the detail on the full range of issues surrounding the performance of NI Water as a Go-co to date. I also welcome the fact that the Minister intends to bring forward to the Executive proposals seeking cross-party support on the future governance arrangements. The Minister's proposal to change the Go-co to a public sector body that will operate on the basis of no household charges and will not be set up to be privatised is also welcome news.

Mr Speaker: Please come to your question, Mr Boylan.

Mr Boylan: Will the Minister indicate when those proposals will be brought forward to the Executive?

The Minister for Regional Development: There are short-term measures, some of which have happened and some of which may require further action, including amendments to legislation. I need to discuss those with departmental officials and with the Regional Development Committee. It is important that we create some clear sense of my view and the Executive's view on the longer-term future of NIW. There is a time frame between now and the end of this mandate, during which I intend to bring a paper to the Executive so that we can have a clear discussion on the way forward.

Mr I McCrea: In his statement, the Minister referred to the interim appointments that were made to the board, and he said that, due to

the need for urgency in such appointments, an emergency process that was subject to a demonstrable element of independent participation was used. Will the Minister detail to the House the exact process that was used in choosing those people? In response to a question from my colleague Mr Bresland, the Minister said that the board membership would be replaced in six to nine months.

Mr Speaker: Please come to your question, Mr McCrea.

Mr I McCrea: Will the Minister assure the House that that will take six to nine months rather than the 14 months that it took to replace another member on the board?

The Minister for Regional Development:

The Commissioner for Public Appointments gave written agreement to the running of an emergency appointments process for the interim appointments, subject to a demonstrable element of independent participation and the understanding that the appointments would be short-term. It was agreed that a long list of possible candidates would be produced and potential candidates would be contacted as soon as possible. The original aim was to get four interim non-executive directors and an interim chairperson in place within three to four weeks. If there was sufficient interest, a shortlist was to be drawn up by a panel. The demonstrable element of independent participation was to involve someone from outside the Department or outside NIW. Interviews or conversations with a purpose would subsequently take place between the panel and the shortlisted candidates and would be based on specific criteria. It was emphasised that it was important to ensure that those individuals had a clear track record of integrity, a demonstrable ability to challenge and no conflicts of interest. It was hoped to find at least one individual with a strong public sector governance background. Anyone being considered for the post of interim chairperson also had to demonstrate strong leadership qualities and an ability to deal effectively with external stakeholders. Recommendations were put to me for consideration, and successful and unsuccessful candidates were notified and appointments made.

As I said to the Member's colleague, the intention is to start the process for permanent appointments very soon. That will take six to

nine months and will be done in accordance with the procedures laid down by the commissioner.

Mr Kennedy: I am grateful for the opportunity to ask the Minister a question on a statement that was billed as one that would outline issues of governance in Northern Ireland. Will the Minister justify how the statement has become almost a party political manifesto with the objective of renationalising Northern Ireland Water? In view of the fact that the mandate of this Assembly, the Executive and the Ministers is due to end shortly and there are no guarantees that the Minister or his party will continue to have responsibility for the Department for Regional Development, how can the Minister justify the expenditure and the proposals that he is outlining today?

Mr Speaker: I encourage the Member to finish.

Mr Kennedy: How can he do that not having acquainted any of his Executive colleagues of any of that detail?

The Minister for Regional Development: As the Minister responsible, I am entitled to make propositions in relation to an agency or an element or organisation in my Department. That, as a political viewpoint, should not be surprising to the Member, given that we all have political viewpoints to put forward.

12.30 pm

The reason for bringing forward a proposition is quite clear: all parties, including the Member's, took a position of hostility and opposition to the creation of NIW and to the direct rule plans of which NIW was a component part. The Executive have had many discussions about the matter, and, since I came into office, I have had many discussions on it with the Committee for Regional Development. Indeed, the Hillyard report provided one such opportunity for discussion.

There have been ongoing discussions about the deferral of water charges and its consequences. The Executive will need to have continued discussions on that matter. We are heading towards the end of this mandate, and there is no certainty as to who will be in the Executive on the other side of it or about which Executive positions they may take. Given the governance failures that we have had, it is important to put matters right in the short term. It is also important that the Executive take a clear view of how they would like to see things happen in the

longer term. That will be an important base for any incoming Executive to start from.

Mr McGlone: Gabhaim buíochas leis an Aire as a ráiteas. I thank the Minister for his statement. With regard to the referred-to independent review team on which he based his decisions, will the Minister outline what declaration on any potential for conflict of interest was either sought from members of that review team by his Department or provided by them to his Department after or before their appointment?

The Minister for Regional Development: I sat down with the members of the review team before I received the report. I was aware of some accusations, which have never been substantiated and which, I noticed, the Member continues to promote, that there was some lack of independence or some inappropriate relationships. I asked the members of the review team clearly whether they were satisfied with the independence of the report, with their ability to act independently and with the evidence that they gathered and whether they could stand over any conclusions that they reached. They assured me of all that.

Mr Givan: I thank the Minister for his statement. Will he give us details of any conversations that he may have had with his permanent secretary about this report when it was in draft form? Did any conversations take place? Did he ask his permanent secretary whether the independent report needed to have much more detail and specifics about who was at fault?

The Minister also talked about appointments that were made as an interim measure, and he highlighted the fact that one of the criteria for those appointments was that there should be no conflicts of interest. He used urgent procedures to appoint an individual who had very clear connections to his party. Is that not a conflict of interest?

The Minister for Regional Development: On the subject of conversations, when I asked for a report from the independent review team, I was clear that I wanted a very clear finding, whatever the consequences. I wanted people to have access to whatever evidence they needed and to make very clear recommendations and findings on the back of that. That is what I got.

The people who were appointed were asked whether they had conflicts of interest in operating on the NIW board. If the Member

wants to start firing mud about some of the appointees, he should look into some of the appointments that have been made by Departments run by his colleagues. People had to demonstrate that they had no conflict of interest with the positions to which they were appointed. I am satisfied about all that, and I am satisfied with all five of the people who took up those posts. They have demonstrated a high level of public service; those posts were not very easy to take up, and the issue has been mired in a lot of difficulty. Those people are providing a high level of service, and they will do so for the length of time that they are required.

Lord Morrow: The Minister's statement is to be welcomed. However, does he fully grasp the situation and realise that we have a water service that, quite frankly, is not fit for purpose? The Minister told us that the process will take between six and nine months. It is a simple calculation to tell us that it will not happen during this mandate. Can he assure us that he will place all resources at the disposal of the Department to ensure that the consumer gets a water service that is fit for purpose? After all, when the Water Service was reorganised some few years ago, we were told that this was going to be a service that would deliver. It is not delivering. I do not blame the Minister for that, because he inherited the situation, but he should bring more pressure to bear to ensure that the reorganisation and reform will be carried out during this mandate rather than waiting for the next one.

The Minister for Regional Development: The reports and the issue that we are dealing with today relate to governance failures. At that level, there are failures that need to be addressed, and we should not shirk dealing with them. We should confront those failures and deal with them, whatever the consequences. NIW has been doing a good job on the delivery of the water and sewerage infrastructure. It certainly received a substantial amount of public money, but the water and sewerage infrastructure has improved substantially, after decades of underinvestment, and great credit is due to people in NIW for that.

The Member spoke about the process of appointing permanent directors taking six to nine months; that is not necessarily to do with the process of changing the controls in the here and now. To legislate to undo the substantial legislation that established NIW and all the

processes around it, which included some 300 articles, and to undertake the required consultation properly would be beyond our time frame in this mandate. However, the Executive should discuss and decide on what they consider to be a clear way forward so that any incoming Executive have a clear picture about where to start.

Mr McNarry: The Minister said that public sector interest overrules company law. That is a sweeping statement that he needs to develop for the House to understand. He previously stated that water charging is a decision to be taken by the Executive; however, in his statement today, he clearly said that any new body will not:

“introduce separate water charges for households.”

Is that a ministerial promise, or will it still be left to the Executive to decide?

The Minister for Regional Development: The Executive must decide on a range of issues. My reply to the Member's first question about public sector interest outweighing company law is that NIW was set up with the intention that it would be a fully charging company early in the lifetime of this Executive. Therefore, the regulations that apply to it were formulated on a basis that subsequently did not happen. The substantial amount of money that NIW has to spend on water and sewerage infrastructure comes from the public purse. Given that questions have arisen about procurement practices and whether value for money is being properly pursued by NIW and given that we are elected to protect the public interest, we want to ensure that the substantial amount of money being given to NIW by the Executive is properly scrutinised and accounted for. Therefore, the public sector interest should take prominence.

I made my view clear and put a proposition to the Executive for the continued deferral of water charges, which was supported, but there are issues and consequences flowing from that that the Executive need to discuss and decide on. I intend to bring some propositions to the Executive in the coming period.

Mr O'Loan: I thank the Minister for his statement. The duty on the Minister is, first, to protect the public interest by ensuring that there is a high-quality water service — I notice that his statement refers to the need for continued major investment — and, secondly, to protect

the public purse. Can he convince the Assembly that his longer-term intentions will satisfy both those issues? Is he open to considering other models such as mutualisation? With the proposals that he put forward today, is he not, in fact, committing to putting an additional substantial charge for water on rates bills?

The Minister for Regional Development: No; I am not committing to anything of the sort. I am committing to continuing to argue for investment in the water and sewerage infrastructure because it is necessary. As I said and as, I am sure, the Member will accept, there have been decades of neglect in our water and sewerage infrastructure which had real environmental consequences for us as well as consequences relating to the EU's imposition of fines for our poor standards. It also had consequences relating to economic recovery because, if we do not have the proper water and sewerage infrastructure, which is as important as all other infrastructures, we cannot support economic recovery and growth. I will continue to argue for investment for that. The steps that I am now taking and the propositions that I intend to put to the Executive will secure the protection of the public interest and of public finances in NIW, which will be a matter for discussion in the longer term with my Executive colleagues.

Mr Lyttle: The governance of NI Water has been of significant public concern in recent times, so I thank the Minister for his statement to the House today. Does the Minister believe that he can continue to deliver the improved service referred to in his statement without the introduction of domestic water charges?

The Minister for Regional Development: As I said in my statement, £0.75 billion worth of improvements have been delivered over the past three years without that. Obviously, the finances available to the Executive are and will be challenged, and they will want to discuss that issue. However, the need for continued investment has never been disputed by any of my Executive colleagues during my discussions with them. We are dealing with a legacy of underinvestment, and we need to continue to invest because for a period we were one step ahead of infraction costs from the EU. Thankfully, the investments that we have made mean that we are somewhat clear of that now. However, there is not one MLA here who has not written to me about some issue in and around water and sewerage infrastructure and the need

for improvements. That infrastructure is as important as any other in assisting economic recovery.

Ms Purvis: The Minister referred to the independent review team, which I was assumed was appointed by his accounting officer and the sub-accounting officer from Northern Ireland Water. The Minister has clearly confirmed his support for the independent review team and the outcome of its report. The report actually states that governance frameworks were in place and that the board had driven improvements in procurement and had received assurances from the executive team. Given that the full board had just 10 meetings a year with Northern Ireland Water, whereas the Department had over 80 meetings with it, and that four audits, including an external audit, showed no issues with breaches in procurement — this issue goes to the heart of future boards and public appointments — will the Minister tell me, even though he sacked four out of the five non-executive directors who were furthest removed from the actual day-to-day running of Northern Ireland Water, what more the board could have done in practical terms?

The Minister for Regional Development: The Member quotes quite selectively from the report, which states that over 70 contracts amounting to almost £25 million were found not to have been properly procured.

Ms Purvis: *[Interruption.]*

The Minister for Regional Development: Will the Member allow me to answer her question? I consider that to be a very serious issue. I notice that the Member is shaking her head. If she disputes the figures, perhaps she should come out and say that. When those issues were put to board members and NIW as an organisation, they were not disputed.

The central core issue is not and has not been disputed. There has been a lot of innuendo, allegation and muck-slinging about the independence and integrity of some of the people involved. However, the central core issue that should concern the Assembly and any democratically elected Member is that public money was being used to procure contracts not in the fashion in which it was intended. That is of central interest to me. I am elected to represent the public interest. Therefore, I undertook to have an investigation and to deal

with the outcome of that investigation, whatever the consequences.

I appoint the non-executive directors to the board and need to ensure that they represent the public interest through me on that board. I must have confidence that they are doing their job and that when issues such as that one are presented to them they will react correctly and responsibly and will demonstrate their intention to continue to serve the public interest as well as the interest of the Assembly and the people who elect us. I did not have confidence in four of the five directors, and I took what I considered to be appropriate action.

North/South Ministerial Council: Education Sectoral Format

Mr Speaker: I have received notice from the Minister of Education that she wishes to make a statement.

The Minister of Education (Ms Ruane): Go raibh maith agat, a Cheann Comhairle. In advance of my statement about the NSMC meeting in education sectoral format on 23 June, it would be remiss of me as Minister of Education not to report to the Assembly on the position regarding the security alerts and recent attacks on schools. I am sure that all Members join me in saying that attacks should not be happening in schools. I assure Members that my Department is doing everything that it can to support schools in whatever they need and ensuring that all information is provided to the PSNI. It is simply not acceptable that that happens in our schoolyards and our children are put at risk. I thank the Speaker for his indulgence.

12.45 pm

Le do chead, a Cheann Comhairle, ba mhian liom ráiteas a thabhairt maidir le cruinniú de chuid na Comhairle Aireachta Thuaidh/Theas i bhformáid na hearnála oideachais. Tionóladh an cruinniú seo in Ardscoil Naomh Marcas, Rinn Mhic Giolla Ruaidh, ar 23 Meitheamh 2010.

I wish to make a statement on a meeting of the North/South Ministerial Council in education sectoral format, which was held in St Mark's High School, Warrenpoint on 23 June 2010. I extend my thanks to Michele Corkey and her team for hosting us. I, as Minister of Education, represented the Executive, along with the Minister for Employment and Learning, Reg Empey MLA. The Irish Government were represented by Mary Coughlan, Tánaiste and Minister for Education and Skills. The statement has been agreed with Reg Empey and is made on behalf of us both.

Tabharfaidh mé achoimre ar na príomhphointí a ndearnadh plé orthu ag an chruinniú, thar na réimsí comhaontaithe ar fad maidir le comhoibriú san earnáil oideachais.

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

I will summarise the main points from the meeting, which range across all the agreed areas of education co-operation. The North/South Ministerial Council noted that progress

had been made in a number of areas relating to educational underachievement, including: the continuing work on Traveller education, such as the conclusion of consultations with Travellers, which will inform the recommendations of the task force on Traveller education; the launch of preschool, post-primary and special toolkits for diversity to support teachers in schools in meeting the needs of newcomer pupils and their parents; the progress made by the joint working group on educational underachievement, including an exploration of the scope to develop links between schemes that involve business working with schools; the positive report of the joint post-primary numeracy conference, which highlighted the benefits of collaborative professional development and the sharing of best practice; the progress being made to prepare for an all-Ireland children's book week in the autumn; and the conference planned for 2011 on the theme of schools supporting parents to support children's literacy, which will be a follow-up to the children's book week.

We welcomed presentations from practitioners and officials on targeted programmes aimed at tackling educational underachievement in disadvantaged communities. The first was given by two of our outstanding head teachers, Johnny Graham from Belfast Model School for Girls and Jim Keith from Belfast Boys' Model school in north Belfast, along with Gerry McMahon, project manager of the Full Service Community Network in west Belfast. They shared with us their thoughts on the role and on the success to date of the network's programmes in helping children to achieve their full potential. Jim Mulkerrins from the Department of Education and Skills gave a presentation on DEIS, the delivering equality of opportunity in schools programme, which is an integrated school programme for tackling disadvantage in the South.

Chuir an Chomhairle fáilte roimh athbhunú an ghrúpa oibre um cháilíochtaí múinteoirí agus an dul chun cinn atá déanta cheana féin le comhoibriú a thabhairt chun cinn ar cheisteanna a bhaineann le hoideachas múinteoirí i gcoitinne agus go háirithe i dtaca leis an Ghaelscolaíocht de.

The Council welcomed the reconstitution of the teacher qualifications working group and the progress already made in taking forward co-operation on teacher education issues generally and on Irish-medium education in particular. We welcomed the additional measures that are now in place to strengthen co-ordination and

co-operation on school leadership and Irish-medium education, including a commitment to share, where possible, materials and resources to avoid duplication.

Cuir na hAíre fáilte roimh an ról tábhachtach atá ag malartuithe idir na cigireachtaí sa dá Roinn Oideachais a thacaíonn le forbairt leanúnach chleachtas na cigireachta sa dá dhlíne.

Ministers also welcomed the contribution of exchanges between the inspectorates of both Departments of education to supporting the continuing development of inspection practice in the two jurisdictions. We noted that, in 2010, the Standing Committee on Teacher Education North and South (SCoTENS) subcommittee approved seed funding grants for a range of topics.

Cuir an Chomhairle fáilte roimh an dul chun cinn leanúnach atá á dhéanamh ag Ionad Uathachais Choillidh Chanannáin, lena n-áiríodh: athcheapadh an Bhoird go ceann tréimhse eile trí bliana; tús le pacáistí breise oiliúna ar fud an oileáin; agus comhairle agus treoir a tugadh do na scoileanna, agus taighe agus seirbhísí leanúnacha eolais agus dheimhnigh an Chomhairle a tacaíocht leanúnach d'iarrachtaí an Ionaid agus an dá Roinn Oideachais le plean ilbhliantúil a cheapadh le haghaidh fhorbairt an Ionaid sa todhchaí.

The council welcomed the continuing progress made by the Middletown Centre for Autism, including the reappointment of the board for a further three-year term, the rolling out of further training packages across the island, and the provision of advice and guidance to schools and ongoing research and information services and expressed its continued support for the efforts of the centre and the education Department for a multiannual plan for the development of the centre.

Thug an Chomhairle dá h-aire go n-áirítear athbhreithniú ar chomhoibriú i réimse na malartuithe oideachasúla sa chomhstaidéar cuimsitheach ar Chomhoibriú Thuaidh/Theas san Oideachas atá faoi lánseol agus tá an Chomhairle ag tnúth le tuairisc chun dáta a fháil ar an dul chun cinn sa réimse ag cruinniú eile amach anseo.

The council noted that a review of co-operation in education exchanges is included in the comprehensive joint study of North/South co-operation in education currently under way and looks forward to receiving a further update on

progress in that area at a future meeting. We also noted the engagement between the two Departments and the IBEC-CBI Joint Business Council in developing an enterprise strand in the dissolving boundaries project and the fact that both Departments are planning to conduct an evaluation of the programme, including its outcomes and benefits. We agreed that the next meeting of the North/South Ministerial Council in education sectoral format should take place in November 2010.

Ar deireadh, shocraigh muid gur chóir an chéad chruinniú eile den Chomhairle Aireachta Thuaidh/Theas i bhformáid na hearnála oideachais a thionól i mí na Samhna 2010.

Mr Deputy Speaker: I remind Members that questions to the Minister should be on the statement made today.

The Chairperson of the Committee for Education (Mr Storey): I add my words of condemnation to those of the Minister about the recent attacks on the schools in Antrim and the attack on a young boy by other pupils in Coleraine. What happened in that particular incident will become clearer over the next few days. All those attacks are to be condemned and should not be taking place.

With regard to the Minister's statement on the meeting of the North/South Ministerial Council in education sectoral format, I note the progress that the Minister claims for the joint working group on educational underachievement, including numeracy. However, will the Minister tell the House the current status of that scheme and what information she conveyed to the joint working group at the meeting in September about the revised literacy and numeracy strategy for pupils in Northern Ireland, given that we have been waiting one year and 11 months since the public consultation of that strategy? Does the Minister still believe that she has an important input to the North/South Ministerial Council meeting and that she has relevant information to bring to it on numeracy and literacy?

The Middletown Centre for Autism is an issue of grave importance to many Members. The Committee for Education received a written briefing from education officials last week. They reported that only two of the four planned services at Middletown are operational and that the key educational assessment service has yet to commence although the centre was given the go-ahead for that back in 2002.

The Committee also heard that a capital bid for Middletown of £3.2 million has been included in the Minister's spending plans for 2011-12, yet the Department of Education and the Department of Education and Skills in the Republic are still reviewing their capital spend, and the latter has not confirmed its 50% commitment to the capital contribution for Middletown. Will the Minister inform the House why her officials and Department are undertaking a review of the Middletown Centre for Autism if, as the report before us today tells us, progress is being made?

The Minister of Education: Go raibh maith agat as na ceisteanna sin. I join the Member in condemning any attacks on children, regardless of where they emanate from. If the Member has information on such attacks, I would like him to bring it to me and to the relevant authorities at the earliest possible opportunity.

As the House knows, since becoming Minister, I have made it a priority to tackle underachievement, promote equality and raise standards in all our schools. I am pleased that we are making progress and that standards are improving. In 2006, before I took up office, over 12,000 young people a year left school without having achieved five or more good GCSEs, including English and Maths. The data from 2009, which is the most recent available, shows that that number fell to around 9,500. That is still far too high, but there has been a significant decrease because of the range of policies that I have put in place. We need to close the gap, and I have been in schools throughout the summer, some of which have increased the percentage of children who achieve five good GCSEs to 88%. That is a phenomenal performance by those schools, but, sadly, there are still schools that are not achieving the standards that they should, because of systemic failure in the past.

We need to ensure that we raise the standards of performance by all our young people in all our schools. As Members know, I am putting in place policies aimed at raising standards for each and every child and tackling underachievement wherever it exists. Those policies include the school improvement policy. Members will be glad to hear that I met Bob Salisbury last week to discuss the literacy and numeracy report, which was written by the task force that he chaired. Other such policies include Every School a Good School;

transfer 2010, which is tasked with ending the deep inequality in our system; the revised curriculum and entitlement framework; the literacy and numeracy strategy; the review of special educational needs and inclusion and the early years strategy; support for newcomer and traveller children; the extended and full-service programmes; and the Achieving Derry and Achieving Belfast programmes.

Through the North/South Ministerial Council, I am working to tackle educational underachievement, because underachievement is an area of co-operation. Some of the best events and sharing of good practice have taken place on a North/South basis in such places as Sligo, Cavan and Enniskillen. Those events brought together teachers to look at specific issues, such as numeracy in primary schools, teaching maths in a way that keeps children stimulated, literacy and the sharing of good practice between teachers across the island.

Members know that research into literacy and numeracy has shown the powerful impact of parental involvement. Even the simple act of reading to a child is powerful. It is important that each of us uses our good offices to encourage parents to engage with their children every night, to read to them and to encourage them to develop a love of books. That is important because 70% of a child's learning takes place in the home and in the community, whereas 30% takes place in schools. There must be partnership between the school, the home and the community. That is what is very beneficial about the Full Service School Network in west Belfast and in the Belfast model schools, where the three areas come together.

I will publish the revised literacy and numeracy strategy in the coming weeks, and I look forward to Members' support for that important document. We have taken the time to make sure that we get that important strategy right. We have been working hard to address the issues raised during the consultation, and the Education Committee has already seen a summary of the consultation responses. We have also been working to align the strategy with other key developments, including the introduction of place assessment arrangements to support the revised curriculum, and those have a specific focus on progress in literacy and numeracy.

In relation to the Member's third question, the Middletown Centre for Autism is a very important project, and, as the Member knows, funding for the purchase and running costs of the centre has been provided on a 50:50 basis.

My Department's expenditure on the project currently stands at approximately £2.36 million revenue and £1.79 million capital, and there are £428,000 of project costs from 2001 to date. As agreed at the North/South Ministerial Council meeting in Limavady in December, the two Departments are working on a phased, multi-annual plan for the future development of the centre. My officials have met with their counterparts in the Department of Education and Skills on a number of occasions to discuss the development of this plan, and they will continue to do so to progress this issue as quickly as possible.

I remain committed to the Middletown project so that we can offer much needed educational support to some of the most vulnerable children, and I look forward to having the support of all parties and Members. The centre already provides two services: first, a training and advisory service for parents, teachers and other professionals; and secondly, the centre's training schedule for the current academic year continues with over 4,000 individuals, mainly educational professionals and a number of health professionals and members of the voluntary sector. Many of us heard the reports this morning of the young man with Asperger's syndrome and the questions that were asked as to whether his needs are being met. A project such as that in Middletown is a very valuable project-sharing practice across the island. It also has a research and information service. It was planned that the Middletown centre would provide two further services — an education assessment service and a learning support service. In advance of the education assessment and learning support services being rolled out, the centre is delivering advice and guidance that is for the support of children in the North and that focuses on parental training in the South. Members will be pleased to know that I will continue to work very closely with my colleague in the South, Mary Coughlan, as well as with my officials, to advance that project.

Mr O'Dowd: Go raibh maith agat, a LeasCheann Comhairle. I think the Chairperson of the Education Committee might have asked all the questions, if possible.

The Chairperson of the Committee for Education: *[Interruption.]*

Mr Deputy Speaker: Order.

1.00 pm

Mr O'Dowd: Go raibh maith agat, a LeasCheann Comhairle. Will the Minister outline further what lessons have been learned from the full service network that is operating in schools in Belfast and in Deis schools, which are operating across the 26 counties? What further lessons can we learn from those for education?

The Minister of Education: As I said, at the North/South meeting, we had a very good comprehensive report from some of the best school leaders right across the island of Ireland. In the North, as you know, we have the full service concept, which is designed to improve the educational outcomes and life chances of disadvantaged children and young people through the delivery of integrated support services and interventions that help to overcome barriers to learning.

My Department is funding the Belfast Education and Library Board and CCMS to pilot two full service programmes as part of our continuing efforts to address the needs of disadvantaged communities and to narrow the achievement gap. The first programme is the full service school at the Belfast Boys' Model School and the Belfast Model School for Girls in north Belfast, and the second is the full service community network in Ballymurphy. The provision goes beyond extended school programmes by enabling key agencies and services to come together to maximise services not just for schoolchildren but for their families and the whole community.

Both pilot programmes offer access to cohesive and integrated specialist support services that are aimed at addressing the particular needs of pupils, their families and the wider community on a range of social issues. They are delivered collaboratively with other schools and with a range of statutory agencies and voluntary and community groups. The Model schools employ a more reactive approach, in that they organise and bring together appropriate sources of professional help and support in response to identified needs. The full service network in Ballymurphy has a slightly different strategy, in that key stakeholders across the statutory, voluntary and community sectors are involved at

the outset, playing an active role in the planning of full service activities and services through representation on the full service community network project board. The principals on both projects work closely together so that they can learn from each other.

An Deis in the South has a slightly different approach, but again, it does similar work. It works in schools in disadvantaged areas to make sure that they have breakfast clubs, school book schemes and that they encourage whole school approaches to literacy and numeracy. "Deis" is the Irish word for "opportunity". I speak for Reg Empey and me when I say that I think that everybody found the presentation very useful. We have a lot of lessons to learn.

The key issue is parental involvement. If we could get one message out to every parent, it would be that their role in school education is fundamental. It makes a difference to the young people who achieve and to those who do not. We must provide more support to parents.

Mr B McCrea: I will start by saying how pleasant it is to be back in the bosom of my colleagues.

Lord Morrow: Your one colleague. *[Laughter.]*

Mr B McCrea: I join other colleagues in condemning absolutely the atrocious attacks on schools. None of us thinks that that is the way forward, and we are together in dealing with the issue.

The Minister brought up the issue of education underachievement. She mentioned that she had received a number of interesting presentations from very learned people. Will she tell us what she learned specifically from those presentations, because this is all a bit woolly? What key elements did she take from those presentations? Does she think that they will change her position on the early years strategy?

The Minister of Education: I thank the Member for his question and for his well-made point. The key element that I took out of the presentations, as did the principals of the schools from very disadvantaged areas across the island of Ireland, is having a targeted, strategic approach. It is about schools, community groups, parents and young people working together. Young people are at the core of that.

The other element that is coming up with many principals and which they are raising with me

is that, in the North, we do not have a revised curriculum that is corrupted by transfer, and that young people are learning in a more stimulated, rather than high-pressure, way. We are already starting to see some of the benefits. We have now had two years without transfer and without the key primary-school years being used to distort the curriculum, which placed some children at the back of the class and others at the front being drilled for tests that many of us believe they should not have been doing in the first place. The key approach is to have agencies working together from the earliest point.

I am not sure that I understand the second part of the Member's question about the early years strategy. We all know that the key point is early intervention. It is about all Departments working together to tackle underachievement and deal with raising standards, whether it is the Departments of Health, Education, or the Department for Social Development.

Mr Gallagher: I thank the Minister for her statement. The SDLP joins everyone in condemning the attacks on schools and incidents of assaults on pupils.

The Minister mentioned investment in the Middletown Centre: the figure that she referred to was close to £5 million. Will she acknowledge that many parents with autistic children are very frustrated at the lack of support in schools in relation to statementing and other classroom support, and lack of support in the home where necessary? The development of the Middletown Centre seems a very long way from where they are. A new plan has been agreed: will the Minister tell us whether, in a year from now, the parents that I refer to will see any appreciable difference in their circumstances?

The Minister of Education: First, I acknowledge a lot of the good work that is being done in our schools on autism and for children on the autistic spectrum. Of course, there is not enough work going on.

We need to continue to train professionals and to have multidisciplinary teams so that teachers, classroom assistants, parents, children and psychologists can work together in a strategic and co-ordinated way, because that, ultimately, is how we will achieve real changes and enable young people on the autistic spectrum to reach their full potential. That is what a parent wants for his or her child. To do that, we must continue to invest in special

education needs, the Middletown Centre for Autism, school psychology programmes and in the range of programmes that are in place.

I look forward to the support of all Members when I ask for resources from the Executive, on which all of the parties here are represented. We should prioritise funding to ensure that it goes to front line services, whether those are in health, education or other Departments. The key test of the Executive will be their targeting of front line services and ensuring that young disadvantaged people do not bear the brunt of difficult times. I look forward to Members' support in that regard.

Mr Lunn: I join other Members in condemning the attacks on schools in the past week or two. The Minister confirmed that she is satisfied with the progress to date on the Middletown Centre for Autism and with the commitment of both Governments. Does she share the concerns, to which Mr Gallagher referred, of parents and representative organisations, such as Autism NI? They still fear that Middletown may not be the ideal model.

The Minister of Education: It is not a one-size-fits-all model; the boards use many different strategies. We work on a North/South basis and share good practice in dealing with young people on the autistic spectrum. Many parents believe that it is essential for some of the most highly trained professionals to be involved in the approach that is taken to their young people. Any parents to whom I have spoken want a co-ordinated approach among teachers, classroom assistants, education psychologists, health professionals and services that are provided by boards or any other organisation. That is the key intervention that must happen.

My Department works closely with its counterpart in the South of Ireland to ensure the expansion of the services that are provided. I said that I was pleased with the first two areas that we have brought forward in relation to the training of the 4,000 professionals. Parents are also pleased, and they are already reaping the benefit. However, parents and I want the development of the centre to continue, along with various approaches in other parts of the North of Ireland. My Department works with various organisations that represent parents.

Mr Deputy Speaker: There has been a full round of questions from all of the parties, and I have been fairly lenient on statements and questions.

However, Members should speed up the process through asking precise questions.

Miss McIlveen: Have key performance indicators been set for the incoming board of the Middletown centre? If so, are they challenging? Will the Minister clarify whether her Department is undertaking a review of the centre? Finally, have the Government of the Irish Republic confirmed their 50% capital contribution?

The Minister of Education: Given that we are under time constraints, I will answer the first question: my Department always sets challenging targets for any board that is appointed.

Mrs O'Neill: Go raibh maith agat, a LeasCheann Comhairle —

The Chairperson of the Committee for Education: Answer the second question. This is absolutely pathetic.

Mr Deputy Speaker: Order.

Mrs O'Neill: The Minister's statement referred to developments on teacher qualifications and superannuation. Will she provide the House with an update on any progress on initial teacher training programmes in the Twenty-six Counties?

The Minister of Education: At present, the Teaching Council in Ireland recognises Irish-medium programmes that are delivered by St Mary's University College and some courses that are delivered by the University of Ulster. Teachers who graduate from other teacher education courses in the North are required to pay an additional fee to the Teaching Council of Ireland to have their qualifications accredited and recognised. I have written to the Teaching Council of Ireland regarding the matter, and the teaching councils North and South are exploring the possibility of introducing a more streamlined process to recognise each other's teaching qualifications.

1.15 pm

In relation to the Member's question about teachers' superannuation, recent additions to the list of qualifying recognised overseas pension schemes and reciprocal developments in the South of Ireland should facilitate the transfer of the value of teachers' accrued pension entitlements from one jurisdiction to the other, and information plans have been drawn up to assist teachers in weighing up their options. The North/South secretariat has since facilitated an information event, at which the

two education Departments outlined the most recent information to the main teachers' unions in all of Ireland.

Mr Givan: The Minister will be aware that a number of primary schools in my constituency are home to the children of quite a large number of British Army personnel. The Minister touched on working on the education of Travellers. Does she recognise the transient nature of Army personnel and the difficulties that that creates when their children arrive late in schools? Furthermore, allowing schools to accommodate such short-notice changes creates funding problems. In the consultation on transient children, what efforts has the Minister made to work with the British Army to address the problem?

The Minister of Education: The Member will be aware — or, by the sound of his question, maybe he is not — that schools that have children with parents in the British Army get extra money. On my watch, all children will be treated fairly. I draw the Member's attention to the fact that it is not a North/South issue, because, thankfully, we do not have the British Army in the South of Ireland. My statement was a North/South report.

Mr McCallister: Will the Minister confirm that the Irish Government will provide 50% of the capital funding? In the interests of speed, a yes or no answer will be fine.

The Minister of Education: Tá mé ag obair leis an Roinn sa Deisceart, agus tá súil agam go mbeidh an t-airgead ag Rialtas na hÉireann agus ag mo Roinn.

Mr McCallister: Is that a yes or a no?

The Minister of Education: I will explain what I said. I am working with the Government in the South of Ireland, and I hope —

Mr McCallister: Is that a no?

The Minister of Education: No, it is not a no. I have said clearly that I believe in the importance of the centre, and I look forward to working with my colleagues in the South to continue to expand it. Sin é.

Mrs M Bradley: Following the evaluation of the Dissolving Boundaries programme, what can the Minister tell us about funding for the project? Will she assure Members that funding will not be cut?

The Minister of Education: Both Departments are planning to evaluate the Dissolving Boundaries programme. The Education and Training Inspectorate (ETI) has already scheduled its evaluation, which will commence in September/October 2010, and it hopes to have the draft evaluation as soon as possible after that date, possibly in early November. The Department of Education and Skills in Dublin will undertake a similar evaluation of schools in the South, and, as part of that process, it will liaise with the inspectorate. The ETI report will be made available to DES inspectors in due course, and both Departments will liaise on the evaluation reports. The programme is very important, and some very interesting work is going on. However, I am sure that the Member is not asking me to pre-empt an important evaluation.

Mr Ross: I add my name to those who condemned attacks on schools and pupils. The Minister spoke about educational achievement. Before recess, the Chairman of the Committee for Education and I visited the nurture unit in Ballysally Primary School in Coleraine. That project is very cost-effective and successful. At the NSMC meeting, did the Minister discuss nurture units or similar projects, and what is her view of them?

The Minister of Education: Obviously, I will not comment on individual schools. Suffice to say I have very good memories of my visit to Ballysally Primary School, and I wish it all the best in the new year. As the Member knows, my Department wants to hear from all Members; it wants people to participate actively in providing what people here believe are good approaches for early years. I am not going to comment on specific approaches. However, it is essential that we prioritise resources going to early years. Members will be aware that we added extra money on top of the money that we approved this year. Again, we should be focusing on North/South issues: we have an awful lot to learn from what is happening in the South and vice versa. If the Member has any ideas on how we can approach North/South issues and on how we can learn from each other, I would very much welcome them.

Mr S Anderson: For the third time, I ask the Minister to clarify whether her Department is carrying out a review of the Middletown centre.

The Minister of Education: I have already very clearly answered that question.

Mr Savage: I, too, want to be associated with the remarks made about damage to schools.

There has been much talk about the underachievement of young people. What percentage of young people is the Minister talking about? The Minister should be careful about putting a label on any young person.

The Minister of Education: I never put a label on any young person, and I do not understand where the question is coming from. Our young people need to be at the centre of education provision. Everyone needs to be working for them, rather than the other way round or having them fit into any type of institution. We need to meet the needs of every child in our system so that they can reach their full potential. I have never labelled any child, nor will I.

Mr Bell: At the risk of doing what Jeremy Paxman did to Michael Howard, for the fourth time, I ask the Minister to answer with a straight yes or no whether her Department is undertaking a review of the Middletown centre. Make it easy and just answer yes or no.

The Minister of Education: My Department is working with the Government in the South of Ireland so that we can carry forward the centre at Middletown.

Táim ag obair leis — *[Interruption.]*

Mr Deputy Speaker: Order.

The Minister of Education: I do not think that people should be playing politics with special needs children and this important North/South project.

Mr Deputy Speaker: Order. The Minister has the Floor to answer questions, and Members have the Floor to ask questions. We cannot have interruptions across the Floor. I ask Members to abide by the rules.

Mr Lyttle: I strongly agree with the Minister that improving parental involvement is key to tackling educational underachievement. I welcome the announcement of the all-island children's book week. How will details of that week be communicated to local schools? Will organisations such as Booktrust be involved?

The Minister of Education: The book week will feature events and workshops that engage

pupils and their parents in reading. I absolutely agree with the Member that it is essential for parents to be involved in reading with their children. Plans for the week, which will take place from 18 to 22 October, are close to being finalised, and I will forward information to all Members shortly. If the Member would like me to forward information to any groups, I will be happy to do so, and he should give their addresses to my Department.

The Deputy Speaker: That concludes questions to the Minister on her statement.

Lord Morrow: On a point of order, Mr Deputy Speaker. Today, before the House commenced its business, the Speaker clearly indicated that when a Minister makes a statement to the House and Members ask questions of that Minister, he expects questions and not statements. An exception would, perhaps, be made for the Chairperson of a Committee, who would be allowed some latitude. That was a timely reminder, particularly as we return from the summer recess, because Members might be prone to forgetting the protocol of the House. However, does the same rule apply to ministerial replies, or do Ministers have latitude in that they do not have to answer questions or can take as long as they like to answer them? I would like a situation to develop whereby Ministers answer questions as succinctly and precisely as possible. Obviously, that is not happening.

Mr Deputy Speaker: My understanding is that an attempt was made to place a time limit on ministerial replies but that that was not agreed to. The Member will know that the Committee on Procedures is considering the issue of ministerial replies. However, the current procedure is that questions are asked of Ministers, and they reply to them.

A number of times today, I asked Members to ask questions rather than making statements, and, after the first round of questions to the Minister, I made Members aware that I would not be as flexible as I had previously been. I hope that that answers the Member's question.

Lord Morrow: Further to that point of order, Mr Deputy Speaker, I hear what you say. However, do you not have considerable discretion in reminding Ministers that they are here to answer questions? Do you not also have the discretion to ensure that Ministers answer questions as succinctly as possible and do not give the

House, with all due respect, the load of waffle it sometimes receives?

Mr Deputy Speaker: My hands are tied as to how anyone answers a question in the House. The Speaker's remarks earlier today were addressed to all Members.

The Chairperson of the Committee for

Education: Further to that point of order, Mr Deputy Speaker, will you refer to the Speaker your comments on interventions and the latitude that you claimed to have given to Members? You have a list of the Members who were to be called to speak, and I request that the Speaker looks at the comments that you made and what the Minister subsequently said.

Mr Deputy Speaker: Order. The Member should resume his seat. I am not questioning the Speaker's ruling. The Speaker's door is open to anyone who has a query on anything that he or I have said. I am certain that he will take up the matter.

Review of Access to Justice

Mr Deputy Speaker: I have received notice from the Minister of Justice that he wishes to make a statement.

The Minister of Justice (Mr Ford): With permission, I wish to make a statement on access to justice. The devolution of justice powers offers Northern Ireland many benefits and opportunities. Among those are the opportunities to identify local solutions to local needs and to look afresh and to adopt approaches that will better serve our community. Ultimately, it gives us the opportunity to reshape our justice system to fit the needs of Northern Ireland. With that in mind, and as Members will know, I indicated my intention on 7 June to commission a fundamental review to help to develop our thinking on how best to ensure access to justice for the least well-off in our society. At that time, I undertook to set out my plans for that review to the Assembly, and my statement today fulfils that commitment.

I want to build a system of justice in Northern Ireland that meets the needs of everyone. In criminal cases, we need and deserve a system that works for all — victims, witnesses and defendants — and which gives everyone confidence that the system works. I welcome the announcement by the Lord Chief Justice last week that he wants to hear what people think about sentencing for certain types of crimes, and I support his initiative. We also need and deserve a civil justice system that provides an effective and accessible way to resolve many different kinds of legal disputes. Of course, criminal and civil cases need to proceed without delay.

Members will be aware that work is already under way to address the urgent need to align legal aid expenditure with the available budget for it, and, in the coming weeks, I intend to commence public consultation on proposals to achieve that. I am grateful to the Bar Council and the Law Society for their engagement on that issue, which has helped us to develop home-grown proposals that provide a best fit for Northern Ireland. I hope that the consultation exercise will achieve the highest level of agreement on how to secure the required reduction in expenditure. I also welcome the Bar Council's initiative to encourage its members to undertake cases under the existing

arrangements, thereby avoiding any disruption in the courts.

The review that I am announcing today is more fundamental than an exercise in cost control. Rather, it is an exercise to examine how best we can help people to secure access to justice. Fair and effective access to justice is an essential element of getting justice right. It is also critical in building confidence and is an important part of our vision for a future justice system. Our present system is built around providing financial assistance to those who could not otherwise find the money to pay for legal representation. However, there may be other approaches and better ways to use the available funds.

1.30 pm

The terms of reference that I have set for the review are to review legal aid provision in Northern Ireland and to develop proposals to improve access to justice that will ensure that defendants have adequate representation to secure the right to a fair trial in criminal cases; in civil cases, provide adequate, appropriate, efficient and cost-effective mechanisms for resolving legal disputes, whether by action in the courts or otherwise; examine previous review work to determine what recommendations and proposals remain relevant; examine the scope for alternative approaches and structures, as set out in my speech of 7 June; make proposals for an efficient and cost-effective system of administration to develop policy and support access to justice; and make proposals to achieve value for money in the use of public funds within the available budget, including the identification of possible future savings to reduce the legal aid budget.

I am pleased to inform the Assembly that the review will commence today and will be carried out by Mr Jim Daniell, who is standing down as chairman of the Legal Services Commission to lead the review. As Members will be aware, Mr Daniell previously chaired the review of criminal justice in Northern Ireland which flowed from the Good Friday Agreement. That, and his more recent experience of chairing the Northern Ireland Legal Services Commission, makes him the ideal person to carry out the review.

Although I have set the terms of reference of the review, it will be independent. I have asked for a preliminary report to be provided by the end of February 2011 and a final report by

the end of May 2011. I particularly want the review to consider new ideas and new ways of doing things and to include thinking that is radical and innovative. I want to look at how we help people solve problems and disputes, without necessarily bringing those disputes into the courts, and how we can support people through the justice process. Although we must ensure that access to legal representation will always be available to those who need it, we should try to find ways of avoiding the costly, adversarial and often stressful experience of a court hearing in favour of alternative methods of resolving disputes.

I want the review to consider ideas, proposals and constructive criticism from as many people, groups and organisations as possible. I know that the voluntary sector will have an important contribution to make to the review, as will the legal profession and the statutory agencies that are involved in the justice system. However, I want everyone to have a say, because everyone should have a voice in how the justice system works.

The review of access to justice will play an important part in developing our vision for justice in Northern Ireland and in securing justice for all. I look forward to bringing its conclusions to the Assembly in due course.

The Chairperson of the Committee for Justice (Lord Morrow):

I thank the Justice Minister for his statement. I also thank him for making the statement available very early for Members to look at. That is a good habit that he will perhaps continue, which is important.

The Committee for Justice has spent considerable time over the past months considering the current proposals to reduce legal aid expenditure. We have one of the most expensive legal aid systems in Europe, which is obviously unsustainable.

The Committee is conscious of the need to ensure that the principle of access to justice is central to any proposed changes. I am, therefore, concerned that the Minister referred to the current proposals to reform the legal aid system as “an exercise in cost control”. Will he assure the House that the proposed changes are not just a money-saving exercise and that full account has been made to ensure fair access to justice? I am sure that the Justice Committee will consider that point carefully when we look at the proposals.

I will move on to the fundamental review that the Minister has just outlined. What account will Mr Daniell take of the available legal aid budget when carrying out the review and reaching his conclusions? Will he be restricted to ensuring his findings can be delivered within the available budget, or has he been given a blank sheet or a blank cheque? Also, is Mr Daniell completing the review on his own, or will he have assistance? If it is the latter, what size of team will be appointed and what is the estimated cost of the review, including accommodation and secretariat support?

The Minister of Justice: I thank the Chairman for his kind words. Ministers do not always receive such words at the start of a response to a statement. It is certainly my intention to ensure that Members get details of statements with as much notice as possible. However, I cannot promise that my staff will always supply the questions and answers at the end of it.

At the moment, we are in slight difficulty. Today, I am announcing a fundamental review of legal aid as we are proceeding through the process of dealing with the necessary cuts in legal aid expenditure that flow from the agreement between the First Minister and deputy First Minister and the former Prime Minister last year that led to the devolution of justice. As Members will be aware, that agreement requires legal aid expenditure to be cut from £104 million to £79 million by 2013-14. That issue is absolutely clear, and it has to be addressed at the present time.

The review is not a cost-cutting measure, and no instructions to that effect have been given to Mr Daniell. The terms of reference include value for money but specifically make it clear that we want to find appropriate and better ways to ensure access to justice in both civil and criminal cases in the future. We will, obviously, take account of the question of costs as we seek to explore future budgeting arrangements in the Department of Justice and everywhere else.

Lord Morrow asked a specific question about cost. My understanding is that the estimated total cost will be £142,000, including Mr Daniell's salary, various expenses, two members of staff and the necessary accommodation for them to support him in his work.

Mr McCartney: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas. I thank the Minister

for his statement. I must have got the second draft because the questions and answers were not supplied at the end. The review is welcome, and we wish Mr Daniell well. In the terms of reference, the word "adequate" is used in relation to criminal and civil cases. I want to ensure that we have safeguards, because there is a difference between adequate representation and best representation. What steps will the Minister take to ensure that adequate is not seen as the lowest common denominator?

The Minister of Justice: I thank the Deputy Chairperson; he makes a fair point about the difference between adequate and best representation. I suspect that the problem is that, given the financial circumstances in which we live, we simply cannot afford to say that everybody will get the best possible representation. However, as far as I am concerned, the word "adequate" must mean more than the bare minimum. Representation must be adequate to ensure a fair trial in criminal cases and a fair exploration of the issues in civil cases. That will be easier to explain when we look at the detail rather than in two or three words in the terms of reference of a review.

Mr Savage: I welcome the Minister's statement, which says:

"I want to build a system of justice in Northern Ireland that will meet the needs of everyone."

In light of the Minister's statement on access to justice, he will be aware of my correspondence about a constituent of mine who is having difficulties with that issue. Will the Minister agree to meet with me and my constituent as a matter of urgency to find a swift resolution to the problems that he has experienced?

The Minister of Justice: I cannot give such a commitment to any Member in the House. There are aspects of the justice system for which I bear responsibility and on which I am prepared to meet Members. Other aspects fall to the independence of agencies such as the police, the Public Prosecution Service or the judiciary. I am not in a position to promise ministerial interference in any of those areas. I oppose that in any circumstances.

Mr A Maginness: I declare an interest as a member of the Bar. I thank the Minister for his statement, and I welcome the review. However, I want to question why Mr Daniell has been

appointed to carry out the review given that he was chairperson of the Legal Services Commission. I do not have any objection to the man personally, and I am not suggesting that there were any demerits in his conduct as chairperson of that commission, but he was in charge of a system when the build-up of legal aid expenditure happened.

I question whether he is the most appropriate person to be put in charge of a review of the system that he operated. Although I wish Mr Daniell and the Minister well in the review, I have a question mark against whether Mr Daniell is the most suitable person in the circumstances. Would it not be better to have someone coming from outside to give a more radical approach to reviewing the present system?

The Minister of Justice: I thank Mr Maginness for his further positive comments. He asked whether someone from outside might be in a position to carry out a more radical review. Of course, it might also be argued that Mr Daniell's recent experience chairing the Legal Services Commission has given him the inside track that would also allow him to be radical. In his work on the criminal justice review, he clearly indicated his ability to carry out that level of a review, looking at some fairly fundamental issues, in a detailed and positive way. That has led to the system of government under which justice has been devolved.

It is never an easy decision to determine how to appoint someone to such a post. I viewed the appointment as a matter of urgency, which precluded any question of public advertisement. On that basis, Mr Daniell has shown the expertise that is required for the review, and I believe that he will do a very good job in carrying it out.

Dr Farry: I also welcome the statement and the potential for some innovation in policy in the Assembly. Will the Minister confirm that he would wish to carry out the review in any set of circumstances, notwithstanding the current financial situation? Indeed, will he confirm that, rather than being about the system itself, the review is about making the system work better for the individual citizen in Northern Ireland? Will he confirm that any conclusions from the review will have to ensure that they are consistent with equality and human rights legislation, both within the jurisdiction —

Mr Deputy Speaker: I must intervene, because I have said previously that we want questions to

the Minister's statement, not statements from Members. I will stick rigidly to that, so I ask the Member to come to a question. The same applies to all Members: we want questions to the Minister.

Dr Farry: I asked a question, and I am finished.

The Minister of Justice: I am not sure how to respond to your intervention, Mr Deputy Speaker. I think that I identified four questions, and you do not seem to have identified one yet.

The fundamental question with which my colleague started was: did we want to carry out the review anyway, and the answer is yes. As I said during the statement and in one answer, the issue is not about cost cutting. It is about ensuring better access to justice. To digress; in my professional career as a social worker, I saw many cases in which issues about access to justice were not particularly well solved by legal aid being available solely for adversarial court proceedings. The real issue is how to ensure that every citizen gets proper legal aid and proper advice in ways that assist in resolving problems, not in ways that sometimes create complications. Clearly, there are cases that will have to go to court, and there are other cases where alternative methods and better application of the funding that is available for legal aid might produce some benefits for individual citizens.

On the final point on which you cut off Dr Farry, it is clear that anything that will flow from the review will have to satisfy fully the equality and human rights legislation under which every part of these institutions works.

Mr Buchanan: I also welcome the Minister's statement and the review that is to be conducted by Mr Jim Daniell. Many people in Northern Ireland are concerned about the pace of the judicial process and the delays in several areas. Will the review, which is to examine a number of areas, examine an area that is of concern to many people? I refer to the seemingly long delays by barristers and other legal professionals for what appears, to many people, to be to their benefit when their clients are in receipt of legal aid.

The Minister of Justice: I thank Mr Buchanan for that question. Dealing with delays in the legal process is not specifically an issue for the review, but, undoubtedly, many people are concerned by delays that may be financially

advantageous to members of the legal profession. Never mind this fundamental review, through some of the reforms that are currently being made in the way that legal aid is paid, there are decreasing benefits for those who would seek adjournments in the way that might have been perceived a few years ago as being potentially financially beneficial.

That is part of the other key proposal that I have put forward in my time as Minister: to speed up justice. It is absolutely clear that justice in this region is significantly slower than it ought to be. We need to ensure that every part of the justice system works together to improve the service that our citizens receive.

1.45 pm

Mr O'Dowd: Go raibh maith agat, a LeasCheann Comhairle. The points that I wished to raise have been covered.

Mr Spratt: I thank the Minister for his statement. He said that he is grateful to both the Bar Council and the Law Society for their degree of engagement in developing home-grown proposals. Does the Minister accept that many of the rules of Northern Ireland's expensive legal aid system, which is three times more expensive than Scotland's and twice as expensive as that in England and Wales, were home-grown? Will the Minister ensure that Mr Daniell conducts a clear trawl of the rules and regulations in the rest of the United Kingdom when he carries out his review?

The Minister of Justice: I thank Mr Spratt for that general point. However, I am not sure that, having set up an independent review, I should now engage in telling the reviewer what he should do. I have absolutely no doubt that Mr Daniell will look at those issues. Indeed, the kind of concerns that Mr Spratt raised are being addressed already. Mr Spratt referred to the issue of what is home-grown and what is not. Work is ongoing to look at the current operation of the legal aid system, and I hope to take that to the Committee for Justice and the Executive shortly. Part of that work aims to ensure that we make cuts in a way that ensures that expenditure is best used for the benefit of our people. That is part of what I described as a home-grown solution. Most of the current system effectively follows the England and Wales processes, although some of the ways in which it is carried out have turned out to be more expensive here.

Mr Kennedy: I am grateful to the Minister for his statement and for what I perceive to be his assurance that he will ensure that he will be a driving force in ensuring meaningful reform, particularly in light of the current economic climate. How optimistic is the Minister about the timescales that he indicated?

The Minister of Justice: I remain ever the optimist; otherwise, I do not think that I would have taken on this post five months ago. Of course, the issue is not just the timescales in which the review is carried out but the timescales for the implementation of that review. That is where our people will start to see the benefit, and that may well require primary legislation. If that was an offer from Mr Kennedy of his and his colleagues' assistance in ensuring that the legislation that flows from the review goes through the House speedily, I accept it gratefully.

Mr McDevitt: I welcome the Minister's acknowledgement of a clear link between access to justice and social policy. Will the Minister inform the House why there was not a point in the terms of reference that requires Mr Daniell to look specifically at those direct links and consider issues under the purview of the Department for Social Development, perhaps, as well as under that of the Department of Justice?

The Minister of Justice: Mr McDevitt makes a reasonable point. However, I am not sure that I could have included every conceivable item of social policy across a range of other Departments. He highlighted the Department for Social Development, but there might be concern if we were to start to stray into other Ministers' territory. There may be implications for a number of Departments besides the Department for Social Development. Mr Daniell has been given fairly wide-ranging terms of reference. If policy issues that flow from the review affect other Departments, it will fall to me to discuss that with the relevant Ministers.

Mr Bell: In respect of legal aid expenditure, does the Minister share the public's concern about one barrister's receipt of £1.4 million of public money in one year at a time when the jobs of teachers, doctors and nurses were under pressure? Will he assure us that the excessive gravy train will not continue into the future? Given the accountability procedures that we now have as a result of the devolution of policing

and justice powers to the House, is it right that the identity of someone who took £1.4 million of public money should remain a secret? To the best of my knowledge, that person's identity has remained a secret.

The Minister of Justice: I will take up Mr Bell's final point. I gather that the issue of the anonymity of barristers who received legal aid payments is still under discussion, and I hope that it will be resolved in a way that will give greater public satisfaction.

The issue of the total amount that is paid to any individual relates to whether they have satisfied the necessary rules to show that they have produced the necessary work which justifies those payments. All that I can say is that that particular payment was made before I became Minister, and it is not a payment for which I bear any responsibility. However, it is absolutely clear, as Members will see when we look at the current proposals for the immediate reduction in legal aid costs, that it is unlikely that the same level of funding will still be around for the same number of very high-cost cases, which is where some of those issues have come up. In particular, we will have a much more transparent system, which will ensure that payments are much more easily justifiable on both sides of the argument.

Mr McNarry: I also welcome the Minister's statement and include in that the efforts that he has made to get us this far. Is there research establishing the percentage of cases where, without legal aid, a victim pursues a non-molestation order by independent means? Even without such facts, will the Minister give a commitment that the review can assure that the most vulnerable will not be denied access to justice due to financial considerations?

The Minister of Justice: I thank Mr McNarry for his positive comments. The specific issue of non-molestation orders causes me a degree of concern at the moment. Although I am not in a position to make a formal announcement, I can say that the issue of how funding is being given for non-molestation orders and other particular difficulties arising out of issues such as domestic abuse is under consideration as a discrete issue, separate from any other concerns about legal aid, because I believe that it is something on which the House would wish me to respond speedily.

Ms Lo: I thank the Minister for his statement and welcome the review. The Minister mentioned that the voluntary sector has an important contribution to make to the review. Will the Minister look at enhancing the voluntary sector and organisations such as the Law Centre and Citizens Advice in their taking on an intermediary role to resolve disputes instead of those going straight to court?

The Minister of Justice: Yet again, my colleague, in her charming way, is encouraging me to go further than I should do having set up the review. I will merely say that I am seeking to see engagement in the review, not just from the obvious bodies in the legal profession and related bodies but on the widest possible scale, so that Mr Daniell has a well-informed view of public opinion. I believe that if we are going to look at alternative methods of resolving disputes, one of the issues that will have to be considered is which particular organisations are best placed to do that. However, I fear that if I do anything further I will tread on Mr Daniell's toes.

Mr Lyttle: I also welcome the review and the fact that the Minister has made improving access to justice a central aim of his Department. Is the Minister confident that the review will result in tailored and specific recommendations for this region?

Mr Kennedy: That is a new plant.

The Minister of Justice: Mr Kennedy is well aware that I do not get plants from my colleagues. Normally, I get only difficult questions from them.

From a brief, informal discussion that I had with Mr Daniell, in which I outlined the terms of reference to him, I am satisfied that he will ensure that there is Ministerial Statement: Northern Ireland Water's innovative and radical thinking which puts the needs of Northern Ireland at the key. The key question for the Assembly subsequent to that — I have my party's support as well as that of Mr Kennedy's on this matter — is to ensure that any radical and innovative thinking that comes from the review will be carried as speedily as possible through the House.

Intergovernmental Agreement in Criminal Justice Co-operation

Mr Deputy Speaker: I have received notice from the Minister of Justice that he wishes to make a further statement.

The Minister of Justice (Mr Ford): With your permission, Mr Deputy Speaker, I wish to make a statement about a ministerial meeting that I had with Dermot Ahern TD under the auspices of the intergovernmental agreement on co-operation on criminal justice matters, in Carlingford on Friday 9 July. Although I met Mr Ahern during my first week in office, our meeting on 9 July was the first formal ministerial meeting under the intergovernmental agreement since devolution of policing and justice matters on 12 April.

Devolution of policing and justice powers provides an opportunity to further enhance working relationships between and across criminal justice agencies on both sides of the border in seeking to make both jurisdictions better and safer places for people to live in, free from crime and from the fear of crime.

Criminals work across borders. The only recognition that they give to them is as an opportunity to make more money from illegal activities. Therein lies the imperative that we who are tasked with tackling such criminality also work across borders. I am determined to make the most of opportunities, be they North/South, east/west or beyond these islands, to work together where that makes sense, to benchmark our work against best practice and to share on the international stage exemplars of work in the justice system, as we have been able to do with youth conferencing recently.

By way of background, the intergovernmental agreement is an agreement between the UK and Irish Governments and provides a framework for co-operation on criminal justice matters. The agreement, which existed prior to April 2010, has been adjusted to reflect the devolution of justice powers to the Assembly. It supports at least one meeting each year between the justice Ministers North and South, as well as a working group of officials from both jurisdictions that meets at least twice each year. The working group is supported by ad hoc project advisory groups, of which there are currently six, that are tasked with criminal-justice-related work strands that are of mutual interest North and South.

The intergovernmental agreement is not intended to provide for discussion of cross-border security issues. However, I have cause to discuss such matters regularly with Mr Ahern. I used the opportunity of our being together on 9 July to discuss those other important issues. The meeting provided a constructive opportunity to discuss many criminal justice issues of mutual interest under the auspices of the intergovernmental agreement.

Mr Ahern and I discussed a range of cross-border issues, including supporting public protection, management of sex offenders, support for victims of crime, youth justice, forensic science and promoting social diversity. We also received an update from officials on the project advisory groups that cover those areas. In particular, we noted the good channels of communication that exist between criminal justice organisations on both sides of the border to ensure that criminals do not use the border to escape justice.

A future work programme prepared by the working group under the terms of the intergovernmental agreement was also agreed. It sets out a number of priority areas for action by summer 2011. I have placed a copy of that report in the Library. Planned actions to promote co-operation include work to agree a shared approach to implementing two EU framework decisions on the transfer of prisoners and probation supervision; reviewing processes for returning sex offenders to their home jurisdictions; assessing the responsiveness to victims of criminal justice agencies on both sides of the border; development of a memorandum of understanding between forensic science laboratories in each jurisdiction to provide mutual support in the event of sudden loss or damage to facilities; reviewing approaches for dealing with priority young offenders; and promoting social diversity, with focus on scoping and identifying examples of best practice in tackling hate crime.

Progress against the work programme will be monitored by the working group, which will report to Dermot Ahern and me at our next meeting, which is planned for November. With the Speaker's agreement, it is my intention to update the Chamber following that meeting and also after future ministerial meetings that are held under the auspices of the intergovernmental agreement.

Finally, I also took the opportunity when I met Dermot Ahern to discuss an issue that is not in the intergovernmental agreement. We agreed in principle to hold a trilateral meeting with Kenny MacAskill, the Scottish Cabinet Secretary for Justice, to enable discussion on matters of common interest across the three jurisdictions. I hope that such a meeting can be arranged soon.

The Chairperson of the Committee for Justice

(Lord Morrow): I thank the Minister for his statement to the House and for the promptness with which he made it available. I hope that he continues that practice throughout his tenure as Minister of Justice.

2.00 pm

I note from the Minister's statement that he intends to make the most of opportunities to enhance working relationships. When does he intend to hold similar individual meetings with his relevant Scottish, English and Welsh counterparts? Will he make oral statements to the Assembly on the outcomes of those meetings? Did the Minister take the opportunity provided by the meeting of 9 July to discuss the heinous crime of human trafficking? Has any consideration been given to whether legislative change is necessary in either or both jurisdictions to enhance co-operation, to ensure robust and speedy action and to ensure that prosecutions take place and that there is no hiding place?

(Mr Speaker in the Chair)

I will now ask a question not as Chairperson of the Justice Committee but in my capacity as a Member who represents the border constituency of Fermanagh and South Tyrone. Was the dissident threat discussed in any way at that meeting? In his statement, the Minister said:

"Criminals work across borders, and the only recognition they give to them is as opportunities to make more money from illegal activities."

I hope that the Minister will be able to answer in the affirmative. I look forward to hearing his response, because he is acutely aware of the threat that exists and the mayhem that dissident republicans have caused in recent months. I would like to hear the Minister's views on the matter.

The Minister of Justice: I thank Lord Morrow for what were, again, complimentary remarks. He raised the issue of the nature of the

reporting of the meeting of 9 July and asked about meetings with other Ministers. The position, as I chose to interpret it, is that the intergovernmental agreement (IGA) is not the North/South Ministerial Council but is, in many senses, analogous to that. I, therefore, believed it appropriate to seek permission to make a statement on a formal meeting under the intergovernmental agreement.

I do not view meetings with other Ministers in quite the same way, as they do not fall under the same formal procedure. My first informal meeting with Dermot Ahern took place outside of any formal procedures. However, in answer to the question, I had a meeting in the early part of the summer with Mr Kenny MacAskill, the Scottish Cabinet Secretary for Justice, and, last week, I met the Home Secretary and the Lord Chancellor/Secretary of State for Justice in Whitehall, who, in some respects, are English Ministers and UK Ministers. At the moment, justice matters have not been devolved to Wales, so I have not had any meetings with any relevant Welsh Minister.

We did not have detailed discussion on a number of issues at the meeting, but some issues, of which human trafficking is one, are becoming more significant, in the same way as, for instance, smuggling is. Smuggling is an issue that some of our working groups are taking forward. I imagine that we will be having a more detailed discussion on trafficking in November.

As I said in my statement, although the IGA was not set up to deal with terrorism-related matters specifically, it would be inconceivable for the Justice Ministers, North and South, not to discuss at any such meeting, formal or informal, the threat that is being faced in cross-border areas and elsewhere. We discussed those issues, and those discussions centred very much on co-operation between the PSNI and the Garda Síochána in dealing with that threat.

Mr McCartney: Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas. I thank the Minister for his statement and welcome its timeliness. I have one question on the protocols around the agreement. Given the fact that the powers have been transferred, is the Minister satisfied that the protocols are in place to allow co-operation to continue without hindrance or gaps?

The Minister of Justice: I thank Mr McCartney for his question. I met Dermot Ahern on, I think, my fourth day in office; it was certainly in my first week in office. The meeting was held in Castle Buildings. I was accompanied by the Chief Constable and the deputy chief constable, and Mr Ahern was accompanied by the Garda Commissioner and the deputy commissioner. There was a sizeable delegation from the two Departments on either side, and it was made absolutely clear to me at that meeting, and has been on a number of occasions since, that all the necessary protocols are in place to ensure the fullest possible co-operation in all North/South matters, particularly those led by the Garda Síochána and the PSNI, but also in relationships between other agencies. I believe that, at present, we have significant and full cross-border co-operation that serves us and those on the other side of the border extremely well.

Mr A Maginness: I declare an interest as a member of the Bar.

I thank the Minister for his statement. It is obvious that some very good work is going on in relation to the intergovernmental agreement and co-operation on criminal justice. It makes good sense to co-operate North and South. However, as the Chairperson of the Justice Committee said, it is important that co-operation take place on a number of issues, but, in particular, on human trafficking, which is a criminal activity that affects both sides of the border. I hope that that co-operation can be deepened.

Further to that, in relation to forensic science, which the Minister mentioned in his statement, there should be —

Mr Speaker: The Member must come to his question.

Mr A Maginness: There should be greater co-operation and pooling of resources, particularly in relation to forensic science, which is capital intensive and requires great expertise. Will the Minister reassure the House that that co-operation will be deepened?

The Minister of Justice: The Member highlights human trafficking, which is an issue that causes significant concern to all of us. The most recent episode of trafficking, as I understand it, was largely between Northern Ireland and Scotland, with some possible implications for England. However, there is full co-operation between the PSNI, the UK Border Agency and the Garda

National Immigration Bureau in dealing with cross-border trafficking issues. That should provide a measure of reassurance to Members in that respect.

Dr Farry: I welcome the statement and invite the Minister to confirm that his attitude and approach is that he will seek to represent the interests of Northern Ireland with all our neighbouring jurisdictions and, indeed, Europe, irrespective of any particular institutional format, whether through the intergovernmental agreement or the North/South Ministerial Council. It is the nature of the interaction that matters, not the precise structures.

The Minister of Justice: I am aware that there are Members who believe that it would be better if justice fell under the aegis of the NSMC. As far as I am concerned, I am seeking to promote the widest possible co-operation between the agencies in Northern Ireland and those of our neighbours, whichever jurisdiction they fall within, and, indeed, at times, those agencies beyond these islands. If the Executive choose to recommend to the Assembly different formats in which I should operate, I will be prepared to carry out the Assembly's wishes in so doing. However, it is vital to ensure that we have the maximum possible co-operation among all the agencies that deal with organised crime, such as trafficking or smuggling or a range of other offences, and which also work together to defeat the terrorist threat, which is a threat to every part of these islands at the same time. If that is the case, the issue of the precise institutional structures is far less important than maximising co-operation.

Mr Givan: Will the Minister tell us whether environmental crime was raised at the ministerial meeting? It is obvious that, in the past, Northern Ireland was used as a dumping ground for criminals in the Republic of Ireland, which cost taxpayers tens of millions of pounds. Where is dealing with the Republic of Ireland Government on the scale of priorities, particularly around the fuel laundering industry that is prevalent in the border areas?

The Minister of Justice: Those are, in fact, slightly different issues. As the Member says, fuel laundering is prevalent in the border areas, but if that is the case, it is a Northern Ireland issue. My Department does not take the lead on the issue of illegal dumping; the Department of the Environment takes the lead, as the

Member may remember from his previous life. Environment Agency staff, for example, play a role in the Organised Crime Task Force in dealing with matters such as illegal dumping. That is an example of what I have been talking about; practical co-operation rather than particular concerns about institutional structures.

Mr Bell: I welcome the statement and the positive work that is entailed in it. On the intergovernmental agreement in relation to the dissident threat, did the Minister take the opportunity to thank his counterpart for the positive work that the guards have undertaken in stopping terrorism from being exported into this part of the United Kingdom? Secondly, should we move from using the term “sexual trafficking”, which is a very sanitised term for what, in effect, is sexual slavery? Will that be on the agenda for the tripartite meeting with Scotland, given the Minister’s earlier comments and concerns about Scotland being used as a transit base for human beings for the purposes of sexual slavery?

Finally, in relation to sex offender management, is the Minister satisfied that the current procedures are robust enough, given the high levels of recidivism of sex offenders, particularly paedophiles who offend against children? Are the procedures —

Mr Speaker: I encourage the Member to finish.

Mr Bell: I will close on this sentence, Mr Speaker. Are the procedures sufficiently robust to prevent children being abused in the future?

The Minister of Justice: I fear that Mr Bell did not listen to the Deputy Speaker’s injunction about the number of questions, but I will try to be generous. The first question was: did I take the opportunity to thank Dermot Ahern for the role of the gardaí in stopping what the Member described as the export of terrorism? I do not need a formal meeting to thank Dermot when I see good work being done by the gardaí, and indeed I have had informal conversations face to face and by phone that have covered those kinds of issues.

Secondly, I think that I have used the term “slavery” in speeches, although I do not know that we could use that term to name the offence. However, it is absolutely slavery in any meaningful sense. The Member referred to Scotland being used for the latest episode

of trafficking, whereas, actually, Scotland and Northern Ireland were both being used, so let us not suggest that we are pointing the figure at the Scots and blaming them for what was going on — although I do not think he was doing that. Unfortunately, there are people in this society who are prepared to pay for the sex trade in a way that puts young women, older women and young men at serious risk. That applies in Northern Ireland, the Republic, Scotland, England and Wales, and therefore we need to ensure that we have the most joined-up approach possible to deal with it.

The Member also asked me about robust procedures for ensuring that sex offenders cannot reoffend. I think if he thought back to his previous professional life he would find it difficult to justify how we could ever say that those things would not happen. What I can say is that I believe that we have robust procedures. In the context of my statement about the intergovernmental agreement, I think we have procedures that are as robust on a cross-border basis as those that exist within each of the two jurisdictions separately. I am certainly keen to do all we can to enhance that robustness.

Ms Lo: In relation to human trafficking, I would like to make a further point and then ask the Minister for a further reply. Human trafficking is a growing problem in the North and South of Ireland, but often Northern Ireland, particularly Belfast, is being used as a transit route to traffic people from Dublin to the rest of the UK, or vice versa. We have now seen three UK-wide operations by the police to tackle human trafficking. Surely there should be some kind of North/South united campaign or operation to crack human trafficking here.

The Minister of Justice: It is noticeable that a number of questions this morning have dealt with the issue of trafficking. It shows the concern about it that exists in the Assembly. There is no doubt, certainly judging by some of the information I have seen on the most recent case, that people have been trafficked into Northern Ireland, used as sex slaves — in Mr Bell’s terminology — within Northern Ireland, then trafficked out to other regions of these islands. There is undoubtedly an extreme example of organised crime, which is causing massive human misery. So, yes, my colleague is absolutely right. We must ensure that we have the most active possible intervention to stop that happening.

2.15 pm

Those who use the sex trade should recognise the reality of what they do, and those who have concerns about what is happening in whichever jurisdiction should inform the relevant authorities, because, without proper information, the police cannot take action. It is clear that a strong working partnership exists. The institutions, especially the different police services, recognise fully the concerns that exist and the depths of that crime. However, public support is required to act against it to the fullest possible extent.

Mr Lyttle: I join my colleagues in welcoming the Minister's statement, which shows extensive co-operation in dealing with some international issues. On that note, the statement refers to exemplars of youth conferencing in the justice system. Will the Minister share further information about the nature of that system?

The Minister of Justice: I thank my new colleague for that question. I have heard of Members being congratulated on their maiden speech, but for a Member to score a hat-trick of questions on his first day in the place is novel. I am probably mixing metaphors; the Member scored a goal against the media last week.

On the substance of his question, Members will know that a group of people with responsibility for youth justice in England and Wales came to Northern Ireland recently to examine our youth conferencing process, because they are keen to implement something similar. That is the measure of what one of our justice agencies is doing. The process is an exemplar of good practice on a world scale. It has achieved significant progress in the operation of youth conferencing since it was introduced in Northern Ireland, and it shows the way to other parts of these islands and further afield.

When talking about cross-border co-operation and co-operation with other regions, we in Northern Ireland should not be shy about pointing out that we are ahead of the field in certain respects, because, unfortunately, others are keen to point out, on occasion, that we are behind the field in others.

I congratulate my colleagues in the Youth Justice Agency, in particular the recently retired chief executive, Bill Lockhart. He ensured that young people in difficulty have an excellent service

that makes a major contribution to providing a safer society for all citizens.

Mr Speaker: As Question Time begins at 2.30 pm, I suggest that the House take its ease until that time. After Question Time, the Finance Minister will make a statement.

2.30 pm

Oral Answers to Questions

Office of the First Minister and deputy First Minister

Mr Speaker: Order. I remind new Members and, perhaps, other Members that it is important to rise in your place continually if you want to ask a supplementary question. The key word is “continually”, because some Members rise once and feel that that should be enough, which tells us at the Table that their question has already been answered. Therefore, Members should continually rise in their place if they want to ask a supplementary question.

Maze/Long Kesh Site

1. **Mrs M Bradley** asked the First Minister and deputy First Minister to outline the decisions and actions taken since June 2010 in relation to the development of the Maze/Long Kesh site. (AQO 1/11)

7. **Mr McCartney** asked the First Minister and deputy First Minister to outline the main elements of the plan for the Maze/Long Kesh site following the recent announcement on an agreed way forward on its development. (AQO 7/11)

The deputy First Minister (Mr M McGuinness): With your permission, Mr Speaker, I will answer questions 1 and 7 together.

On 29 July, the First Minister and I announced our intention to table a motion in the Assembly to debate the draft statutory rule to establish the Maze/Long Kesh development corporation. I can confirm that the Assembly debate on that issue has been scheduled for tomorrow, Tuesday 14 September. If the Assembly approves the motion, it is intended that the corporation will be operational from 1 April 2011, subject to all the necessary approvals and a chairperson and members of the corporation being in place by that time.

The Maze/Long Kesh programme delivery unit continues to prepare the site for future redevelopment so that there is no loss of momentum in preparing for the development

corporation. That work involves continuing with the development of a master planning framework for the regeneration of the site, interim business plans, which are necessary to support the development corporation's proposed future initiatives on the site, and the completion of a major programme of decontamination.

I am delighted to report that the business case for the establishment of the development corporation has been approved by the Department of Finance and Personnel. The initial phase of the redevelopment plan will be the master planning framework. That will include a draft implementation strategy and spatial development framework, along with outline plans for essential infrastructure provision.

Over the coming months, our Department will submit an EU funding application to secure funding for a peace building and conflict resolution centre on the site. In-depth discussions are also continuing with the Royal Ulster Agricultural Society (RUAS) about its potential relocation to the Maze/Long Kesh site.

In the current economic climate, a phased regeneration plan will be implemented by the development corporation to spread the cost of the development of the substantial 347-acre site and help to attract the private investment that will be needed. That will also help to create early progress at the site. It will, of course, be essential for us to secure budget provision to cover public sector development costs, and the appropriate financial bids have been made.

Maze/Long Kesh presents us with a unique opportunity. The site is a key regional-level asset, and its regeneration can be a catalyst for economic development and contribute to the social good. We should not miss this opportunity.

Mrs M Bradley: I thank the Minister for his reply. What is the time frame for the submission of the business case and the application form to the European funding programme? How will the commission be selected?

The deputy First Minister: That will happen over the next while. All that work is ongoing, and some work has been done on the European application. Europe is waiting for us, and, now that we have put the wheels in motion, it is our responsibility to ensure that we act as quickly as possible. I can guarantee that that will be the case.

The vast majority of Members will be pleased that, after quite a long delay, there is finally movement on the site, particularly given that the economic regeneration of the area will be critical not only for those who will eventually work there but for the construction industry, which is anxious to get on site.

We have had positive developments on the prospect of European money. The RUAS is anxious to move, and I spoke to representatives of that organisation at the Balmoral Show. I have also heard that the private sector has made declarations of interest. People appreciate the fact that Maze/Long Kesh is a key site, and it is important that we move forward as quickly as possible.

We are proceeding with all haste to put together the development corporation. If tomorrow's motion to establish the development corporation is approved by the Assembly and the Maze/Long Kesh business case is approved by the Department of Finance and Personnel, the corporation will be in operation on 1 April next year.

Mr McCartney: Gabhaim buíochas leis an Aire. The Office of the First Minister and deputy First Minister is committed to maximising the economic, historic and reconciliation potential of the site. Can the deputy First Minister outline what he envisages for the listed and retained buildings? In particular, what of the peace building and conflict resolution centre?

The deputy First Minister: The peace building and conflict resolution centre will be a unique facility promoting international exchange. It will be a hub from which to share with other nations our experience in many areas, including the achievement of political agreement, policing, government and community expertise. The centre will also provide conferencing facilities; house research, study and academic activities; develop a modern archiving facility; be a place for reflection; and provide a shared space for visitor access, performance events and exhibitions.

Many people understand the importance of the construction of such a centre. There is worldwide interest in it. The European Union has shown itself to be anxiously awaiting it. We have seen over the summer that there are still those in our society who believe that conflict and violence are the best way forward. Our message to all of them is that that is not the case and that the best way forward is through the democratic process. The conflict

junkies who are out there, some in small unrepresentative organisations that believe that that is the best way forward and others within the political process who believe it, will all get a very profound message as this iconic project moves forward.

Mr Givan: I welcome the response from the First and deputy First Minister on the issue. Does the deputy First Minister agree that this is an opportunity to drive forward to the future and create jobs, rather than look back to the past? I recognise that the site was an important military site, used by the British Army in the Second World War, and that the Ulster Aviation Society currently uses the facility. Will that continue to be the case after the Order is passed?

The deputy First Minister: A lot has been written in the media, many statements issued and suggestions made as to what this will be. I want it to be a shrine to peace and the future. The development corporation will obviously have the responsibility for it. It will be charged with the duty to take forward this work and ensure that whatever is presented on the site is inclusive of everyone who has participated on it. The Member has mentioned a number of organisations: I have no doubt that those charged with taking this forward will do so because they understand that, two or three years ago, there was an absolute consensus among all the parties in the Assembly that, when the project came to fruition, it had to be totally inclusive.

Public Assemblies, Parades and Protests Bill

2. **Mr O'Loan** asked the First Minister and deputy First Minister to outline their proposed amendments to the draft Public Assemblies, Parades and Protests Bill. (AQO 2/11)

The deputy First Minister: The junior Minister, Mr Gerry Kelly, will answer this question.

The junior Minister (Office of the First Minister and deputy First Minister) (Mr G Kelly): A number of amendments have been made to the draft Bill following the conclusion of the public consultation on 14 July. The key change has been the removal of all public meetings from the remit of the legislation, in direct response to the concerns raised by a number of individuals, community groups, trade unions and churches during the consultation period.

We have considered the views submitted during the consultation and have amended the Bill accordingly. The new legislation will be fully consistent with international human rights standards.

Mr Speaker: I give Members notice that questions 9 and 13 have been withdrawn.

Mr O'Loan: As the junior Minister said, the Human Rights Commission and the trade unions expressed serious concerns about public meetings, legitimate demonstrations and protest meetings. Have those bodies indicated that they are content with the proposed amendments? There may still be serious problems with the legislation.

The junior Minister (Mr G Kelly): Those issues, among others, were discussed at an early stage in the consultation and brought to our attention, and we acted on them. Most if not all of the stakeholders will be satisfied with the amendments we have made.

Mr Kennedy: I am grateful for the answers provided by the junior Minister. Even at this late stage, to avoid the ongoing failure to consult widely enough outside the closed doors of the leadership of Sinn Féin and the DUP, will he, on behalf of the Department, take steps to involve all parties in the decision-making process for major proposals on parades legislation?

The junior Minister (Mr G Kelly): We took the consultation process, which lasted for 12 weeks and was open to everyone, into consideration. There were approximately 410 responses to the wide-ranging consultation. Also, many groups, organisations and individuals spoke to the working group.

Mr Lyttle: May I seek confirmation that one amendment includes the removal of the requirement for 50 or more people to apply for the right to public assembly and that that will apply to organisations such as the Association of Old Vehicle Clubs in Northern Ireland?

The junior Minister (Mr G Kelly): Yes; I can give that guarantee.

Public Expenditure

3. **Ms M Anderson** asked the First Minister and deputy First Minister how the Executive intend to deal with the current economic downturn

and public spending cuts as discussed at their recent away-day at Greenmount College. (AQO 3/11)

The deputy First Minister: The Executive have taken and will continue to take a proactive and focused approach to economic issues. Since November 2008, the challenge of addressing the impact of the economic downturn has been a standing agenda item at Executive meetings.

In December 2008, the Executive announced their first consolidated package of measures to address the local impact of the economic downturn and to promote a return to sustainable growth. That package is now complete, and all 76 credit crunch actions and sub-actions therein have been taken forward. The package was developed through discussions in the cross-sector advisory forum with an extensive range of stakeholders from the business, trade union, financial, consumer, voluntary and community sectors.

Against that background, the Executive's special meeting at Greenmount College on 6 July 2010 allowed them fully to consider the magnitude of the fiscal challenge that faces society and the economy in the coming years. The meeting also gave the Executive a focused opportunity to start taking the necessary steps to plan to address those difficult issues. It is clear that hard decisions must be made by all of us over the coming months and years.

The Executive's objective is to focus on growing the economy while protecting the most vulnerable citizens, especially those at risk of poverty. We recognise that it is vital to ensure a collective and corporate Executive approach to ensure the best possible outcome. To that end, we agreed at Greenmount that a Budget review group, made up of a ministerial representative of each of the parties on the Executive, should be established to oversee the development of our response to the significant budgetary pressures that we face. The Budget review group includes the First Minister, me, the Minister of Finance and Personnel, the Minister for Employment and Learning, the Minister for Regional Development and the Minister of Justice. Papers have been commissioned for that group on a range of issues related to the budgetary and economic situation across government, and its first meeting will take place soon.

Ms M Anderson: Go raibh míle maith agat. Do the First Minister and deputy First Minister have any plans to meet the British Prime Minister and

Chancellor to raise the special circumstances arising from the years of underinvestment in the North, particularly in the north-west?

The deputy First Minister: The First Minister and I will meet the Secretary of State Owen Paterson later this week. We plan to raise those issues with him and with George Osborne and David Cameron, before the publication of the spending review in mid-October. We all face a serious fiscal situation, and many threatening noises have come from the coalition Government in London. The best approach is the one on which the First Minister and I agreed, which is to place the development of the economy at the front and centre of the Programme for Government. We must continue to do that and, as best we can, to protect front line services and the interests of those who are most disadvantaged in society.

I am absolutely convinced that we will go to those meetings with a very united approach. There has been a lot of hot air in the media over the last short while. At the end of the day, however, the knuckling down has to be done, and we are prepared to do that. We are prepared to speak to the powers that be in London and put what we think is a very strong case on behalf of the Executive and Assembly.

2.45 pm

Mr McNarry: Have the Executive identified any ways in which departmental spending could be refocused to counter job cuts in the public sector and give relief to the private sector?

The deputy First Minister: All those issues represent a real challenge to us. In recent years, we have all heard many comments about the unbalanced nature of our economy vis-à-vis the public sector and the private sector. All our Departments, without exception, are focused on the challenges that lie ahead. At the end of the day, they will have to come to the Executive, who are the body who will take the decisions about what is the best way forward. Obviously, however, there is still a considerable amount of work to be done in the intervening period. The meetings with the Treasury and David Cameron that we have sought will be absolutely crucial.

Dr McDonnell: Will the deputy First Minister give us some indication of when exactly the revised Budget will be in front of us, along with a Programme for Government? Will he give a bit more detail as to how we will protect the

essential front line services that are feeling very threatened at the moment?

The deputy First Minister: It would probably take me from now to midnight to comment on the Member's second question. The main point for all of us is that we face a situation in which a Programme for Government and Budget have to be agreed in the coming period. Ideally, we aim to ensure that the draft Budget is in place before Christmas. However, we cannot do any of that until such times as we see the outcome of the comprehensive spending review, and we will hear an announcement about that on 22 October 2010.

Mr Campbell: Will the deputy First Minister tell us whether he still agrees that the economy should be and should remain the centrepiece for the recovery, as was envisaged originally in the Programme for Government way back in 2008, assuming, of course, that his powers of memory recall are now back in place?

The deputy First Minister: I agree with the Member, which is a first. There is no doubt whatsoever that, if we are to ensure that we keep our economy on track and get people into work, the continuing development of our economy is absolutely vital. That is alongside the protection of front line services and the most disadvantaged in our society. Those represent real challenges, but the First Minister and I still believe absolutely that the continuing development of our economy should remain front and centre of any Programme for Government.

Budget 2010-11

4. **Mr F McCann** asked the First Minister and deputy First Minister what steps the Executive will take to safeguard disadvantaged people who have been adversely impacted by the recent Budget. (AQO 4/11)

The deputy First Minister: The total amount of funding that is available to the Executive will be confirmed only when the outcome of the 2010 UK spending review is announced on 20 October 2010. Currently, Departments are developing their spending plans to be considered by the Executive, and they have been asked to complete impact assessments so that equality and good relations impacts are considered at the same time as their proposals. It will be for the Executive to decide their priorities for the new spending review period, and only following

public consultation on the Programme for Government, Budget and investment strategy and Assembly endorsement will final allocations be confirmed.

The Assembly will be aware that, following the Executive awayday at Greenmount, the First Minister and I made it clear that one of our priorities would be protecting our most vulnerable citizens, especially those who are at risk of poverty. In our bids for the forthcoming CSR, we have sought funding to target some of our most disadvantaged areas and for a pilot project in relation to earnings disregard.

Mr F McCann: Given what the deputy First Minister just said about the pilot project to look at the impact of an increase in the earnings disregard, how does that approach fit in with the OFMDFM Committee's inquiry into child poverty?

The deputy First Minister: I believe that that approach fits perfectly with the important work that is being carried out by the OFMDFM Committee. Members will recall that the inquiry report recommended that:

"making work pay should be a specific objective within the Lifetime Opportunities Implementation Plan".

Furthermore, the Committee recommended that a pilot scheme, Better Off in Work, should be developed. Given OFMDFM's lead role, we are taking on that challenge by seeking to ensure that those who suffer most from disadvantage have an opportunity to take up work without being made worse off by the current inadequacies of the benefits system.

Mr K Robinson: The deputy First Minister may recall that the Institute for Fiscal Studies said recently that the Budget cuts are aggressive and are hitting our poorest families, which are losing 5% of their net income, while richer families are losing only 1% of their net income. Given that and the fact that more than 340,000 people in Northern Ireland live in relative income poverty, what steps will OFMDFM take to adjust its antipoverty strategy to meet that challenge?

The deputy First Minister: Obviously, we keep the matter under constant review. The hardship, poverty, debt and energy subgroup was asked to identify the best initiatives to relieve social and welfare hardships and inequalities arising from the economic crisis, as well as those that would combat things such as illegal moneylending. It

was also asked to help local people to manage debt. The subgroup was established on 23 July 2009, and it met for the second time on 15 October 2009. It is chaired jointly by the junior Ministers. The subgroup's work is complete, and its recommendations were submitted to the First Minister and me.

Some of the measures that could be implemented most readily include further work to investigate illegal moneylending; providing off-site facilities to help with benefit applications; providing a central point of information on sources of support to address poverty; continuing to promote benefit entitlement; encouraging banks to address the financial exclusion of younger people; implementing new powers to allow registered social housing landlords to broker energy at a discounted tariff; continuing to implement programmes, such as the warm homes scheme, to insulate homes; and aligning local credit union functions with those in England, Scotland, Wales and the South.

Mr Gallagher: All work that our Departments are doing to tackle disadvantage is to be commended. As we all know, disadvantage is growing. Does that ongoing work include reprioritising the Budget and the Programme for Government, or is that a non-starter?

The deputy First Minister: I think that all Members understand the significance of whatever announcement is made in October. Until then, I think that it is best that we move forward with the present Programme for Government and Budget, to which we all agreed. However, we are clearly moving into a new situation, and, given the obvious challenges that we will face, the Executive as a whole will have to consider and even reconsider their approaches to the Programme for Government and the Budget. Nevertheless, as I said, to bring people out of poverty and to move forward, we would like to continue to invest in people and jobs, because ensuring that we grow the economy is critical to all that.

Sustainable Development Commission

5. **Dr Farry** asked the First Minister and deputy First Minister to outline their response to the UK Government's decision to abolish the Sustainable Development Commission. (AQO 5/11)

The deputy First Minister: The Sustainable Development Commission has provided the Executive with valuable support on sustainable development. In the light of DEFRA's decision to withdraw funding from the Sustainable Development Commission, we are considering a number of options for the delivery of the functions that have to date been supported and carried out by that body. Our Department continues to work closely with all parties involved to explore and take advantage of potential opportunities for co-operation. Decisions must be taken against the background of the current spending pressures faced by all Departments. Every effort will be made to identify the most effective means of delivering sustainable development priorities and objectives now and in the future.

The Executive are committed to the principles of sustainable development and to progressing the priorities and strategic objectives set out in our new sustainable development strategy. All 12 Departments have brought forward comprehensive programmes of activity supporting the strategic objective of the Executive, as have a range of bodies outside government.

Dr Farry: I thank the deputy First Minister for his detailed answer. I understand that Northern Ireland, Scotland and Wales were not consulted about the arrangement. It is not right that we are dictated to by what happens in London. Will this Administration liaise with their counterparts in Scotland and Wales to see whether we can find some combined solution to bring forward this important agenda, not least given the importance of energy efficiency in the public sector and the wider development of the green economy?

The deputy First Minister: We were first informed of Caroline Spelman's intention to withdraw funding from the Sustainable Development Commission on 15 July 2010. Since that announcement, officials have met counterparts in other Administrations on a number of occasions to discuss a range of policy and logistical matters, and more meetings are scheduled.

Mr McLaughlin: Go raibh maith agat, a Cheann Comhairle. Can the Sustainable Development Commission continue to function in the North without continued DEFRA support?

The deputy First Minister: As we all know, the work of the commission has been subsidised by DEFRA and the different devolved

Administrations for some years. In that context, it is important to give careful consideration to how we can continue to deliver the functions previously carried out by the commission that have shown themselves to be critical with respect to affecting our ability to meet our objectives while maintaining value for money for the Executive. An added factor is that this matter is being considered against the background of the current spending pressures faced by all Departments.

Mrs D Kelly: Given the delay in the OFMDFM strategy for sustainable development, does the Minister believe that the commission was of sufficient challenge to the Department in the discharge of the Department's duties?

The deputy First Minister: The success was that we came to an agreement. Agreement, however long it takes, is always very important. Given that our 12 Departments have come forward with their proposals, there is no doubt that they were sufficiently challenged.

Rev Dr Robert Coulter: I thank the Minister for his answers. What economic impacts are likely to be felt in the green jobs sector by the change in Government priority suggested by the abolition of the Sustainable Development Commission?

The deputy First Minister: That remains to be seen. As far as we are concerned, what will be critical, against the backdrop of the withdrawal of funding for the commission by the coalition Government, will be how our budgetary situation will allow us to take whatever advantage we can from a very real challenge, not just for our society and Government but for all Governments throughout the world, of recognising the importance of having effective, sustainable development strategies.

Parades

6. **Mr Storey** asked the First Minister and deputy First Minister for their assessment of the parading season this year. (AQO 6/11)

The deputy First Minister: Thankfully and to put the issue in perspective, almost all parades passed off peacefully this year. Great credit must go to the communities that enabled that to happen. However, it is obvious from events at some of this year's parades that we still have some way to go for the parading issue to be resolved.

The Executive are fully committed to building a future based on tolerance, equality and mutual respect. In line with that thinking, earlier this year the First Minister and I initiated the review process that will consider all issues associated with the management of parades, with the aim of establishing a framework in which solutions to the parading issues are found. The new legislation will introduce improved methods for future management and decision making relevant to parades.

3.00 pm

Education

Schools: Diabetes

1. **Mr Frew** asked the Minister of Education what training is provided to teachers and school staff to raise awareness and to enable them to care for children with health conditions such as diabetes. (AQO 15/11)

The Minister of Education (Ms Ruane): Chuir príomhfheidhmeannaigh na mbord oideachais agus leabharlann in iúl dom go ndéanann na boird anailís riachtanas bhliantúil ar an oiliúint a bheidh de dhíth ar scoileanna sa bhliain acadúil atá le teacht.

I have been advised by the chief executives of the education and library boards that boards undertake an annual needs analysis of the training required by schools for the forthcoming academic year. School principals are responsible for determining the training needs of their teachers and school staff, and they can avail themselves of the wide range of courses on all aspects of special education needs, including diabetes, offered by the boards. Training on health conditions is provided by the relevant health and social care trust. That training is in line with the pupil's individual healthcare plan and is subject to an ongoing review.

In addition, the Department of Education, with assistance from the Department of Health, Social Services and Public Safety, issued a guidance document entitled 'Supporting Pupils with Medication Needs' to all schools in March 2008. On foot of that, the Department of Education provided funding to the boards to train principals of all schools during the 2008-09 academic year so that they can meet the

needs of all pupils with medical needs, including those with diabetes. The guidance and training have provided principals with sound protocols to enable them to meet the medication needs of their pupils.

In February 2010, the Department of Health, Social Services and Public Safety, in partnership with the Department of Education, developed a further document entitled 'Guidelines for Management of Anaphylaxis in Educational Establishments.' That augmented the information contained in 'Supporting Pupils with Medication Needs' by outlining the specific roles and responsibilities of schools, school meal services, parents and carers, pupils and school health teams.

Mr Frew: I thank the Minister of Education for her answer. Is she aware that the documentation she spoke about is extremely vague, apart from the clear message that responsibility lies firmly with the parents and schools and that teachers are not obliged to help in any way? There are two issues here: the provision of insulin at lunchtime in primary schools and the end of discrimination —

Mr Speaker: The Member should come to his question.

Mr Frew: Does the Minister aim to improve care for children with diabetes and end discrimination against diabetic pupils who face exclusion from school trips and extra-curricular activities as a result of their condition?

The Minister of Education: No child should face exclusion from school trips or any other activity for the reasons the Member referred to. I will bring the Member's comments to the attention of my officials and those in the Department of Health, Social Services and Public Safety, which takes the lead in that area.

Mr B McCrea: Given that there is a threat of £235 million of teacher redundancies next year, does the Minister think that teachers will be able to undertake any additional responsibilities other than those required under statute?

The Minister of Education: It is important that we prioritise resources for front line services in these tough economic times, and I ask my colleagues to support me when I fight to protect those services. Our disadvantaged and vulnerable young people should not be the ones affected during difficult economic times, and it

is important that all the different parties, the community, voluntary and business sectors and the trade union movement come together to form a united front and fight for the best possible deal for this part of Ireland.

Mrs M Bradley: Will the Minister tell the House how many school nurses are on site and whether there has been any reduction in the number of school nurses in the past year?

The Minister of Education: I do not have that information to hand, but I am happy to forward it to the Member.

Schools: Building Budget

2. **Mr G Robinson** asked the Minister of Education why she did not spend her full school building budget for the 2009-2010 financial year when many schools are in need of a rebuild or urgent repair. (AQO 16/11)

The Minister of Education: Sa bhliain 2009-2010 caitheadh 100% den bhuiséad deiridh caipitil de £242 milliún. Osclaíodh cúig scoil déag nua; is é sin infheistiú de £135.2 milliún.

[Interruption.]

Mr Speaker: Order.

The Minister of Education: In 2009-2010, 100% of the final capital budget of £242 million was spent. Fifteen new schools were opened, representing an investment of £135.2 million. So far this year, my Department has opened eight new schools and eight more are under construction, representing a further investment in the schools estate of £225.5 million. Furthermore, I recently announced a further school project worth £13 million, which will commence on site this financial year at an estimated value of a further £65.5 million.

Since taking up position as Minister of Education, I have spent the capital resources that have been available to me. I have proven that, if I get the funding that is needed, I can spend it. I will continue to lobby for more capital funding to bring the schools estate to an acceptable level, and I will continue to lobby for more resource funding to ensure that our school buildings are properly maintained.

Basically, the message I have is: give me the money, and I will build schools and continue to maintain them. *[Interruption.]*

Mr Speaker: Order.

The Minister of Education: Therefore, I call on the Executive to prioritise front line services across the Budget 2010 period to ensure that an appropriate level of funding is provided in order to allow me to effect real change in the condition of our schools estate and to improve the educational experience of all children.

My record contrasts starkly with that of direct rule Ministers, who handed back £62 million worth of funding in 2005-06 and £91 million in 2006-07. *[Interruption.]*

Mr Speaker: Order.

The Minister of Education: We spent 100% of our budget this year.

Mr G Robinson: Given that the Minister handed money back during the spending rounds, will she explain why a school in my constituency is still waiting for a new fire alarm system to be installed one year on? I am sure that the Minister will agree that that is a vital health and safety issue in that school.

The Minister of Education: Obviously, I am not going to get into individual schools here. However, I will certainly write to the Member about that school.

I want to work with everybody here on school building programmes. Members will be aware that I did hand back some of my capital budget when money was needed to address swine flu. Therefore, I worked with another Minister so that we worked as a team. Thankfully, I then fought for more money, got more resources, and we are going to be building 13 new schools this year. That is despite everyone in this House telling me that I would not be building any more new schools.

Mr McCallister: Why did some of the schools that were only partially compliant get the go-ahead when some schools that were fully compliant did not get the go-ahead recently?

The Minister of Education: As the Member is well aware, all the schools that got the go-ahead complied with the standards that were set by our Department. The Member will also be aware that that money was made available through in-year monitoring rounds. I fought my corner to get more money, which has to be spent this year. Therefore, all the projects that got the go-ahead, which included projects from every

sector for every community, were ready to go on site.

Mr P J Bradley: What is the Minister's assessment of the conditions in which the children in St Clare's Convent Primary School in Newry are being taught? Will she explain why the school was passed over for investment in her recent announcements?

The Minister of Education: As I said, I am not going to get into individual schools here. I will certainly write to the Member about St Clare's. I visited the school, which is doing tremendous work, and the Member will be aware that there are complications as to how that school can move forward. My officials have been working with that school. The Member will also be aware of the fact that two schools in his constituency did get the go-ahead for funding. It is a pity that he did not acknowledge that. I hope that the Member will join the boards of governors of those schools in celebrating that.

Mr O'Dowd: Go raibh maith agat, a Cheann Comhairle. As a former Chairperson of the Public Accounts Committee, I am aware of the sensitivities around an Audit Office report.

There was much media speculation and comment about figures in that report, namely those that referred to money that had been returned. Will the Minister tell us why money was returned to the centre?

The Minister of Education: Ba mhaith liom a thabhairt le fios sa dá bhliain iomlána ina raibh mise mar Aire, ba é an gannchaiteachas i gcoinne staid an bhuiséid deiridh ná £2 milliún as £441 milliún; is é sin níos lú ná 0.5.

In the two full years that I have been Minister, underspend has been £2 million against a final budget position of £441 million. That is less than 0.5%. In the previous years under direct rule Ministers, the following delays in progressing capital projects were entered in the financial years that are profiled in the report: review of economic appraisals in line with revised DFP requirements, namely that economic appraisals must be no older than 24 months; revision of long-term enrolment figures requiring design work to be undertaken; and initial spend projections were based on overly optimistic profiles received from project managers and education and library boards. The problem was exacerbated in 2006 when the capital announcement included a number of

projects that were still at economic appraisal or at very early planning stage with no reasonable expectation of work beginning on site for a number of years.

The Department reviewed all its major capital projects in planning to take account of the recommendations of the Bain review. The Department lost a legal challenge to the major construction framework. That delayed a number of projects, which had to revert to conventional procurement methods. I am pleased to say that we have moved many of those projects on. There was also delay in acquiring statutory planning approvals, and problems were encountered with acquiring sites due to the unavailability of suitable land and fluctuating land variations.

If Members look at the data from the past number of years, they will see that underspend changes from £43 million in 2005-06 — that does not include money that was handed back early in the year — to zero underspend in 2009-2010. In 2008-09, it was £2 million. The trend is that underspend is going down. That has happened because of a large number of people's very good work, and I congratulate them for that. However, we cannot be complacent, because loads of schools need money to build, and there is a pattern of underinvestment in our schools. Give me the money and I will build the schools.

Education and Skills Authority

3. **Ms Ní Chuilín** asked the Minister of Education how much funding has been lost to front line education services as a result of the failure to implement the Executive's decision to establish the Education and Skills Authority. (AQO 17/11)

The Minister of Education: Tá mé buíoch de mo chomhghleacaí as an ábhar seo a ardú. Beidh a fhios ag Comhaltaí gur glacadh leis an mBille Oideachais sa Chéim Coiste beagnach bliain ó shin, ag deireadh mhí Mheán Fómhair sa bhliain 2009. Ón am sin, ní raibh an Coiste Feidhmiúcháin in ann an Bille a chur ar aghaidh chuig an gCéim Bhreithnithe.

I am grateful to my colleague Caral Ní Chuilín for raising this important topic. Members will know that the Education Bill passed its Committee Stage almost a year ago, at the end of September 2009. Since then, the

Executive have not been able to progress the Bill to Consideration Stage. However, financial projections for 2010 onward had already been made in the expectation of forthcoming savings from the establishment of the Education and Skills Authority (ESA). For example, in the current year, £13 million has been removed from the baseline for my Department. Those figures were already known, and the reductions have been taken from expenditure that ordinarily underpins support services and other non-schools expenditure.

To date, no impact on front line services has been realised, although the continuing delay and the financial prospects for future years will mean that the threat to front line services will rise the longer the legislation is delayed. My Department has continued to work to progress convergence of services across all education and library board areas until such time as the legislation is enacted to establish the unitary authority. I trust that that work will enable front line services to be protected from the further reductions that will inevitably follow. We have to stop spending money unnecessarily on administration and make sure that we get much-needed money into the front line.

Ms Ní Chuilín: Go raibh maith agat. Will the Minister confirm whether any issues need to be resolved between her and the Protestant transferors?

The Minister of Education: No. To the best of my knowledge, all the issues raised by the transferors have been resolved to their satisfaction.

Mr Speaker: I remind Members to stand in their places continually if they wish to ask a supplementary question.

3.15 pm

Mr Storey: If the Minister believes it to be the case that ESA is not coming into existence because the issues of the Protestant Church representatives have been addressed, will she confirm when she last met with the Protestant Church representatives to convey to them that their issues had been satisfactorily resolved? Can she inform the House why she was not present at a meeting that took place in June with the Protestant Church representatives?

The Minister of Education: The Member well knows that, with the political will and support

of the Assembly, ESA can come into being, and it is important that it does. In my answer, I outlined the potential savings from the establishment of ESA, but I also know, and Members will all understand, the importance of dealing with underachievement right across the North of Ireland, in areas such as the Shankill and the Falls. The longer that we delay the establishment of ESA, the more that the parties that are delaying it are condemning future and current generations.

Mr Storey: Answer.

Mr Speaker: Order.

The Minister of Education: As the Member well knows, I have met the transferors regularly. I answered Carál Ní Chuilín on that matter.

Mr K Robinson: Have the potential savings that are anticipated by the emergence of the education and skills authority been achieved already owing to the control of vacancies? Does the Minister plan to relax such control now to provide much-needed stability for the education sector?

The Minister of Education: I plan to continue with the convergence programme, but our priority is the establishment of the education and skills authority.

Mr Lunn: Given that every organisation of any significance in the education sector thinks that ESA should go ahead and that the issues around the transferors' problems are resolved or are being resolved, what is her understanding of the reasons for the delay?

The Minister of Education: I am ready. The legislation to establish ESA is ready to go through the House, and it has been to the Executive. It is an Executive policy, and it is unfortunate that it has not been introduced yet. It is the responsibility of all Members not to block or delay the establishment of the education and skills authority. There is no reason to do that. As the Member correctly said, all the issues have been resolved.

We cannot continue the dreadful waste on bureaucracy at this time. This morning, people were talking to me about the need to get money to the front line. The same people are not dealing with the issue of ESA in the way in which they should be. We need to get money to the front line, and we need to stop squandering public money on too many different

organisations that are not fit for purpose. We need the education and skills authority. I am ready, and my Department is ready.

Mr A Maginness: I have listened carefully to the Minister's replies. She said that the establishment of ESA is a matter of political will. Will she not sit down with other Ministers and interested parties to resolve all outstanding issues and remove all obstacles to the full implementation of ESA? If it is a matter of political will, why does she not initiate a process to do just that?

The Minister of Education: On the day and hour that I came into office, I initiated a process on the establishment of ESA. The first time that the matter came before the Executive was on 19 July 2007. My door is open, and I have engaged with and told all Ministers that I am ready and waiting. I have told all parties that I am ready and waiting. The outstanding issues have all been resolved.

Mr Storey: No.

Mr Speaker: Order.

The Minister of Education: We now need to move forward and stop attempting to block necessary reform. Explain to the children on the Shankill Road and the Falls Road why you are blocking reform that releases money to the front line and that is crucial for dealing with the significant levels of underachievement in the system. There is no explanation for it.

Department of Education: Procurement

4. **Ms Ritchie** asked the Minister of Education for her assessment of the procurement process within her Department for capital projects. (AQO 18/11)

The Minister of Education: Sna trí bliana a chuaigh thart, tugadh 35 thionscadal nua olloibreacha scoile chun críche, rud a sheasann d'infheistíocht de thart fá £300 milliún in eastát ár scoileanna lena chinntiú go múintear ár bpáistí sa timpeallacht is fearr is féidir le haghaidh foghlama agus forbartha.

Thirty five new major works schools projects have been procured in the past three years. That represents an investment of around £300 million in our schools estate to ensure that our children are educated in the best possible environment for learning and development. The

new schools will provide our children with state-of-the-art accommodation, up-to-date technology and enhanced information technology systems. My Department is clear on the need to ensure that capital projects are carried out in line with public procurement policy and in accordance with the principles of best practice and equality. It has communicated that to all boards and non-departmental public bodies.

Ms Ritchie: I thank the Minister for her answer. I listened carefully to what she said. However, I want the Minister to explain what steps she is taking to ensure that the procurement procedure is fast and efficient and that projects are delivered without the inordinate delays that are still part and parcel of the process.

The Minister of Education: As the Member will know, we have speeded up school-build processes significantly. We have built more schools and spent more money in the past two years than at any other time. As I said in response to an earlier question, we reduced our capital build underspend to nought last year. However, we cannot be complacent. There is historical underinvestment.

I will continue to ensure that we will continue to use best practice. We meet the education and library boards and work very closely with the Department of Finance and Personnel's Central Procurement Directorate. The Department of Education's permanent secretary sits on the procurement board, which sets out procurement policy for all Departments and oversees implementation of those policies and associated procedures and guidance. The Central Procurement Directorate issues approved procedures and procurement guidance directly to the bodies that are procuring, which includes the education and library boards. I have also increased the frequency of the governance and accountability meetings with all non-departmental public bodies.

I agree with the Member. It is essential that we move forward with our school builds. I am delighted that we were able to announce 13 new school builds a few months ago.

Mr Cree: What discussions has the Minister had with the Minister of the Environment and her Executive colleagues with regard to speeding up the planning process for new school builds?

The Minister of Education: As I outlined in my previous answer, my officials work actively as

part of the Central Procurement Directorate team. We work closely with all Departments. At Executive level, I have regular discussions about matters such as this.

Ms M Anderson: What assurances can the Minister give that the procurement process is being undertaken appropriately?

The Minister of Education: Sin ceist an-tábhachtach. That is a very important question. It is very important that the money that we receive is spent well and used wisely in a way that adheres to all our statutory duties, including our equality duties. That is especially important given the underinvestment in the schools estate. I hold regular accountability meetings with all non-departmental public bodies. As I said, my most senior official sits on the procurement board and meets officials from all the different sectors. Procurement and capital build is top of my agenda in meetings with senior officials on a weekly basis.

Miss McIlveen: What steps are taken to ensure value for money in procurement? What is the Minister's assessment of the use of PPPs and PFIs?

The Minister of Education: All our schools are built on the basis of value for money and the need for investment in our schools estate. I am not particularly in agreement with PPP projects. I do not believe that they are the best value for money. Since coming into office, I have not initiated any new PPP projects. We need to devise better ways in which to use public money rather than leave future generations in debt.

Schools: Health and Safety

5. **Mr McGlone** asked the Minister of Education how many schools reported health and safety issues in relation to school buildings and grounds in the last three years. (AQO 19/11)

The Minister of Education: In the course of running any school, health and safety issues will arise, and the majority of schools in the estate have reported health and safety issues in recent years. The issues can range from a broken window to a roof falling in.

Le trí bliana anuas, tá £80 milliún curtha ar fáil agam le haghaidh cothabhála scoile. Cuireadh £190 milliún eile ar fáil le haghaidh mionoibreacha, agus caitheadh cuid de sin ar chúrsaí sláinte agus sábháilteachta. In the

past three years, I have provided more than £80 million for school maintenance. A further £190 million has been made available for minor works, some of which has been for dealing with health and safety issues.

The truth is that we need significant additional funds to deal with the legacy of underinvestment. We need to ensure that priority be given to investment in education and that sufficient funding be available to bring our schools up to the standards that our children deserve. I will continue to press for funding for the schools estate. I assure the Member that if additional funding were made available to my Department, it would be used effectively.

Mr McGlone: Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as ucht an fhreagra sin. I thank the Minister for her answer, but I would like more clarification. Were the £80 million and the £190 million that the Minister mentioned exclusively spent addressing major reported health and safety issues in the schools estate?

The Minister of Education: I will write to the Member with a detailed answer to that question. Health and safety issues are prioritised in line with criteria that I agreed for this financial year.

Cuirtear saincheisteanna sláinte is sábháilteachta in ord tosaíochta de réir na gcritéar a chomhaontaigh mé don bhliain airgeadais seo. Urgent health and safety work will be carried out where a risk has been identified and can no longer be managed.

Mr I McCrea: The Minister will be aware that I recently wrote to her about the Rainey Endowed grammar school in Magherafelt, which is in my constituency. I am sure that she is aware of the school's difficulties with health and safety issues. Can she assure the House that when and if moneys become available, she will give the prospect of the school getting a newbuild a fair crack of the whip?

The Minister of Education: I will not comment on individual schools, but I will write to the Member on that issue. The Member will be aware that Magherafelt got some very good news in the last monitoring round, including a new high school, primary school and preschool. That is good news for Magherafelt. There are obviously other schools that need funding and resources, and I will fight my corner for that funding. However, I can assure the Member that

all our investment will be made on the basis of statutory duties and fairness.

Mr Kennedy: I am grateful to the Minister. Can the Minister confirm the current shortfall on health and safety maintenance in schools, and can we get an answer to the original question that Mr McGlone posed, which was how many schools reported health and safety issues concerning school buildings and grounds in the past three years?

The Minister of Education: I will write to the Member with the detailed information that he requests. Is é an caiteachas ar chothabháil le trí bliana anuas ná £81.21 milliún. The spend on maintenance over the past three years has been £81.21 million. Every penny that we can direct to that area has been utilised. The spend on minor works in the voluntary and maintained sectors in the past three years is £94.4 million. The spend in the controlled sector by the education and library boards for 2008-09 and 2009-2010 is £93 million, and 80%, which is a significant percentage of that spend, is attributable to health and safety works.

3.30 pm

Mr Kennedy: On a point of order, Mr Speaker. I am grateful for the opportunity to raise a point of order on the unsatisfactory answers that the Minister of Education has been providing, particularly in respect of the question tabled by Mr McGlone. Clearly, it was a specific request for information. However, the Minister refused or was unable to provide an answer to the Member's question, let alone the supplementary questions that flowed from it. Will any representations be made to Ministers in respect of answering questions that are properly put to them?

Mr Speaker: I listened to the Member's point of order. I continually say in the House that I cannot and will not sit in judgement on how a Minister might answer a question. If a Minister were to get up and absolutely refuse to answer a question, that is totally different. I might have some role in that regard. However, if a Minister makes some attempt to answer a question, I cannot sit in judgement on whether that is the answer that the Member expected to get.

I say to the Member and to the entire House: take up the issue directly with the Minister. Following it up with the Minister is perhaps the way forward.

Mr Kennedy: Further to that point of order, Mr Speaker, I ask you to review proceedings in the Hansard report, with specific reference to the question that was tabled and posed by Mr McGlone, to see whether you find or are able to establish the answer. It was fairly well hidden from me and, I suspect, from the rest of the House.

Mr Speaker: We continually have wash-ups with Hansard. I am happy to look at the Hansard report. However, I warn the entire House that it is not my job as Speaker to sit in judgement on how any Minister answers a question. I say that to the entire House.

Mrs O'Neill: On a point of order, Mr Speaker. I want to raise the issue of Members' conduct. On this occasion, I refer specifically to Mervyn Storey. During Question Time, it was difficult to hear the Minister's responses to questions because of Members' constant jeering, which, quite frankly, is bad behaviour in my book. I ask you to make a ruling on that.

Mr Speaker: I thank the Member for her point of order. I hope that, as far as possible, I have brought Members to heel on that issue on a number of occasions. Once again, I continually say in the House that, irrespective of who a Minister may be, when he or she is asked a specific question, that Minister should be allowed to answer that question without interruption or shouting across the Floor. I continually say in the House that, irrespective of who a Minister may be, I will give him or her cover to make representations in the role that he or she has in the House. It is unfair to interrupt a Minister. I appreciate that it is a debating Chamber and that there are issues and debates that rouse Members' emotions. That is understandable. However, even when a Member is on his or her feet, it is courtesy and good behaviour to allow that Member to continue his or her remarks without interruption. That also applies to a Minister, irrespective of who he or she may be.

Ministerial Statements

Public Expenditure: Provisional Out-turn 2009-2010 and June Monitoring 2010-11

Mr Speaker: I have received notice from the Minister of Finance and Personnel that he wishes to make a statement.

The Minister of Finance and Personnel

(Mr S Wilson): Thank you, Mr Speaker, for the opportunity to address the Assembly on Departments' spending performance in 2009-2010 as well as to provide an update on the outcome of the June monitoring process.

Unfortunately, the update is rather late because the Executive's endorsement of the June monitoring proposals was obtained only after the commencement of the summer recess. I thought it better to leave it until now for Members to hear my statement, rather than to bring them back from their holidays. Had I decided to do that, I might have been unpopular. As a courtesy, I have already written to Members to advise them of the main conclusions. In a few moments, I will comment on those in detail.

First, I want to update the Assembly on the current position vis-à-vis preparations for the new Budget to take us through the next spending review period, commencing in 2011-12. I know that it is an issue that is at the forefront of many Members' thoughts.

Over recent weeks, I have conducted an initial series of Budget bilaterals with my Executive colleagues. Those meetings were to allow Ministers to set out their strategic priorities for the coming years and to gauge how they would address the consequences of the tighter spending constraints that will have to be imposed. The bilaterals were, largely, helpful in giving me a sense of departmental pressures and priorities, but I take this opportunity to record my growing unease at what I call the disconnect that was made evident by some Ministers.

In some quarters, there appears to be an unwillingness to address the serious financial questions that are being posed. Let us be clear: we cannot dodge difficult decisions in formulating a new Budget. Delaying the Budget process until next spring is not an option. All Departments need to have certainty on Budget

allocations for 2011-12 by early in the new year at the latest. That will allow them to decide how to allocate budgets to various bodies, trusts etc, and that planning process is the framework which determines how Departments and the wider public sector deliver services to our communities. They need to know how much they are getting and what functions that covers.

It is clear that the public are aware of the difficult times that lie ahead, and the message that I am getting from the Budget pre-consultation exercises with key stakeholders is that there is a demand for leadership from the Executive and the Assembly. I assure the House that I will do my utmost to expedite the Budget delivery.

I turn now to departmental spending performance in 2009-2010. I am pleased to announce that, on the basis of the provisional out-turn position that was reported to my Department, the Executive have delivered significant investment in public services in 2009-2010, with current expenditure of £9.5 billion and net capital investment of £1.5 billion. In addition, even with the shortfalls in capital receipts, Departments managed to deliver £1.7 billion in gross capital investment. That is a slight increase of 0.5% on the previous year. That should be regarded as a major achievement for the Executive, given the current economic climate. That strong performance in difficult times is evidence of the proactive management of the public expenditure position by my Department through the in-year monitoring process and of the improved financial management displayed by Departments in recent years.

In relation to current expenditure, the overall underspend by Northern Ireland Departments in 2009-2010 was £65.1 million. That equates to a rate of 0.7%, compared with 0.5% in 2008-09 and 2.1% in 2007-08. Although the level of current expenditure underspend is slightly higher than it was in 2008-09, it is within acceptable levels and represents maintained improvement when compared with previous years. Of course, that does not mean that we can become complacent. It is important that financial management in Departments continues to improve. Some Departments have more to do than others in that area.

Departments displayed an underspend of £8 million in capital investment. That equates to 0.5% of their final position. That is an improvement on last year's performance,

where, worryingly, there was an overspend in departmental capital expenditure. However, once again, performance varies between Departments, and the Departments in which performance is below average have some work to do.

Further details on the provisional out-turn are set out in the tables attached to the statement, and Members can peruse those details. The spending performance of Departments in 2009-2010 is further evidence that the Executive are delivering against the plans set out in the Budget, and there should be no doubt that that is making a difference to the lives of people in Northern Ireland.

I will now turn to the June monitoring position for 2010-11. June monitoring is the first opportunity that the Executive have to reallocate resources within the 2010-11 financial year. The financial position is very constrained. Members will be aware that we already had to produce a revised spending plan, which took £393 million from departmental baselines this year. A further pressure of £128 million was created as a result of the UK Government's 22 June 2010 Budget, which, through the mechanics of the Barnett formula, cut our Budget further. The commencement of the June monitoring deliberations had to factor in the need to address that additional unforeseen pressure.

The review of 2010-11 spending plans has allowed us to start the year with no overcommitment in respect of either current investment or capital expenditure. However, there remain significant issues, including the additional £128 million pressure as well as the considerable shortfall in capital receipts that have to be addressed in the in-year monitoring process.

Before we discuss how those issues will be addressed, we must first consider the resources available to the Executive in this monitoring round and the other pressures raised by Departments. There was a total of £20.4 million capital expenditure, and £286.6 million of capital investment reduced requirements surrendered in this round. That is money that Departments had identified that they cannot spend in this year. The significant level of capital investment reduced requirements includes amounts previously identified in respect of slippage in the strategic waste infrastructure fund and the Royal Exchange projects.

The current expenditure reduced requirements include £6.9 million in respect of the centrally held reserve used to provide match funding to Departments for EU programmes. There is also £5 million arising because of extra regional rate income that has been generated through additional work being undertaken by Land and Property Services (LPS). That additional revenue-generating work is being undertaken at a cost of £5 million, thus generating a net reduced requirement benefiting the Northern Ireland block. Full details of the reduced requirements are provided in the tables attached to the statement.

In addition to those reduced requirements, funding has become available because of Barnett consequentials from the previous Chancellor's Budget in March 2010, combined with various technical adjustments. Those changes bring the total funding available to the Executive to £41.2 million of current expenditure and £283.7 million of capital investment. My strong view is that every effort must be made to address the £127.8 million reduction in funding this year. However, in acknowledging that the Executive have an option of deferring some or all of that pressure until next year, I also considered it important to address some key issues that have arisen in Departments. Therefore, I will now turn to the bids that were submitted by Departments in the June monitoring returns.

We identified bids of £132.8 million in respect of current expenditure and £405.3 million for capital investment. Those included some pressures already identified in the review of 2010-11 spending plans. A full list of the bids submitted by Departments and the proposed allocations agreed by the Executive in respect of them is included in the tables attached to the statement. The allocations made in this round include £20 million current expenditure for the Department of Health, Social Services and Public Safety in respect of its first call on available resources. That was agreed as part of that Department's 2008-2011 budget settlement. The early provision of that allocation — in other years, it has sometimes been spread over a number of spending reallocation rounds — will provide the Health Department with clarity on its Budget position and allow it to make effective use of the resources available to it.

3.45 pm

Some £200 million of capital investment has been made available to DARD to address the extensive shortfall in the capital receipts anticipated for Crossnacreevy in the Budget 2008-2011 process. That issue has been the subject of extensive discussions, and, during the review of the 2010-11 spending plans, it was envisaged that that pressure would be met from the slippage in the strategic waste infrastructure and Royal Exchange projects, as, in fact, has been the case in this round.

Some £13 million of capital investment has been allocated to the Department of Education to help to ensure that important capital investment in that sector continues. An allocation of £10 million of capital investment has been made to DSD for urban regeneration projects. Some £28 million of capital investment has been made available for launch investment for the Bombardier CSeries project, which will make an important contribution to the local economy, especially as high-value jobs will be associated with the project. A further £1.4 million of capital investment has been allocated for the Fermanagh flooding task force, an undertaking that the Executive had already made to people affected by floods in Fermanagh around this time last year.

Some £2 million of current expenditure has been made available to DARD for animal disease compensation, which is a statutory function and, therefore, represents a significant and inescapable cost. A total of £1 million of current investment and £3.6 million of capital investment has been allocated to DARD for modulation match funding, which is required to fund the Northern Ireland rural development programme, and £2 million of capital allowance has been made available to DOE to allow it to provide assistance to local government for the costs of recycling and composting infrastructure, thereby helping to avoid infraction fines from Europe.

We have also been able to provide funding to Departments facing additional costs as a result of the devolution of policing and justice; to DOE to help to address the shortfall in planning receipts and facilitate the completion of the e-PIC project; and to DFP to enable it to carry out the 2011 census. An allocation has also been made in respect of the accommodation costs of the Northern Ireland Civil Service

office estate, which will be of benefit to all Departments.

In addition to the changes already detailed, in order to further facilitate sound financial management within Departments, the Executive have also allowed Departments to move resources across spending areas where the movement reflects a proactive management decision taken to enable the Department to better manage emerging pressures within its existing baselines. Those Departments are to be commended for the actions that they have taken to address pressures in that way. It has also been necessary, largely due to technical issues, to reclassify some amounts between different categories of expenditure, and details of those changes are provided in the tables attached to Members' copies of my statement.

I want to turn to the £127.8 million reduction in funding. As I indicated, we are facing an additional pressure as a result of the announcement by the UK Government that public spending would be reduced by £6 billion this year. That reduction consists of £89.6 million in current expenditure and £38.2 million in capital investment. Of that amount, £22.6 million relates to Barnett consequentials arising from reductions to policing and justice-related functions in Whitehall Departments and, as it has already been agreed that the Department of Justice's budget is to be ring-fenced in 2010-11, it falls to the Department of Justice to address that pressure. That leaves a residual £73.8 million of current expenditure and £31.3 million of capital investment to be addressed by the Executive. Using the residual funding that was available after making allocations from the reduced requirements to offset the pressure reduces those figures to £64.2 million of current expenditure and £10.6 million of capital expenditure.

We have decided that the £10.6 million in capital represents a reasonable level of overcommitment at this stage of the financial year. Therefore, we are taking no action to deal with that at present. However, it would not be prudent to leave the entire current expenditure pressure of £64.2 million unaddressed at this time. Therefore, it has unfortunately been necessary to apply reductions to departmental budgets in respect of that. Although the preferred approach was to target low-priority areas, the reality is that we simply did not have the time to pursue such an approach, and the

reductions have therefore been applied on a pro rata basis.

I felt that it was appropriate to consider how that should apply to the Department of Health and the Department of Education when I was determining the proposed approach to those reductions. In the case of the Department of Education, it is clear that that sector underpins much of what the Executive are seeking to achieve in social and economic cohesion. Where the Department of Health is concerned, although that sector was afforded full protection from in-year cuts at GB level, consideration must be given to the relative efficiency of the Health Service here in absolute terms and relative to the position in GB. Indeed, while acknowledging the needs of the health and education sectors, it is important that the incentive for and likelihood of increased efficiencies in those key spending areas are maintained and, if possible, enhanced. In the light of that, I have proposed that the Department of Education and the Department of Health be exempt from their share of the £64 million reductions on the understanding that the respective Ministers agree to work with DFP and commission PEDU to undertake work in the scope for and delivery of significant cost reductions across both those sectors.

In order to minimise the impact of that proposal on other Departments, the reduction that would have fallen to those Departments — £45.1 million — has not been distributed across them but is instead being held centrally for management throughout the remaining monitoring rounds of this year. In other words, the remaining reduced requirements that will be identified in the remaining monitoring rounds this year will have to cover that central £45 million pressure, with the safeguard that the option remains for deferring any remaining balance to next year, should that not prove possible.

Many have questioned the rationale of the in-year monitoring process. However, this monitoring round has allowed the Executive to take measures to address a significant and unforeseen pressure arising as a result of UK Government decisions while still making allocations of almost £295 million to Departments.

Nevertheless, no matter how high the level of allocations, there will always be areas where we would like to have done more or where

individual Ministers will say that we should have done more. However, with current constraints on public expenditure, it is just not possible to provide funding for every purpose. Ministers must take action to live within their existing budgets. Efficiencies and savings will have to be made, and Ministers will have to prioritise their spending plans to ensure that the limited resources available are put to the best possible use. That is true of not only the current year but the upcoming Budget period.

We are all aware of the difficult times that lie ahead, and the time has come for the Executive and the Assembly to come together to make the difficult decisions that are required to deliver the best possible outcome for the people of Northern Ireland. I, therefore, commend the June monitoring position to the Assembly.

The Chairperson of the Committee for Finance and Personnel (Ms J McCann): Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his statement. DFP had the highest underspend for current expenditure of all the Departments, with a rate of 3.4%. Given that and given that that Department should be leading by example in financial forecasting and management, what steps is the Minister taking to ensure that a similar situation does not arise in the current financial year?

There are two parts to the statement, so I also wish to ask a question about the June monitoring round. As regards the required additional savings, what does the pro rata reduction equate to for DFP and what plans will be put in place to deliver those savings in this financial year?

The Minister of Finance and Personnel: The Chairperson of the Committee is correct to say that the underspend for DFP was 3.4%. That was due to a combination of two things. First, there were some non-cash costs due to depreciation on the cost of capital, land and buildings, which would have been extremely hard to forecast because of the timing of some of the work that was done. Secondly, because of a good result for the Northern Ireland Budget involving some of the central services that DFP looks after — namely HR Connect, Account Northern Ireland etc — we reduced the costs of those services and, therefore, the spend was not as high as was anticipated. There were savings to be had, hence the underspend. Part of the underspend was due to good news.

However, as I said, we want to be able to manage budgets so that we do not have huge amounts of underspend. I assure the Member that I asked exactly the same question of officials in the Department, and we will seek to ensure that there is a better performance next year.

Off the top of my head, I cannot give the Member the figure for the reduction that there will be in the DFP budget as a result of our contribution to the savings that have to be made in this financial year. Given that the £20 million savings are to be shared between eight Departments, DFP's proportion of that will be fairly small — I think that it is less than £1 million — and will be saved across a number of areas in the Department. I have no doubt that when we are before the Committee the exact figure can be given. However, if the Member wishes to have it sooner than that, we can make it available to her.

Mr Hamilton: I thank the Minister for his statement. As he revealed, the commissioning of PEDU to conduct critical work in the Departments of Health and Education was a condition for exempting those Departments from their share of this year's cuts. Will the Minister inform the House whether discussions have happened with both those Departments and whether terms of reference and areas for examination have been agreed for driving further efficiency into those Departments?

The Minister of Finance and Personnel: The Member is quite right. The Health and Education Departments will escape a £45 million reduction in their current combined budgets as a result of that decision, and the Executive attached the very clear condition that PEDU would go in and do some work to identify savings, which would then take effect from the beginning of the next financial year. Discussions have already been held between officials in my Department and the two Departments involved to look at the terms of reference and the areas that may be studied to try to identify savings. Those savings will then be signed off on, and the work will be commenced in the autumn.

Some Members and Ministers see PEDU as a bit of a threat. I want to emphasise that the work that PEDU does is as a result of agreement between DFP and the Departments into which PEDU goes. A report, which is agreed by the two Ministers involved, will be made available at the end of the work. However, make

no mistake: the reason for and objective of that work is to deliver real savings that will then be available to the Departments in the next financial year.

Mr McNarry: I asked the Minister to look at the June monitoring round. In his letter of 3 August 2010 to all Members, he advised that after pro rata cuts have been made across all Departments, with the exception, as we heard, of the Health and Education Departments, there will be a residual pressure of £41.1 million.

4.00pm

In light of the calculated assumptions that he is making in advance of next month's Westminster announcement, what options may exist to address that £45 million in the remaining monitoring rounds this year, without going into next year? Will he also confirm that all Departments are fully apprised of his assumptions —

Mr Speaker: I encourage the Member to come to his question, or finish.

Mr McNarry: If you had not interrupted me, I was just about to do that, Mr Speaker.

Mr Speaker: Order. I may ask the Member to take his seat and we will move on. I will allow the Member to continue.

Mr McNarry: I have finished.

The Minister of Finance and Personnel: I will make it clear, so that I am not accused of misleading the House. The overspend, or the commitment that we are carrying forward, is £45.1 million in respect of current spending, and also £10.5 million in respect of capital spending, which we have not covered. Therefore, there is a total of £55.6 million there.

We will seek in monitoring rounds in September, November and February to obtain the funding to cover that gap. The Government made clear to devolved Administrations that there was the ability to carry over. However, I take it from the Member's question that he agrees with me that, given the constraints that there will be next year, it is important that we try to address that pressure this year rather than next year. That will certainly be my objective in looking at any reduced requirements in the forthcoming monitoring rounds.

Mr O'Loan: I thank the Minister for the statement. I want to ask about the June monitoring round. Obviously, we have a duty to look at all Departments in the round, and not argue the cause for or against any particular Department. However, the situation regarding the £200 million at Crossnacreevy calls out for some explanation.

A number of Departments suffered a loss in capital receipts due to the property downturn. The error in relation to Crossnacreevy was quite different: that was a grossly erroneous valuation of land. Where that error lay between the Department of Agriculture and Rural Development (DARD) and the Minister's own Department I do not know, and he may care to assign or accept responsibility.

Mr Speaker: I encourage the Member to come to his question.

Mr O'Loan: However, given that that loss occurred, why was that £200 million replaced in its entirety to DARD, when other Departments were not treated with the same generosity?

The Minister of Finance and Personnel: The Member has to understand that regardless of the reason for the problem now as a result of the capital receipt from Crossnacreevy not being realisable, we have to deal with it. Given that the capital budget for DARD is about only £25 million, and that its budget was predicated on a capital receipt of £200 million being available, there is no way that the deficit can be made up through DARD's capital budget, because it is such a small capital budget. For those bookkeeping arrangements, therefore, the £200 million had to be allocated to DARD.

The alternative — and maybe this is what the Member is suggesting, although I suspect not, given the rural base of the SDLP — would be absolutely no capital spending by DARD this year, next year or any other year if we went down the route that he is suggesting. Many farmers would not be too happy with that sort of arrangement.

Dr Farry: I welcome the June monitoring statement, albeit in September. Given the quite considerable reallocations in the statement, is there a danger of sending out a confused message to the public, and to his fellow Ministers, about how serious the situation facing us will be? It will not be just business as usual.

With regard to tackling the £128 million, and looking to the future, given that the Conservative/Liberal right-of-centre coalition are talking about a 77:23 split between spending cuts and the raising of additional revenue, is the Minister seriously suggesting that we address our problems entirely through cuts in spending?

The Minister of Finance and Personnel: I will answer the Member's first point, which was about whether the huge amount of money gives a false sense of security. In relation to the total Budget, the reallocations in the June monitoring round have been very small, and, had it not been for the capital reallocation of £260 million from the Royal Exchange project and the strategic waste infrastructure fund, there would have been very little money available for reallocation.

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

Therefore, the picture is probably skewed by the money from those two big projects and should in no way give the impression that there is a fairly relaxed financial position. I could be proved wrong, but, once the money from those two projects has been taken out, the amount available in this monitoring round could be one of the smallest of any monitoring round in recent years.

Looking to the Budget in the future and the split between filling the gap through revenue raising or spending cuts; in previous debates I have made it clear to the Member that there must be a combination of the two. It would send out the wrong signals if there were no revenue-raising element in the filling of that gap. Once we come to the main debate about the Budget proposals, that is something that will have to be considered in more detail by Members and the Executive. The Member is right; there must be a combination of the two.

Mr McQuillan: I also thank the Minister for his statement. The provisional out-turn shows that last year saw a record £1.7 billion of investment in capital. Given that it is likely that the Tory/Liberal Budget will target capital for the severest cuts, how can the Executive and the Minister ensure that important investment in our infrastructure is maintained?

The Minister of Finance and Personnel: The Member is quite right. Over the next four years, we are looking at a reduction in the capital budget of 30%, which is a considerable hit and

will have a big impact. Given that about 56% of employment in the construction industry relies on public sector contracts, it will have an even greater impact on that sector. However, we have to move away from the huge dependence that there is on the public sector, whether it is in the construction industry or across a whole range of industries.

As regards what the Executive can do to ensure that the capital budget is protected in some way; I think that there are a number of things that can be done. First, we have to ensure that we get value for money from the capital spend — and there still will be considerable capital spend — that we undertake, especially as construction prices are going down. There is some scope for getting better value for money and more projects delivered for that money.

Secondly, we could change some money from current spending to capital spending. That will be a choice that the Executive and the Assembly will have to make. That will have an impact on some services.

Thirdly, we will have to look for more opportunities for receipts. It might well be that we have to make a decision that, even though we might not maximise the income from the sale of a particular asset, nevertheless, given what we want to spend the money on, it will be worth selling it at a lower price than we would like, because that would enable us to deliver on some capital projects.

Fourthly, although it is difficult to do so under public expenditure rules, we have got to look at other ways to get additional private money into public sector projects or into the infrastructure.

In respect of that, today's statement from the DRD Minister, in which he talked about re-nationalising the water service, is a retrograde step. If that were done, the opportunities to attract private money into the huge infrastructure needed for water would become less likely.

Ms Ní Chuilín: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement. With the Minister's indulgence, I will ask two questions. Over the summer, the Minister for Social Development raised concerns about the lack of money in his budget. Can the Minister of Finance and Personnel disclose any unfunded commitments that have been made by the Department for Social Development?

My second question is about the June monitoring round. Given that some £10 million capital has been made available for urban regeneration, is the Minister aware of any bids for the continuation of neighbourhood renewal beyond March 2011?

The Minister of Finance and Personnel: The Member refers to comments made by the Social Development Minister about urban regeneration and commitments made to it.

Let me make something clear: first, an additional £10 million in capital was made available to the Minister for urban regeneration projects. The Minister is not totally responsible for it, but he inherited from his predecessor a large number and a significant value of unfunded commitments for urban regeneration projects. That is unfortunate. Do not forget that many other Ministers, such as the DEL Minister and the DRD Minister, complained that none of their bids was met in the June monitoring round. Despite that, we found £10 million for urban regeneration projects. I understand that the present DSD Minister is not responsible for signing up to unfunded urban regeneration projects; nevertheless, the job of every Minister to live within budget. Whatever problems a Minister inherits, he must live with them. There will be other monitoring rounds and no doubt bids will be made during them, but they will have to be judged against all the other demands from Departments.

The Chairperson of the Committee for Employment and Learning (Mrs D Kelly): I

thank the Minister for his detailed statement, on page 5 of which he highlights the underspend in relation to match funding for EU programmes. Surely that represents a lost opportunity. The Minister is aware that the Special EU Programmes Body appears to be delaying the funding and decisions on many cross-border bids. I must declare an interest as a member of the East Border Region Committee, which tries to ensure that those bids are funded. They represent economic projects, and it is disappointing that that money has been redistributed.

Mr Deputy Speaker: Will the Member please ask a question?

The Chairperson of the Committee for Employment and Learning: I refer the Minister to the paragraph immediately below that. I seek clarification on the £5 million highlighted as extra income from Land and Property Services

(LPS), which, coincidentally, will cost £5 million to realise.

The Minister of Finance and Personnel: Let me deal first with match funding. There are several reasons why it is anticipated that some of the money held centrally for the match funding of projects might not be used this year. In some cases, because of their nature, projects will stretch over more than one year. The Member mentioned delays in assessing projects, in some cases because there is an element of savings because of changes in the exchange rate. That could be another reason for the delay; in other cases, the projects simply do not run.

That does not mean that the money has been lost. In some cases it is just a re-profiling of projects, or real savings are to be had because of benefits that result from movements in the exchange rate.

4.15 pm

The £5 million for additional rates income that I referred to is as a result of additional funds that were made available to LPS. We have now identified properties that were previously vacant; been able to undertake work to get some cases to court and more quickly recover debt; and liaised with the Enforcement of Judgments Office. We have been able to raise the £5 million as a result of that.

Mr Lyttle: Does the Minister have a timetable for a draft Budget in the coming months, and how much will that be linked to a new Programme for Government?

The Minister of Finance and Personnel: There is a timetable for the draft Budget, and I hope that the process will be completed by the beginning of the next calendar year in January. As I said in my statement, Departments need some certainty because what their budgets consist of will depend on what trusts and other bodies get. They have to plan their spending. It is one thing for a Department to get a windfall at the beginning of the year in a time when there is plenty of money, but if there is going to be a reduction, it is almost impossible to plan for if that Department does not know what is going to happen until the beginning of the financial year.

The timetable is roughly as follows. I hope that, as a result of the discussions that we have been having with Ministers and Departments, a Budget proposal can go before the Executive

some time towards the end of September; that the Executive will approve that as a draft Budget; and that it will then go to the Committees for consultation. The Committees can examine the particular Budget proposals for their Department and consult with various interested parties during the autumn. We will then be able to bring the draft Budget to the Assembly to be finalised at the beginning of the next calendar year.

That is the optimistic view, but we have to try to live and work towards that. We cannot allow it to drift. Last year, the Budget was finally approved in, I think, the second week of the financial year. That is unfair. If we stagger along at that rate this year, all we will do is bring the Assembly into disrepute. People will also be angry if they do not know what money will be available to them and how they can plan. Let us face it: we know that, in some cases, there will be redundancies and cuts in budget. People expect at the least to know in advance, not at the beginning of the financial year, so that they are able to plan.

Mr Lunn: I note that the policy of ring-fencing the Justice Department has worked against it this year to the tune of £22.6 million. Did the Minister give any consideration to alternative approaches, given the pressure on the police in particular in dealing with the dissident threat?

The Minister of Finance and Personnel: First, it is not right to say that the policy of ring-fencing has worked against the Department of Justice this year. The Member has taken a look at one particular period — the June monitoring round — and at the £127.8 million in savings that have to be made for this particular year. He should not forget that, equally, ring-fencing enabled the Department to be safeguarded against any reductions that had to be made in the Northern Ireland Executive's Budget. The ring-fencing also enabled us to have some leverage with the Treasury when it came to the kind of issues that the Member has talked about, such as increased security pressures.

To be fair, I do not think that the Minister of Justice has complained about ring-fencing working in that way. I think that that is because he has looked at the whole picture and seen that the Department of Justice still probably stands to benefit from the ring-fencing that has been agreed.

Mr McLaughlin: Go raibh maith agat, a LeasCheann Comhairle. Will the Minister confirm that, although we are talking about health and education, the performance and efficiency delivery unit (PEDU) reports in respect of any Department will be the property of the respective Minister? I understand completely why the Minister took the opportunity to lean on his colleagues, but I am a bit concerned that there may remain some residual resistance from other Ministers. Given that health and education are the two largest-spending ministries, will he confirm that it would be extremely surprising and disappointing if PEDU were not able to identify some efficiencies and savings, and that that itself could become a positive and very powerful incentive for the other Ministers to do likewise?

The Minister of Finance and Personnel: I thank the Member for the point that he made. I have no doubt that once PEDU goes into both of those Departments, it will identify savings to be made. That is a double advantage for those Departments because they are exempt from the reductions that have to be made this year, and there will be ongoing savings for next year. Once those savings are identified, they will be available to the Departments year on year. That is a good deal for the Department of Education and the Department of Health, Social Services and Public Safety.

Since the Executive are undertaking to finance and look after that exercise and also expect — I have emphasised this point in the answers that I have given — that real savings will be delivered, the ownership will be with the Ministers and the whole Executive. However, I cannot conceive of any situation in which a Minister, when presented in a time of financial constraint with a report that identifies efficiencies and savings, would not accept it.

Mr Girvan: In light of the forthcoming cuts and reduced funding, Executive Ministers have been asked to submit savings plans in advance of the October coalition Budget. How seriously does the Minister think that his Executive colleagues are taking that important exercise?

The Minister of Finance and Personnel: As I pointed out at the very start, I was disappointed by some of the engagements that I had with Ministers during August in respect of their spending plans and savings plans. It is not a universal disappointment; some have been

more responsible than others. I am being kicked continuously on my left leg by the Minister of Enterprise, Trade and Investment. However, the truth is that although we expected to see Departments' savings proposals, most have not been forthcoming. There will be a role for the Assembly and its Committees in that regard because, ultimately, that is where the real scrutiny of those savings plans will happen. It is important that Ministers engage with their Committees and that Committees hold their Ministers to account. We cannot, and must not, stumble into some half-baked response to the deficit reduction plans that will be imposed on us. It has to be done with proper consultation with the Assembly, and Ministers must engage with those who are meant to scrutinise their Departments.

Mr Bell: The Minister noted that the essential skills course for information and communication technology (ICT) was not successful. Given that some 72,000 people have undertaken the essential skills courses in literacy and numeracy, does he share my concern that if we fail in the essential skill of ICT and effectively turn away eight out of every 10 people who are going to attend further education colleges to get the ICT qualification, we will have damaged our chances of being a true knowledge-based economy?

The Minister of Finance and Personnel: Ministers made many bids that were not acceded to. As I made clear in my statement and during Question Time, despite the fact that the Member for North Down thinks that we are sending out the wrong signal because of the amount of money that was available for reallocation, we had a limited amount of money. Consequently, many Ministers have been disappointed by the failure of their bids to receive the money that they had hoped would be reallocated. There will be other monitoring rounds, and it is open to every Minister to make a strong case for particular aspects of his or her Department's work. Failing that, the alternative is for Ministers to look within their departmental budgets, which, I am sure, the Minister for Employment and Learning is doing already because I have had constructive discussions with him. For example, if the ICT skills project that the Member mentioned is a high priority, from where could money be switched?

Lord Morrow: I also thank the Minister for his statement. With respect to the £22.6 million

pressure that the Department of Justice has to address as part of the £127·8 million reduction in funding this year, the Committee for Justice was advised by departmental officials that the Barnett consequential for policing and justice had been applied too early. In their view, the Department should not have to meet those cuts, and representations were made to the Treasury. Will the Minister outline his understanding of the position? What discussions have taken place with the Treasury?

The Minister of Finance and Personnel: In negotiations for the devolution of policing and justice, a package for identifiable pressures was agreed, and provision was made for pressures that could not be identified but that it was anticipated might emerge. That is still the case. Therefore, if security pressures emerge, a reserve fund can be drawn down, and there is still end-of-year flexibility and so on. There was never any understanding that the Department of Justice — or the Home Office, as it is in the rest of the United Kingdom — would be exempt from Barnett consequential because of changes in allocations. Even if policing and justice powers had not been devolved, the Northern Ireland Office would have taken that share of the reductions in the Home Office's budget. The Department of Justice is still protected from the pressures that were identified during discussions about the devolution of policing and justice and the pressures that were not identified but for which allowances were made. It would experience in-year changes whether or not devolution had occurred.

Mr Doherty: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement. With respect to the June monitoring round and the Crossnacreevy question, will the Minister clarify that he did not actually, physically give the Department of Agriculture and Rural Development £200 million but that it was a financial correction? In addition, will the Minister verify that, in 2007, when all the financial issues about Crossnacreevy were being discussed, it was DFP's valuers who put a value of £200 million on it?

The Minister of Finance and Personnel: I can absolutely assure the Member that I did not physically stick £200 million in a bag and walk down to Dundonald House and hand it over to Michelle Gildernew. He is quite right: it was a bookkeeping exercise, whereby the £200 million that was anticipated has not been received,

so the transfer was made to ensure that a £175 million deficit does not appear on DARD's capital budget.

4.30 pm

Mr Frew: The Minister's statement reflects a slight increase in current and capital expenditure underspend last year. Will the Minister assure the House that that is a one-off and that the good financial management of recent years will continue?

The Minister of Finance and Personnel: There was an increase in the current expenditure underspend, but we must put into perspective that it was 0·2% against a total spend of £9·5 billion. If the Member thinks about it, it is akin to managing a household budget, which is significantly less. It is not always possible to be exact. During devolution, financial management has improved. Do not forget that, under direct rule, we regularly handed back more than £300 million every year. We are now down to single figures, and we sometimes beat ourselves over the head because of that.

The financial management has been better, but, as I said, we must not be complacent. Money will be tight, and, at a time of economic stringency, when money is voted to Departments, they should use it.

North/South Ministerial Council: Trade and Business Development Sectoral Format

Mr Deputy Speaker: The Speaker has received notice from the Minister of Enterprise, Trade and Investment that she wishes to make a statement.

The Minister of Enterprise, Trade and Investment (Mrs Foster): With your permission, Mr Deputy Speaker, I wish to make a statement in compliance with section 52 of the Northern Ireland Act 1998 on a meeting of the North/South Ministerial Council in trade and business development sectoral format. The meeting was held in the offices of the North/South Ministerial Council in Armagh on Wednesday 30 June 2010. The Executive were represented by me, in my capacity as Minister for Enterprise, Trade and Investment and by Conor Murphy MP MLA, Minister for Regional Development. The Irish Government were represented by Mr Batt O'Keeffe TD, Minister for Enterprise, Trade and Innovation. The statement has been agreed with Minister Murphy, and I make it on behalf of us both. Minister O'Keeffe chaired the meeting.

The chief executive of InterTradelreland, Mr Liam Nellis, presented a progress report on that organisation's performance and business activities. In particular, he noted the generation of £83.5 million business development value; a total of 3,329 firms accessing InterTradelreland's information and business advice services; and 461 firms participating in InterTradelreland's programmes. He also referred to continuing discussions on country of origin food labelling and the actions taken by InterTradelreland to date to address that issue.

We took the opportunity to raise with Minister O'Keeffe concerns over recent developments and the protectionist policies being developed in the Irish Republic to change the Bord Bia food labelling policy. We explained that the protectionist policy in the Republic of Ireland is detrimental to both jurisdictions and a barrier to free and open cross-border trade.

Ministers also received a presentation from the chairperson of InterTradelreland's board, Dr David Dobbin, who provided an update on the organisation's strategic priorities for the body's next corporate plan for 2011-13. The Council approved InterTradelreland's 2010 business plan and noted its plans to identify and help to realise opportunities to improve

competitiveness, generate economic growth and create sustainable quality jobs through increased trade, co-operation on innovation and business development opportunities.

Ministers received a presentation on the InterTradelreland quarterly business monitor and noted the useful information that it provided on the impact of recent economic developments on the private sector, the shape of the recovery and competitiveness issues.

Ministers discussed a presentation on co-operation on innovation. They noted the collaborative work by Enterprise Ireland, Invest Northern Ireland and InterTradelreland to identify possible sources of additional funding for innovation programmes and to gain access to research institute resources.

Ministers noted the approval of five proposals with a total value of £10.7 million under the US and Ireland R&D partnership and the plans to allow an expansion of the partnership topics to include telecommunications and energy research. Ministers also noted that InterTradelreland will carry out an analysis of the innovation ecosystem and that InterTradelreland's draft accounts for 2009 had been submitted to the Comptroller and Auditor General in both jurisdictions. I commend the statement to the Assembly.

The Chairperson of the Committee for Enterprise, Trade and Investment

(Mr A Maginness): I thank the Minister for her statement, which, as usual, was very comprehensive and detailed. The statement highlights the work of InterTradelreland, and the figures reported indicate a good performance by that organisation. Will the Minister assure the House that InterTradelreland has her full support and continues to work well? In these difficult times, the success of an organisation that promotes trade between both parts of Ireland makes a tremendous contribution to working a way through and out of recession. I ask the Minister to comment on that.

The Minister also rightly referred to the problems encountered with country of origin food labelling. Will the Minister enlighten the House as to how that issue will be fully resolved?

The Minister of Enterprise, Trade and

Investment: I thank the Chairperson for his question. If I recall correctly, he asked similar questions the last time I came to the House

with a statement concerning InterTradelreland, and I say again that that body is doing good work. However, as the Chairperson would expect, I will always provide a challenge function to that work to ensure that companies in Northern Ireland get the optimum amount of help from InterTradelreland. The key point about InterTradelreland and what differentiates it from Invest Northern Ireland is its function to help small businesses with their exports. Some people think that there is duplication between those two bodies, and I am always conscious of that. However, for many smaller companies in Northern Ireland, InterTradelreland offers an opportunity to experience an export market for the first time. That is an important function of InterTradelreland, and it can lead to some of those companies exporting to the rest of Europe and globally.

The Chairperson rightly raised the issue of country of origin food labelling, which has concerned me for some time. I raised it with the Irish Agriculture Minister on the sidelines of an NSMC plenary meeting, and I am waiting for him to come back to me on that. InterTradelreland promotes trade between the two jurisdictions on this island, therefore I raised the issue with the chairman and the chief executive of InterTradelreland. It is a real issue for us because one third of all exports between Northern Ireland and the Republic of Ireland are food-related. I do not want the issue to escalate into something that could cause real difficulties not just for Northern Ireland but for the Republic of Ireland. If Northern Ireland products are not as competitive as Republic of Ireland products, it may be that producers there will have difficulties when they go to sell their products in the United Kingdom. We certainly do not want the issue escalating into something that cannot be handled, so I will continue to push InterTradelreland to deal with it. However, the Government of the Republic of Ireland also have a responsibility to ensure that the issue does not escalate into one that cannot be dealt with.

Mr Frew: If the Minister can, will she comment on the PAC report on InterTradelreland that was published recently?

The Minister of Enterprise, Trade and Investment: Unfortunately, there is little that I can say about that report. DETI has been through the report with DFP and has undertaken a detailed and careful consideration of the points

made by PAC. A detailed response will be laid in the Assembly in the form of a memorandum of reply, which will also be published on DFP's website. Suffice it to say that we will deal with the issues raised in that report.

Mr Butler: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her statement. InterTradelreland has published quarterly all-Ireland business monitor reports since 2007. Its latest report stated that 50% of businesses in both jurisdictions reported that the recession had impacted on them more severely than at any time since the surveys began. Does the Minister agree that both jurisdictions need to pool their resources and expertise in innovation, because that is the way in which we will come out of the recession in a much better position? There is also the issue of regulatory barriers deterring businesses in both jurisdictions from developing on an all-Ireland basis.

The Minister of Enterprise, Trade and Investment: I will address the last point first: some programmes that have been developed by InterTradelreland are precisely to deal with any barriers, perceived or otherwise. For example, there is the Network and Get Work programme, and InterTradelreland has run good procurement programmes. If the Member is aware of any barriers that he thinks InterTradelreland should deal with, I am certainly happy to take those up with the chairperson and the chief executive. InterTradelreland is focused on dealing with those issues, which is why it developed the programmes.

The business monitor is a useful early indicator of business confidence. It gets information from around 1,000 senior executives — 500 from Northern Ireland and 500 from the Republic of Ireland — who are asked specific questions about how their businesses are doing and so on. I recently had a conversation with the chairperson and chief executive about the business monitor, and I think that the next business monitor will look at access to credit and other such issues. I am sure that, over the summer, Members will again have dealt with small businesses that are having difficulties with access to credit and with banking, which is an ongoing issue. I would even go as far as to say that it is an escalating difficulty for small businesses. I want to know the scale of it in Northern Ireland, and I am sure that Minister O'Keeffe will want to know the scale of it in the Republic of Ireland. We hope that the business

monitor will take a brushstroke approach, as opposed to providing qualitative data, about where business confidence is on banking. I hope that the next business monitor will be able to deal with that.

Innovation is certainly a key priority for InterTradelreland. The Member may know that Minister O'Keeffe and I hope to meet the European Commissioner for Research, Innovation and Science, Máire Geoghegan-Quinn, in the near future to find out what extra finances we can glean from European funds to add to the funds that come nationally for innovation. We believe that that is the way forward, and it complies with the independent review of economic policy in Northern Ireland. Innovation is what we want.

Mr Cree: I thank the Minister for her statement, which was, as usual, very interesting. I share the Minister's concern about protectionism. I was wondering what Minister O'Keeffe's response was to the Minister when she raised the issue of protectionism. Did he say anything? The Minister's statement does not mention it. I cannot help but contrast that with innovation, where there are examples of intellectual property. Innovation can be a private issue for firms in the same industry, and instances of competitive intellectual property can be involved. The protectionist policy on food labelling is in contrast to what we are meant to be doing through co-operation to drive businesses forward. Will the Minister comment on that?

The Minister of Enterprise, Trade and Investment: The Member is absolutely right about innovation in that many people do not want other people to see their ideas and what is going on. We tried to widen the whole aspect of innovation through universities working with small businesses so that they can grow those businesses to the next level of research and development or through pure innovation. Much work is still to be done on innovation, but some of the collaborative partnerships that developed as a result of InterTradelreland programmes work well.

When I visited Augher creamery recently, I had the opportunity to see the way in which the FUSION programme works very effectively. A graduate from a technical college in the Republic of Ireland — I cannot remember which one — was working in Augher creamery, and

she had — I do not want to exaggerate — transformed the way that that business works. We need to encourage such practices and partnerships, which have worked very well.

4.45 pm

I will continue to push on the issue of protectionism because, if it gets out of hand, it will be a real problem for Northern Ireland. I have already said that one third of all trade between Northern Ireland and the Republic of Ireland is in the food sector. Therefore, we cannot afford to allow protectionism to grow to the next level. At present, there is a review of country of origin labelling, and, when the review is complete, I hope that the right answer comes out whereby this is all dropped and we continue to work on a free market basis.

Mr Neeson: I thank the Minister for her statement and am pleased to hear of her continued support for InterTradelreland. She provided statistics on the take-up of InterTradelreland's facilities and programmes and outlined the number of companies that have got involved. Can she provide us with any breakdown of the number of companies from Northern Ireland and from the Republic of Ireland that have taken up use of the facilities?

The Minister of Enterprise, Trade and Investment: Unfortunately, I do not have that information in front of me at the moment. However, I am happy to provide the Member with that and place a copy of the letter in the Library for other Members to see.

Ms J McCann: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her statement and welcome some of the comments in it, particularly those about generating economic growth and creating sustainable, quality jobs through increased all-island co-operation. Does she agree that a harmonisation of taxation across the island would go a long way to breaking down those barriers and developing trade and business?

The Minister of Enterprise, Trade and Investment: That is, clearly, not a matter for me because fiscal policy resides at our national Parliament in Westminster. That being the case, we will continue to deal with policies that will help Northern Ireland companies to develop, trade more with the Republic of Ireland and, in doing so, hopefully increase the number of businesses that take up InterTradelreland's

programmes. There are some very good programmes that are of benefit to businesses in Northern Ireland, and, as long as there is benefit to businesses in Northern Ireland, I will continue to support them.

Mr Givan: Will the Minister give us an assurance that, at a time of severe public pressure on our finances, any duplication between InterTradelreland and her Department or agencies such as Invest NI will not be tolerated?

The Minister of Enterprise, Trade and Investment: I raised that matter with InterTradelreland when I came into my post over two years ago. InterTradelreland and Invest Northern Ireland have very different remits and roles. Therefore, in theory, there should be no duplication between the two bodies. However, I was concerned at that time, and, because of that concern, I continue to keep an eye on it. It is helped by the fact that the chairperson of InterTradelreland, David Dobbin, is also on the board of Invest Northern Ireland and, therefore, has sight of everything that happens in both bodies. As well as that, there is a system whereby senior Invest Northern Ireland officials sit on the steering groups of InterTradelreland's major programmes, such as FUSION, which I have already mentioned, Acumen, INNOVA, Go-2-Tender and EquityNetwork. Furthermore, there are Invest Northern Ireland representatives on the steering groups for its major business and economic policy reports. That reflects the fact that InterTradelreland is trying to deal with the concern of duplication because, in tightened financial circumstances, we certainly do not want duplication in the work of two public bodies.

Mr McHugh: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her statement. This NSMC meeting is probably one of the most important cross-border meetings not only to monitor the recession but to monitor the economy, which is an important area of work in the North and the South.

The banks' current position is one of self-preservation in which they refinance before releasing cash to small, new or innovative businesses. Can the Minister say how much the recession and the position of the banks will affect job targets and the number of jobs that will be created by this work over the next few years?

The Minister of Enterprise, Trade and Investment: InterTradelreland is not principally a job-creation organisation, although that is a very

helpful by-product of trade activities between Northern Ireland and the Republic of Ireland. Despite the fact that it is not a job-creation body, InterTradelreland has managed to create somewhere in the region of 211 jobs over the past year. However, its prime focus is to ensure that companies that want to export into the Republic of Ireland, and vice versa, will have the tools to be able to do so in an important way. For those reasons, I have specifically asked InterTradelreland to ask senior executives in both the Republic of Ireland and Northern Ireland, in its next quarterly business monitor, about the banks, access to credit and how that is affecting their businesses. We need to be told that.

From an Executive point of view, the Minister of Finance and Personnel, the First Minister, the deputy First Minister and I all meet the banks. The banks tell us that they are lending, that they have never lent so much, that they are open for business, and all of those things. However, I know from speaking to colleagues — we are meeting small businesses on a day-to-day basis — that that is simply not the case on the ground, whether it is because the banks are increasing their fees, are cutting down on their overdrafts, or are just not interested in financing start-up businesses.

There is a disconnect between what we are being told by the banks and by people on the ground. Something needs to be done about that. Our powers are limited, given that we have no controls over the banks. However, we will keep pushing the banks to ensure that we get some response from them in relation to these matters.

Executive Committee Business

Jobseeker's Allowance (Lone Parents) (Availability for Work) Regulations (Northern Ireland) 2010

The Minister for Social Development (Mr Attwood): I beg to move

That the Jobseeker's Allowance (Lone Parents) (Availability for Work) Regulations (Northern Ireland) 2010 be approved.

The regulations, which were laid before the Assembly on 1 April 2010, provide a guarantee that lone parents with a youngest child of 12 or under who receive jobseeker's allowance will have the right to restrict their availability for work to their children's school hours. The regulations augment other flexibilities, some pre-existing and others added by the recent Welfare Reform Act (Northern Ireland) 2010, which hope to strike a balance between the requirement on parents to undertake work or work-related activities and the need for children to be raised in a secure environment with an involved parent or parents.

I am aware that, since I last spoke in the Assembly, there have been many significant and profound welfare proposals and developments. Indeed, some are of grave concern, and I may comment on those shortly. However, for the purposes of these regulations, it is important to help more people to find work, to move people out of poverty, to grow the economy to ensure that people can achieve their aspirations and those of their families, and to eradicate child poverty.

Jobseekers are normally expected to be available for work for up to 40 hours a week. There are, however, a number of existing flexibilities that qualify that requirement for certain people whose personal circumstances may inhibit their ability to work full time or to look for work on a full-time basis. In particular, the flexibilities for lone parents claiming jobseeker's allowance (JSA) were strengthened when the lone parent obligations were introduced in December 2008. Those measures allow lone parents to limit their availability for work, in discussion with a personal adviser, to a minimum of 16 hours a week to take account of their childcare responsibilities. The measures also allow them to refuse a job or to leave employment if that childcare is not available.

A further measure was introduced by the recent Welfare Reform Act (Northern Ireland) 2010, which places a requirement on personal advisers to take the well-being of any child affected into account when drawing up a jobseeker's agreement. Those agreements frame the job-seeking action that follows, so this is an addition to the safeguards. Such flexibilities and safeguards are essential. The efforts to help people back into work would be damaged if the difficult social circumstances in which many people find themselves were not recognised.

The regulations strengthen one of the existing flexibilities for lone parents on jobseeker's allowance. They give eligible lone parents, that is lone parents with a child of 12 years of age or younger, the right to limit their hours of availability to their child's school hours. It puts the power to determine their availability at the hands of lone parents, because they are best placed to make judgements about their responsibilities and lifestyles. It will assist lone parents who have predictable availability for work because their children attend for conventional school hours, that is, a regular daily pattern from Monday to Friday. That should cover the normal experience of the majority of lone parents.

Lone parents whose children's school hours fall outside a regular pattern of attendance for the time being, or perhaps permanently for a particular reason, can instead make use of the flexibility which allows them to reduce their availability for work in discussion with an adviser. If parents have difficulty during the school holidays, they can make use of the flexibility in the jobseeker's allowance regulations, which enables parents to be deemed unavailable for work during the school holidays if no appropriate childcare is available.

That is a simple change, but it could have a significant impact on the lives of lone parent jobseekers all over Northern Ireland. However, as Members know, there are far from simple changes being talked about at Treasury, at the Department for Work and Pensions (DWP) and in the London Government. I have been warning that there is a clear risk that Treasury may prevail over DWP in the current welfare debate. Whatever the intentions of the Secretary of State for welfare, Iain Duncan Smith — some of which may be good — his ambitions and intentions would be compromised en bloc by the

welfare-slashing intentions of the Treasury. That is why, over the past couple of months, I have met the Welfare Reform Minister, Lord Freud, in London and the Secretary of State for welfare, Iain Duncan Smith. I have made the argument that Iain Duncan Smith's own institute in Northern Ireland seems to adopt, which is that there are particular circumstances and levels of deprivation, disadvantage and poverty over the generations, compounded by emigration, and now complicated by the legacy of conflict. As a consequence of that, when it comes to welfare reform in the future, Northern Ireland must be treated as the particular case that it clearly is.

I have also made the argument over the past couple of months, and I will make it again now, that whatever the London Budget may or may not mean in respect of the Northern Ireland block, when it comes to decisions around the Executive table in Northern Ireland, we must not impose upon those people who are already in need, stress and disadvantage any additional burdens in this time of recession, which is going to continue at least until the end of 2012. As a consequence of that, there will be no new jobs in the context of potentially fewer public sector jobs.

Given the evidence that is beginning to emerge from the Institute of Fiscal Studies in London in respect of the emergency Budget a couple of months ago, in respect of the BBC report last week on of the impact on the north-east of England in the event of public sector cuts where there was a higher dependency on public sector jobs, and given the report in 'The Observer' yesterday about the potential cuts in welfare over the next period beyond what we had envisaged, there is a particular responsibility in my view, not just in London but in respect of this Executive, to protect those in need, disadvantage and stress when it comes to the budgetary discussions. Without prejudice to all of that, I beg to move the regulations.

The Chairperson of the Committee for Social Development (Mr Hamilton): The Committee for Social Development considered the Jobseeker's Allowance (Lone Parents) (Availability for Work) Regulations (Northern Ireland) 2010 at its meetings of 11 March and 15 April. As the Minister indicated, the purpose of the statutory rule is to give lone parents on jobseeker's allowance with children aged 12 or under a right to restrict their availability for work to suit their child's school commitments without a loss of benefits. The rule may be viewed as recognition

that in the absence of so-called wraparound childcare, lone parents who have young children cannot be subject to the same benefit conditionality regime as other claimants.

In response to queries raised by the Committee, I can advise that the Department has provided assurances that during school holidays the normal safeguards for lone parents exist, that is to say that lone parents are eligible to claim JSA if they are available to work and are not obliged to take up employment if they do not have access to childcare.

As part of its deliberations, the Committee sought feedback on the impact of the rule on lone parents. I recently learned from the Department that, as the Minister has indicated, up until June 2010 only a small number of lone parents have sought to restrict their availability for work. I am glad to advise the Assembly that I understand that benefit agencies have allowed those parents to restrict their availability without loss of benefits.

5.00 pm

The Committee agreed to support that beneficial statutory rule. The Committee would also support the view that, in respect of welfare reform measures for vulnerable groups, such as lone parents, extensive data should be collected by the Social Security Agency on the impact of such reforms. In this case, such data could usefully inform the development of a childcare strategy for Northern Ireland.

Therefore, given the beneficial nature of that particular rule, the Committee is happy to recommend that it be confirmed by the Assembly.

Mr Brady: As the Committee Chairperson stated, the Department was asked to provide information on the impact of the rule before its confirmation by the Assembly. The Department advised that it was unable to provide detailed data. For various reasons, 141 lone parents sought to restrict their availability for work. The Minister stated that that flexibility was allowed.

As the Minister is aware, Sinn Féin is unhappy with many aspects of the Welfare Reform Bill. My party put forward a number of proposals. It is parity legislation. Presumably, parity, by definition, means to compare like with like. Unfortunately, much of that legislation does not compare like with like. The Minister states that this particular rule will provide for lone

parents whose youngest child is 12 years old or under. Obviously, further down that road, lone parents whose youngest child is five years old or, possibly, one year old will have to satisfy requirements for work. In fairness, the Minister has stated that he will bend flexibility as far as possible within the context of parity.

For many lone parents, the difficulty lies with other benefits that are available, such as working tax credit. Before I am told that that is not within the Minister's remit, I will point out that I understand that. However, it is difficult to make legislation that affects lone parents without addressing other issues, such as the childcare element of working tax credit.

The Committee has examined the rule in some detail. As the Chairperson said, it agreed to recommend the rule, although some members were unhappy to do so. Go raibh míle maith agat.

Mr Armstrong: Although the issue attracts strong opinions, the regulations that are before the House are straightforward. Those regulations are designed to ensure parity between Northern Ireland and Great Britain. As a unionist, I am committed to ensure that the parity principle is maintained, especially in these times of financial constraint.

I welcome the easements that the regulations will establish. In light of the fact that childcare is limited in Northern Ireland, the ability to restrict availability for employment to a child's normal school hours is a welcome step. That will help single parents to gain jobseeker's allowance. It will also help them to gain employment, and I believe that everyone would agree that that is the best way to address poverty — especially child poverty — and cycles of deprivation.

Although these regulations will not increase the availability of work, they are a welcome piece of the wider jigsaw of helping people to get jobs, grow the economy, and break cycles of poverty. I welcome the regulations.

Mrs M Bradley: It takes a great deal of money to fund such measures. Have the Education or Health Ministers considered giving additional funding to help with that?

Ms Lo: I want to thank the Minister. He is sympathetic to communities. I look forward to hearing more positive results from his discussions with Westminster.

Earlier today, I consulted Gingerbread about the legislation. It certainly welcomes the establishment of those easements. It says that that is one area in particular that must be dealt with through regulations. As other Members said, the lack of available childcare continues to cause difficulties for many lone parents. There are access and affordability difficulties, and parents constantly struggle with parenting and working. The regulations are compassionate and more flexible for lone parents, all of whom want to work. However, their priorities are often with their children, and rightly so. Children's welfare must be paramount in our policies and decisions.

Those of us who are parents, and who know how difficult it is when children are young and when parents are struggling with work and looking for help with childcare, should recognise the work of parents who are at home looking after children. Those parents bring up decent young people, and that is a contribution that they make to society.

Mr Deputy Speaker: I call the Minister of Health, Social Services and Public Safety. I beg your pardon: I call the Minister for Social Development.

The Minister for Social Development: I have slightly more hair.

Mr Kennedy: He looks like the Health Minister.

The Minister for Social Development: I do not behave like him, though. I welcome the consensus in the House for the regulations, and I thank the Committee for the positive way in which it dealt with them. I am sure that that will be a template for our relationship over the next nine months.

I want to stress a number of points. Mr Brady and Mr Hamilton referred to how the lone parent obligations have operated since their introduction in December 2008. It is worth emphasising what the Committee Chairperson and Mr Brady said: any lone parents who want to restrict their availability are able to do so. There were 141 requests, and all requests were allowed. That says a number of things about the welfare system in Northern Ireland. First, it says that there is a level of understanding in the Social Security Agency around lone parent issues and around the need for flexibility when dealing with lone parents' care and responsibilities. Secondly, it says that the

training and direction worked itself through the agency to produce a situation in which 141 requests were allowed.

It also reflects something that was said by Eileen Evason, whom I consider to be the foremost expert on welfare and child poverty in Northern Ireland. She has been saying that, whatever the character and gravity of welfare reforms that might have been rolled out to date, the Social Security Agency and its staff have measured up in their obligations to the customer, particularly to those in most acute need, as is evidenced by the operation of the lone parent regulations.

That emphasises another point. When it comes to the Budget negotiations, it is not only the teacher and the nurse who should be seen as providing a front line service in Northern Ireland but the people who work in child maintenance, social security, the Housing Executive and neighbourhood renewal. They need to be protected, because the nature of their work is to help people who are in need, stress and disadvantage and who are looking for opportunity.

Mr Brady and Mrs Bradley raised the issue of childcare. I compliment Mr Brady on his neat use of language. He said that he was unhappy to agree to the regulations. I think that I will use that form of words in future when it comes to —

Mr F McCann: I thought that you used that form of words regularly, Alex.

The Minister for Social Development: Not quite those words, but I will use those words in order to demonstrate my distance from welfare reform proposals in London.

The broader issue is that flexibilities around access to affordable childcare are built into the welfare benefit system, because access to affordable childcare in Northern Ireland is restricted to around 20% of those who seek it. That is unlike the situation in parts of Britain, especially in parts of England where accessibility is up to 80%. Although it is difficult to roll out a childcare strategy, and although it is very expensive, which is, presumably, one of the reasons that, thus far, the structures in the Executive dealing with the issue have yet to produce the final result, we cannot put it off for ever and a day.

To answer Mrs Bradley's question more directly, and I will be very frank, as I tend to be with the Assembly, it was put to me that in considering my budget bid, I would want to look at the funding that the Department for Social Development provides for projects that include childcare provision. I was asked whether I would want to reconsider that, and I said that I would not. I know that Mr Hamilton thinks that that is a big part of my savings plan, but in the big Budget bid that was put in five or six weeks ago, I made a bid for the continuation of DSD funding for projects that include childcare. In the absence of an overarching interdepartmental agreed strategy with the money to fund childcare, it falls to each Department to measure up as best they can, rather than to let childcare provision go to the wall, which is the danger.

I stress that, beyond the lone parent regulations that are being approved today, other flexibilities in the social security system that relate to the needs of parents cover quite a number of bases. Just as there have been 141 requests for restricted availability for lone parent obligations, there are wider flexibilities for all parents. I trust that each of us, through our offices and through the system generally, will exploit those opportunities so that we can deal with whatever may come across the Irish Sea from London. Indeed, I will negotiate hard with London to resist much of that if I am able to, and I am sure that I will be supported by the Assembly, the Executive and the Committee for Regional Development in that. Nonetheless, a number of flexibilities remain that people in the community and those giving advice should exploit to the full to ensure that parents, not least lone parents, get the benefit of the system rather than be impeded by it.

Question put and agreed to.

Resolved:

That the Jobseeker's Allowance (Lone Parents) (Availability for Work) Regulations (Northern Ireland) 2010 be approved.

Committee Business

Statutory Committee Membership

Mr Deputy Speaker: The next five motions relate to membership of Statutory and Standing Committees. As with similar motions, they will be treated as business motions. Therefore, there will be no debate.

Resolved:

That Mr Trevor Clarke replace Mr Stephen Moutray as a member of the Committee for the Office of the First Minister and deputy First Minister; that Mr David Hilditch replace Mr Trevor Clarke as a member of the Committee for Culture, Arts and Leisure; that Mr Jonathan Craig replace Mr Alastair Ross as a member of the Committee for Education; that Mr Sydney Anderson replace Mr William Irwin as a member of the Committee for Employment and Learning; that Mr William Irwin replace Mr Gregory Campbell as a member of the Committee for Enterprise, Trade and Investment; that Mr Thomas Buchanan and Mr Trevor Clarke replace Mr Jonathan Bell and Mr Ian McCrea as members of the Committee for the Environment; that Mr Paul Girvan replace Mr Jonathan Craig as a member of the Committee for Finance and Personnel; that Mr Paul Girvan replace Mr Thomas Buchanan as a member of the Committee for Health, Social Services and Public Safety; that Mr Sydney Anderson replace Mr David Hilditch as a member of the Committee for Social Development; that the Lord Browne and Mr Thomas Buchanan be appointed to the Committee for Justice; that Mr Allan Bresland be appointed to the Committee for the Office of the First Minister and deputy First Minister; that Mr Simpson Gibson and Mr Trevor Clarke be appointed to the Committee for Agriculture and Rural Development; that Mr Paul Givan be appointed to the Committee for Enterprise, Trade and Investment; and that Mr Paul Frew be appointed to the Committee for Finance and Personnel. — [Mr Weir.]

Resolved:

That Mr Chris Lyttle replace Ms Anna Lo as a member of the Committee for Employment and Learning. — [Mr McCarthy.]

Resolved:

That Mr Willie Clarke replace Mr Daithí McKay as a member of the Committee for the Environment; that Mr Fra McCann replace Mr Willie Clarke as member of the Committee for Regional Development; that Mr Daithí McKay replace Mr Fra McCann as a member of the Committee for Finance and Personnel; that Mrs Claire McGill

replace Mr Daithí McKay as member of the Committee for Enterprise, Trade and Investment; and that Mr Mickey Brady replace Mrs Claire McGill as member of the Committee for Health, Social Services and Public Safety. — [Mr P Maskey.]

Standing Committee Membership

Resolved:

That Mr William Irwin and Mr Adrian McQuillan replace Mr David Hilditch and the Lord Browne as members of the Public Accounts Committee; that Mr Sydney Anderson, Mr Paul Frew and Mr Ian McCrea replace Mr Allan Bresland, Mr Thomas Buchanan and Mr Trevor Clarke as members of the Standards and Privileges Committee; that Mr Jonathan Bell be appointed to the Assembly and Executive Review Committee; and that Mr Gregory Campbell be appointed to the Public Accounts Committee. — [Mr Weir.]

Resolved:

That Ms Anna Lo replace Dr Stephen Farry as a member of the Audit Committee. — [Mr McCarthy.]

Commissioner for Older People Bill: Extension of Committee Stage

The Chairperson of the Committee for the Office of the First Minister and deputy First Minister (Mr Kennedy): 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 Commissioner for Older People Bill [NIA Bill 21/09].

The Commissioner for Older People Bill passed its Second Stage on 7 June 2010 and was referred to the Committee for the Office of the First Minister and deputy First Minister (OFMDFM) on the same day. The Bill is a piece of legislation that seeks to provide for the appointment and the functions of a Commissioner for Older People for Northern Ireland. The Bill has 29 clauses and three schedules. The clauses establish the Commissioner for Older People and set out the principal aim of the Commissioner. The clauses also set out the functions of the Commissioner.

The OFMDFM Committee has considered the Bill on a number of occasions, and has received written and oral evidence from a number of stakeholders in the sector and from the Department. The Committee will discuss

possible amendments to the Bill and the powers of the Commissioner with the Department at its meeting this coming Wednesday. The Committee is seeking an extension until 17 December 2010 to allow it to fully scrutinise and consider possible amendments to the Commissioner for Older People Bill. The extension would allow the Committee to deliver on other commitments and Bills scheduled to come to the Committee shortly. I ask the Members for their support.

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 Commissioner for Older People Bill [NIA Bill 21/09].

Adjourned at 5.18 pm

Northern Ireland Assembly

Tuesday 14 September 2010

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

Members observed two minutes' silence.

Assembly Business

New Assembly Member: Mr William Humphrey

Mr Speaker: The Chief Electoral Officer has informed me that Mr William Humphrey has been returned as a Member of the Assembly for the Belfast North constituency to fill the vacancy resulting from the resignation of the Rt Hon Nigel Dodds. Mr Humphrey signed the Roll of Membership in my presence and that of the Clerk to the Assembly/Director General in the Speaker's Office this morning and entered his designation. Mr Humphrey has now taken his seat. As I did yesterday with other new Members, I congratulate Mr Humphrey and wish him every success in his work in the Assembly.

Ministerial Statements

North/South Ministerial Council: Plenary Format

Mr Speaker: I have received notice from the Office of the First Minister and deputy First Minister (OFMDFM) that the deputy First Minister wishes to make a statement.

The deputy First Minister (Mr M McGuinness): In compliance with section 52C(2) of the Northern Ireland Act 1998, we wish to make the following statement on the tenth meeting of the North/South Ministerial Council in plenary format, which was held in Farmleigh House, Dublin, on Monday 5 July 2010. The Executive Ministers who attended the meeting have approved the report, and we make it on their behalf. Members will appreciate that this statement was agreed on 5 July and that some points have progressed since then.

Our delegation was led by the First Minister, Peter Robinson, and me. In addition, the following Executive Ministers were in attendance: Sammy Wilson, Minister of Finance and Personnel; Sir Reg Empey, Minister for Employment and Learning; Conor Murphy, Minister for Regional Development; Arlene Foster, Minister of Enterprise, Trade and Investment; Alex Attwood, Minister for Social Development; Caitríona Ruane, Minister of Education; Nelson McCausland, Minister of Culture, Arts and Leisure; Edwin Poots, Minister of the Environment; Michelle Gildernew, Minister of Agriculture and Rural Development; and OFMDFM junior Minister Robin Newton.

The Irish Government delegation was led by the Taoiseach, Brian Cowen TD, who chaired the meeting. The following Irish Government Ministers were also in attendance: Brian Lenihan TD, Minister for Finance; Dermot Ahern TD, Minister for Justice and Law Reform; Noel Dempsey TD, Minister for Transport; Micheál Martin TD,

Minister for Foreign Affairs; Éamon Ó Cuív TD, Minister for Social Protection; Mary Hanafin TD, Minister for Tourism, Culture and Sport; John Gormley TD, Minister for Environment, Heritage and Local Government; Eamon Ryan TD, Minister for Communications, Energy and Natural Resources; Pat Carey TD, Minister for Community, Equality and Gaeltacht Affairs; Brendan Smith TD, Minister for Agriculture, Fisheries and Food; Batt O'Keeffe TD, Minister for Enterprise, Trade and Innovation; Barry Andrews TD, Minister of State at the Department of Health and Children.

During the meeting, we had a comprehensive discussion of the fiscal challenges facing us and the measures that we are taking to consolidate budgets and prepare for economic recovery. In the current difficult economic environment, we emphasised the need to secure value for money across the full range of public sector expenditure. In that context, we noted and welcomed the ongoing discussions between the two Finance Ministers to identify potential cost savings through co-operation and sharing.

Ministers also discussed the significant level of co-operation that is under way to promote innovation to underpin economic growth and to create employment, including the introduction of innovation vouchers on an all-island basis, the funding provided through the programme for research in third-level institutions, cancer research, increased co-operation in securing research funding under the EU seventh framework programme, and the success of the US/Ireland/Northern Ireland research and development partnership.

The Council welcomed potential co-operation on the international promotion of joint capacity for research and development and encouraged work in the NSMC trade and business development sector on innovation, research and development, and on an all-island ecosystem for innovation. It was agreed that EU Innovation Commissioner Geoghegan-Quinn would be invited to attend a future meeting of the NSMC in trade and business development sectoral format.

Executive Ministers raised concerns about the restructuring of the banking sector and about issues relating to the insurance sector. They also raised the issue of country of origin food labelling and noted that the relevant Ministers are discussing those issues.

The Council noted a progress report that was submitted by the joint secretaries on the

thirteen NSMC meetings that have been held since the previous plenary meeting in December 2009. The Council welcomed the mutually beneficial co-operation that is being taken forward, including that work is progressing well on the A5 Aughnacloy to north-west gateway and on the A8 Belfast-Larne road projects to meet the next key milestones — the publication of draft Orders — in late 2010 or early 2011. The A1 road works to complete the Dublin-Belfast link are nearing completion and it is anticipated that the new carriageway will be open to traffic in mid-2010.

Further progress is being made towards the approval of the business case for a new radiotherapy centre at Altnagelvin Hospital, towards which the Irish Government have agreed, in principle, to provide a capital contribution and to fund the provision of cancer services for patients from Donegal.

Progress has been made on a range of child protection issues, including the establishment of the innovative North/South child protection website.

Exploration of a co-ordinated approach to reducing blood alcohol levels in both jurisdictions continues along with the introduction of the mutual recognition of driver disqualifications between the UK and Ireland on 28 January 2010. Work is continuing on the longer term objective of the mutual recognition of penalty points.

An all-island animal health and welfare strategy has been agreed. Steps have been taken to ensure the removal of waste from the sites at Slattinagh in County Fermanagh and near Trillick in County Tyrone. Work on the site is expected to start this summer and joint enforcement actions to target shipments of waste are continuing.

Progress has been made on the implementation of the EU Peace III and INTERREG IVA programmes. Projects already approved under Peace III have a total budget of €171.8 million and those approved under INTERREG IVA have a total budget of €103.7 million.

Since 19 April 2010, the new NSMC joint secretariat accommodation in Armagh has been fully operational and six NSMC meetings have been held there to date.

The board of the Middletown Centre for Autism has been reconstituted for a further three-year term and the centre is rolling out further training

packages involving around 4,000 individuals. Progress continues in the provision of advice and guidance to schools and to research and information services. A multi-annual plan is being worked on for the development of the Middletown centre.

The teacher qualifications working group has been reconstituted and progress made in taking forward co-operation in teacher education issues generally and in Irish-medium education in particular. Additional measures are now in place to strengthen co-ordination and co-operation to tackle educational underachievement, school leadership and Irish-medium education, including a commitment to share, where feasible, materials and resources to avoid duplication.

The Council agreed that recommendations in a report prepared for the St Andrews Agreement review group by an advisory panel of experts/advisers would be forwarded to Ministers who have responsibility for North/South bodies for their views. Consultation in Departments on the second and third terms of reference of the St Andrews Agreement review was noted, and the review group was expected to move rapidly to conclude its work when the consultation is completed. We also agreed to consider at a future NSMC meeting the outcome of consultation that is under way in both jurisdictions.

The Council noted that the Irish Government had facilitated a second consultative conference with the participation of social partners and other civil society groups from across the island. It noted that a joint meeting of the North/South parliamentary forum working groups was held on 21 June 2010 to discuss the proposed joint conference in early October. The working groups agreed that officials from both legislatures will continue to meet to refine aspects of the draft conference programme and report to their respective working groups with a view to finalising the conference programme. The Council noted that the establishment of a forum is a matter for the Oireachtas and the Northern Ireland Assembly.

We approved a schedule of NSMC meetings to take place over the coming months and agreed that the joint secretariat, in consultation with relevant Departments, will arrange dates for each of those meetings before 31 August 2010.

The Chairperson of the Committee for the Office of the First Minister and deputy First Minister (Mr Kennedy): I thank the deputy First

Minister for his statement. Has any work been carried out on applying for joint funding bids from Europe or to encourage universities in Northern Ireland, or, indeed, in both jurisdictions, to apply for joint funding for research and development?

In the light of the fact that co-operation on economic growth was discussed at the meeting, did the Minister or any of his Executive colleagues raise the issue of the National Asset Management Agency (NAMA) and its potential implications for Northern Ireland's economy. The Minister's assessment would be helpful. Finally, will the Minister update us on the work of the St Andrews Agreement review?

The deputy First Minister: Co-operation on innovation and on research and development is central to growing the economy here. They are a primary focus of the Programme for Government, which is reinforced in an independent review of economic policy. The commercialisation of research and development and the transfer to market of knowledge from the excellent academic base here are critical to making that economic growth happen.

MATRIX, the local science industry panel, sets out a road map to achieve that, with an emphasis on collaboration across not just sectors but across national boundaries to target global markets. The regional innovation action plan 2008-11 sets out more than 100 actions designed to support Government's effort to develop a more knowledge-based economy. Progress on the implementation of the action plan and the related MATRIX recommendations has been positive.

We need to ensure that our new economic strategy sets out the steps necessary to encourage more innovation and puts support mechanisms in place to help potential entrepreneurs. Many will consider the appointment of Máire Geoghegan-Quinn to a vital Commission in the EU as something from which North and South can benefit.

10.45 am

In relation to third-level education, the Department for Employment and Learning's Strengthening the All-Island Research Base initiative represents a major investment in cross-border R&D collaboration and is regarded as a strategic initiative by both Governments. That has enabled our universities to collaborate with major inter-

nationally recognised research centres in the South that offer complementary strength and future opportunities for international collaboration.

Collaborative partnerships exist with, among others, University College Dublin, Trinity College Dublin, National University of Ireland, Galway, University College Cork, the University of Limerick, the Institute of Public Health in Ireland and the Royal College of Surgeons in Ireland. The initiative is a flagship one within the funding for innovation stream, which will end in March 2011. The cross-border projects aim to be self-sustaining after that.

The impact of NAMA on the ability of local banks to lend and its potential impact on the local property market are strategic issues. The Finance Minister continues to liaise closely with Brian Lenihan on that issue. Minister Wilson met the Northern Ireland advisory committee of NAMA on 23 August. That was the first of what will be regular meetings. We were assured again that assets would be carefully managed, with no fire sale.

It was announced on 23 August that tranche 2 had been completed; a total of €11.9 billion was transferred to the stage. Tranche 2 saw the transfer of some £360 million worth of loans that were based here.

One benefit of NAMA is that it gives important liquidity to the banks through the securities that it exchanges for the loans. Hopefully, that will help banks to begin to lend, which, as we all know from being lobbied consistently by the business community, is of vital importance.

Mr Spratt: I thank the deputy First Minister for his statement to the House this morning. What are the most up-to-date figures for the costs of the North/South implementation bodies and Tourism Ireland? What effect will agreed efficiencies have on those bodies?

The deputy First Minister: We will write to the Member with the figures that he has requested. However, we all recognise that, at a time of great fiscal difficulty both North and South, there is a huge responsibility on all of us to be sensible about how we manage public funds. That is why the meetings that are taking place between Brian Lenihan and our Finance Minister, Sammy Wilson, are of such vital importance.

It is absolutely critical that we consistently challenge ourselves to see what more can be done through sharing and engagement in projects that bring mutual benefit and do not compromise anybody's political allegiances. We are absolutely committed to pursuing that goal, but the mechanism for doing it rests principally with the two Finance Ministers. Obviously, they must report to the NSMC at one of its plenary meetings. We will write to the Member with the figures that he requested.

Mr McElduff: Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom fáilte a chur roimh ráiteas an leasChéad-Aire. I welcome the statement from the deputy First Minister.

Will he provide an update on the process for establishing the North/South parliamentary forum? I was pleased to note that the North/South Ministerial Council joint secretariat accommodation in Armagh has been fully operational since April. The OFMDFM Committee has decided to hold one of its meetings there in the near future.

The deputy First Minister: I very much welcome the progress that was made at the recent joint meeting of the Oireachtas and Assembly working groups to discuss arrangements for the North/South parliamentary forum conference, which they are planning to hold in October. Our Speaker is very much involved in those discussions, which is great. I look forward to the establishment of a North/South parliamentary forum, which, of course, is principally a matter for the Assembly and the Oireachtas respectively.

The Member mentioned the opening of the offices in Armagh earlier this year, which is something that we are all very pleased about, because we know that it will be increasingly cost-effective to have as many NSMC meetings there as possible. That is a boost for Armagh city centre, for our work in the North/South Ministerial Council and the meetings of its subcommittees. To have that facility is tremendous.

Mr A Maginness: I thank the deputy First Minister for his report. I note with satisfaction that progress is being made in respect of the North/South Ministerial Council.

The deputy First Minister referred to the St Andrews Agreement review. He said that:

"The Council agreed that recommendations in a report prepared for the St Andrews Agreement Review Group by an advisory panel of experts/advisors, would be forwarded for views to Ministers".

Will the deputy First Minister indicate whether that report will be published so that Members of the Assembly and the Oireachtas can consider it? Will he give more detail on it prior to its publication?

The deputy First Minister: At the June plenary meeting, we agreed to send the recommendations of the experts/advisers on the efficiency and value for money of North/South implementation bodies and Tourism Ireland to the Ministers whose Departments sponsor those bodies for their information and views.

We also noted that Departments have been tasked with providing views on the second and third terms of reference of the review. Those relate to the case for additional bodies and areas of co-operation in the NSMC where mutual benefit would be achieved and work on the identification of a suitable substitute for the proposed lights agency of the Foyle, Carlingford and Irish Lights Commission. It is anticipated that the review group will move rapidly to conclude its deliberations when responses to that request are received.

The NSMC will consider at a future meeting the outcome of the consultations that are under way in both jurisdictions. This is one of a number of issues from the St Andrews Agreement that will be considered through the work of the Hillsborough Castle Agreement working group that will meet soon. Junior Ministers Newton and Kelly will chair the working group, the members of which include Ministers David Ford, Connor Murphy and Edwin Poots and Dolores Kelly MLA. Any changes to the arrangements require the endorsement of the Assembly and the Oireachtas.

In relation to the recommendations, as I have already outlined, those relating to the efficiency and value for money of the existing implementation bodies and Tourism Ireland Limited are with the Ministers who have responsibility for those bodies. It would not be appropriate to release the report until the review group has had an opportunity to consider Ministers' views. I have already outlined the progress that has been made. It is important

that time is taken to consult Ministers in both jurisdictions and consider their responses on all elements of the review. I am sure that the Member understands that.

Dr Farry: I thank the deputy First Minister for the statement. In paragraph 4, the report refers to:

"the ongoing discussions between the two Finance Ministers to identify potential cost savings through co-operation and sharing."

Will the deputy First Minister give us more information on the range of issues discussed in that regard and an assessment of the scope for savings, which is particularly appropriate in the current environment? Can he give us some examples beyond what is cited in the report of the radiotherapy centre at Altnagelvin Area Hospital?

The deputy First Minister: In relation to the discussions on possible savings through mutual co-operation, given the budgetary circumstances in both jurisdictions, all of us welcome any opportunity to save money to provide effective public services. I understand that our respective Finance Ministers have been and will be discussing that matter. Members are aware that the terms of reference of the St Andrews Agreement review include the objective examination of the case for additional bodies and areas of co-operation in the NSMC where mutual benefit would be derived.

At this stage, it would benefit no one to put into the public domain the content of those discussions. When the two Finance Ministers come to their conclusions, it will be appropriate to apprise the Assembly.

Mr G Robinson: Will the deputy First Minister update the House on the cross-border co-operation supported by INTERREG IVa?

The deputy First Minister: That important work is continuing, and I thank those who have been involved. I understand that the multi-annual plans (MAPs) developed and provided by the five groups include the detail to inform a funding decision and that those groups were seeking significantly more than the €60 million, or £55 million, notionally assigned to that area of the programme. The groups agreed to submit individual project applications based on their MAPs, and, like all applications for INTERREG IVa funding, those projects will need

to be progressed through the agreed selection procedures.

The groups' projects must continue to meet quality standards and provide value for money if they are to be funded, but the groups are well placed to develop — and have developed — quality proposals. They have the experience. The groups have seen 17 projects to the value of €13.2 million, or £12 million, approved to date. All groups have now seen projects approved under the programme, and administrative costs for 2009-2010 have been agreed.

Ms M Anderson: Go raibh milé maith agat. I thank the Minister for his detailed statement. I particularly welcome the progress report on the proposed radiotherapy centre at Altnagelvin Hospital, especially the financial capital contribution to be made by the Irish Government. Notwithstanding what he said about the discussions that will take place between the two Finance Ministers, will the Minister provide details of the discussion about possible savings that could be made by all-Ireland-based service delivery?

The deputy First Minister: I am sure that we would all welcome any opportunity to save money while providing effective public services given the current budgetary circumstances that prevail in both jurisdictions. As I said, our respective Finance Ministers have been and will be discussing the matter. That is being dealt with as a matter of urgency. Members will be aware that the terms of reference for the St Andrews Agreement review include the objective examination of the case for additional bodies and areas of co-operation in the NSMC where mutual benefit would be derived.

A number of Members have mentioned the radiotherapy centre at Altnagelvin Hospital. The Health Minister, Michael McGimpsey, has indicated his hope that the additional radiotherapy capacity required should be made available at Altnagelvin Hospital through the development of a satellite radiotherapy centre. Appropriate access to safe and effective radiotherapy for local patients remains a high priority for the Health Service; however, the development of a satellite service at Altnagelvin offers the opportunity for meaningful cross-border collaboration in this specialty.

There has been significant North/South collaboration on radiotherapy provision. Patients from Donegal have been able to access

radiotherapy services at the cancer centre in Belfast since November 2006. The proposed development at Altnagelvin represents a significant advance on that arrangement and will require substantial and ongoing financial commitments from both jurisdictions.

An outline business case for the new development was submitted to the Department of Health, Social Services and Public Safety by the Western Health and Social Care Trust in April 2010. A number of matters of detail are still to be addressed, and the Health and Social Care Board is working with the Western Trust on those. Until the business case has been approved and the necessary funding is in place to deliver the project, the Health Department is unable to provide more detailed comment on the scheme.

Mr Bresland: What have the NSMC joint secretariat and various meetings in the current financial year cost Northern Ireland?

The deputy First Minister: The costs are fairly minimal in the grand scheme of things. A standing joint secretariat that is staffed by members of the Northern Ireland Civil Service, from the Office of the First Minister and the deputy First Minister, and members of the Irish Government's Civil Service, from the Department of Foreign Affairs, supports the North/South Ministerial Council.

Twelve OFMDFM personnel are employed in the NSMC joint secretariat in the North, and the budget for 2010-11 is £894,000, which includes staff salaries. The budget is net of the Irish Government's share of the running costs of the joint secretariat. The important thing is that most costs are shared on a 50:50 basis.

11.00 am

Mr Beggs: The Minister mentioned briefly the A5 and A8 roads. Will he confirm that funding remains in place to complete the Trans-European Network route? In addition, he indicated that a very extensive list of Ministers — 23, along with their entourages — attended the meeting. Does he agree that, given the expenditure difficulties that we face, it is important that money is spent very carefully to improve front line services? Some of those are being cut already. How can he justify such an extensive, costly meeting and proposals to establish —

Mr Speaker: I encourage the Member to come to a question.

Mr Beggs: — yet another bureaucratic and expensive forum?

The deputy First Minister: I can justify the costs quite easily. When David Trimble was First Minister and Séamus Mallon was Deputy First Minister, the same number of Ministers attended plenary sessions of the North/South Ministerial Council. That was a minimal cost when one considers that it was a vitally important institution that was established under the terms of previous agreements. This is about how we can explore, among ourselves on the island and without prejudice to anyone's political allegiances, how we can gain mutual benefit through sharing. Given that there is now a heavy workload for people in that regard and that the projects in which we are engaged are delivering, that is of vital importance.

The Member referred to the roads situation. It should not be lost on anybody in the House that the Irish Government are prepared to pour hundreds of millions of euro into the construction of the new north-west gateway road from County Monaghan and a road from Belfast to the Member's constituency in Antrim. That will open up the eastern seaboard, which is vitally important for articulated vehicles. That is at a time when much criticism has been levelled at the poor state of infrastructure on that part of the eastern seaboard. All in all, the costs incurred as a result of those meetings are, in the grand scheme of things, well justified.

Mr O'Loan: I note that the Minister mentioned previous agreements, with reference to the Good Friday Agreement. There will be some wonderment about that. I noted his previous answers about potential cost savings through co-operation and sharing. Of course, I welcome that progress. Will he confirm that there will be no reduction in support from the First Minister and him for the work of the existing North/South implementation bodies, and will he elaborate on the brief reference to the banking sector, with particular reference to the availability of credit?

The deputy First Minister: At our discussions, as always, given the very difficult financial situation that exists North and South, we had a serious discussion about how businesses, in particular, are being affected by the reluctance of banks to lend at this time. That imposes incredible hardship on businesses north and

south of the border. At those meetings, it is critical that we continue to discuss and apply whatever pressure can be applied to the banks so that they recognise their responsibility to help businesses at what is a very difficult time.

As we go forward, we all understand that all of that represents a real challenge. The First Minister, all the other Executive Ministers and I have played a very constructive role, and the Ministers who choose to attend the plenary meetings of the North/South Ministerial Council understand the value of working in a way that is mutually beneficial to our communities north and south of the border. As always, as we move forward in relation to the implementation bodies and almost everything else that we do in government, North and South, we now consistently challenge ourselves to see how we can make as many savings as possible without damaging the work in which we are engaged. Principally here, the big challenge for us will be to determine how we can continue to ensure that we grow our economy, protect front line services and help the most disadvantaged in our society against the backdrop of the outcome of the comprehensive spending review. I am sure that the Government in Dublin face the same difficulties and challenges that we in the North face. Therefore, it is important to discuss those matters on an ongoing basis.

Mr T Clarke: I thank the deputy First Minister for his statement. Given some of the questions that have been asked, this one may not seem as important as others; however, it is important to the agriculture sector. Reference was made to country of origin food labelling. What progress has been made on that? Many in the industry would like to see it being made mandatory so that the promotion of local produce can be helped.

The deputy First Minister: I know that there has been much discussion on that subject between the Agriculture Ministers, North and South. There have certainly been difficulties with how the matter has been proceeded with over recent times. I know that those discussions are continuing, and, along with everybody else, I hope that we see an outcome that is beneficial to our agriculture community in the North.

Mr Gardiner: I thank the deputy First Minister for his presentation. The expense of the event has been mentioned. At the moment, every Department is being asked to cut back and save. Given that and given the number of Ministers

who attend such events, the number of civil servants who are there to back them up and the transport that is necessary, would the deputy First Minister not consider using video linking? Would the costs of that not be much less than those for this particular trip and would it not be as beneficial?

The deputy First Minister: The costs of holding the NSMC meeting in plenary format on 5 July in Farmleigh House were, in fact, met by the Irish Government. Travel and subsistence costs for OFMDFM were approximately £550. Visiting Ministers and officials bear their own travel and subsistence costs. Including the First Minister, junior Minister Newton and me, 12 Executive Ministers were at the meeting, and, including the Taoiseach, 13 Irish Government Ministers were present. Eight officials supported us at the meetings, including two from the North/South Ministerial Council joint secretariat. Given those figures and the importance of the dialogue, discussions and decision-taking in which we were involved, those costs can absolutely be justified.

Mr P J Bradley: I thank the deputy First Minister for his statement. In June, I met the Minister for Transport, Noel Dempsey, in Dublin. We had a one-item agenda: the Narrow Water bridge project. Given that I was assured in June that the project was ongoing, was there any discussion of it? I also noted the reference to the all-island animal health and welfare strategy. Were any arrangements on the monitoring of the rapid alert system agreed to?

The deputy First Minister: The bridge at Narrow Water has been discussed at NSMC meetings. I do not recall whether it was discussed at the most recent meeting, but I have no doubt that the issue will come up again. Local government associations in the Louth area have been involved in some work on the matter, and we will be updated continually on that work. As many Members know, things are very difficult financially, but, as we go forward and when we are in a position to have the feasibility studies and all the works attendant on them completed, the NSMC will no doubt consider the matter again.

I absolutely welcome the agreement on the all-island animal health and welfare strategy, which was reached at the meeting in Hillsborough on 31 March. The strategy's agreement signals the start of a process of working formally with Dublin, London and Brussels towards the ultimate

objective of the free movement of animals on the island, and I am pleased to note that a cross-border stakeholder event on the all-island animal health and welfare strategy took place on 12 April 2010. EU Commissioner John Dalli spoke at the event and added his perspective on future EU developments on animal health and welfare. DARD officials will continue to work closely with their counterparts in Dublin on joint strategies for the improvement of animal health and welfare on the island. The island of Ireland should be recognised internationally as a separate unit for disease control purposes and for ensuring effective traceability of livestock in the event of a disease outbreak. Now that the strategy has been agreed by the North/South Ministerial Council Ministers, Minister Gildernew will be working closely with Minister Brendan Smith to secure that recognition from Brussels and London.

Mr Lyttle: I welcome the deputy First Minister's statement and the economic co-operation that has been detailed, given the current fiscal challenges. On energy provision cost efficiencies, will the deputy First Minister update the House on whether the North/South interconnector was considered at the meeting and give his assessment of progress to date?

The deputy First Minister: I am aware of the public's environmental and health concerns over the planned line for the interconnector. Minister Foster met members of Safe Electricity for Armagh/Tyrone (SEAT), and Minister Poots announced recently that a planning inquiry will be held to consider those concerns in public. The second main electricity interconnector between Tyrone and Cavan is a major strategic project that will form a key part in upgrading the transmission network. A reliable and stable electricity supply is critical for communities, businesses and a modern economy. It will bring greater transmission capacity, encourage competitiveness in the single electricity market and improve consumer price choice.

The Utility Regulator has estimated that current interconnector constraints are costing between £18 million and £25 million a year due to restricting use of the most efficient generating plants in the single electricity market. The interconnector will play a key role in facilitating growth in renewable electricity generation and improve access to local sources of electricity at a time of international energy pressures and dependence on imported fossil fuels.

We have a duty to ensure that all consumers have access to a reliable electricity supply at the lowest cost necessary. There are significant technical constraints and additional costs associated with undergrounding high-voltage electricity cables, with such costs ultimately being borne by consumers.

British-Irish Council: Environment Sectoral Format

Mr Speaker: I have received notice from the Office of the First Minister and deputy First Minister that junior Minister Newton wishes to make a statement.

The junior Minister (Office of the First Minister and deputy First Minister) (Mr Newton): Mr Speaker, in compliance with the requirements of the Northern Ireland Act 1998, as amended by the Northern Ireland (St Andrews Agreement) Act 2006, I wish to make the following report on the tenth British-Irish Council meeting held in environment sectoral format at the Dove Marine Laboratory, Newcastle, on Thursday 15 July 2010. Minister Gildernew has endorsed the report, and she has agreed that I should make the statement on behalf of both of us. As the Minister of the Environment was unable to attend, the Northern Ireland Executive were represented by me and the Minister of Agriculture and Rural Development, Minister Gildernew MP MLA.

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

The British Government were represented by Richard Benyon MP, Parliamentary Under-Secretary of State with responsibility for the marine environment, who chaired the meeting. The Irish Government were represented by Michael Finneran TD, Minister for Housing and Local Services. Jersey was represented by Senator Freddie Cohen, Minister for Planning and Environment. Guernsey was represented by Deputy Peter Sirett, Minister for the Environment Department. The Welsh Assembly Government were represented by Jane Davidson AM, Minister for Environment, Sustainability and Housing. The Scottish Government were represented by Richard Lochhead MSP, Cabinet Secretary for Rural Affairs and the Environment, and the Isle of Man was represented by Mr John Shimmin MHK, Minister for Environment, Food and Agriculture.

11.15 am

The British-Irish Council was established under strand 3 of the agreement that was reached in Belfast on Good Friday 1998 as a forum for its members to exchange information, discuss, consult and use best endeavours to reach agreement on co-operation on matters of mutual interest within the competence of the relevant member Administrations. The meeting was part of an ongoing series of meetings of

the British-Irish Council since the first summit of 17 December 1999, which identified the environment as one of the issues for discussion.

The main focus of the meeting was on marine issues, and it was hosted by the Dove Marine Laboratory in Cullercoats, Newcastle. Ministers were given the opportunity to view the work of the laboratory and to be informed about the work of the Marine Management Organisation and Marine Climate Change Impacts Partnership as part of a marketplace event. Ministers were also presented with update papers on Fishing for Litter and integrated coastal zone management.

The Marine Management Organisation, which is based in Newcastle, was vested on 1 April 2010. Chris Parry gave a presentation to outline the role of the organisation and how it will work. That was followed by a presentation from Dr Craig Wallace and Professor Dan Laffoley of Marine Climate Change Impacts Partnership that outlined how the partnership works, the value derived from the partnership and this year's annual report card, which was launched at the meeting. The 2010 Marine Climate Change Impacts Partnership annual report card includes updated climate impacts down to regional level using the most recent UK climate projections. Confidence levels for current and projected impacts and opportunities are clearly explained.

Marine Climate Change Impacts Partnership also announced its next phase, which includes a programme of climate-smart working that will draw together and share adaptation experience from key marine sectors. An update on potential future areas of work was then given, and Ministers were able to discuss those ideas with the Marine Climate Change Impacts Partnership presenters and ask for an update at the next ministerial meeting in Wales. Ireland is currently investigating the feasibility of becoming a member of the Marine Climate Change Impacts Partnership.

Ministers also gave a brief update on the ongoing work in their member Administration and committed themselves to continue to work together closely on marine issues going forward. In particular, a commitment was made to work together toward good environment status in the seas around BIC members' coasts in the context of the EU marine strategy framework directive and to explore further the sharing

of research vessel resources and training opportunities.

The UK climate projections (UKCP09) were launched last year and reflect the fifth generation of climate scenarios. Roger Street, who gave a presentation to Ministers at the ministerial meeting held in Bangor, County Down, in 2008 came back to give the group an update that focused on the reception and take-up of the projections. The remainder of the discussion focused on what group members had been doing to develop and support adaptation programmes in their respective Administrations.

Ireland indicated that officials from the Irish and Manx Governments are working closely on a revised joint paper on Sellafield and radioactive waste. The paper will address current operations at Sellafield, the safety of those operations, the final disposal of radioactive waste and the control of environmental discharges.

Waste has been agreed as the theme for the next ministerial meeting in Wales. Ministers were provided with a paper that updated them on what different member Administrations were doing to address waste issues. Officials had provided Ministers with a list of potential areas for future co-operation and sharing of best practice. Ministers briefly discussed the most promising areas for joint working and tasked officials with putting those ideas into a work plan that could be taken forward and reviewed at the next ministerial meeting.

Ministers discussed the dates and themes for the next two meetings. They confirmed that the next meeting will be held in Wales in 2011 and that the theme will be waste. Ministers then discussed the meeting that will follow the one in Wales. Although there was support for the theme to be biodiversity, it was felt that some work should be done prior to the meeting in Wales to determine whether that is an appropriate work area. The timing of the meeting after the one in Wales will be dependent on that decision and will be confirmed at the meeting in Wales.

Ministers welcomed the continued close co-operation between member Administrations on environmental issues. An update on marine issues, in particular on co-operation on the marine strategy framework directive and improved working together in marine research, could be provided to Ministers at the next meeting. Officials will also work together on

the development and delivery of a work plan on waste issues for review at the next meeting in Wales.

Mr Deputy Speaker: I remind Members that questions must be about the Minister's statement.

Mr S Anderson: I thank the junior Minister for his statement. What do the UK climate projections for 2009 indicate for Northern Ireland, and how are the projections being promoted and used here?

The junior Minister (Mr Newton): I thank the Member for his topical question. The UK climate projections indicate that we are likely to see hotter, drier summers and warmer, wetter winters. That is likely to be coupled with an increased frequency of extreme weather occurrences such as heatwaves, dry spells, heavy rain and, unfortunately, flooding, of which people in my constituency, in Fermanagh and elsewhere are well aware. Some of the key conclusions from the climate change projections are that, by the 2050s, it is estimated that Northern Ireland will have an increase in winter mean temperature of approximately 1.7°C, an increase in summer mean temperature of approximately 2.2°C, an increase in winter mean precipitation of approximately 9%, a decrease in summer mean precipitation of approximately 12%, and an increase in the sea level for Belfast of 14.5 cm above the 1990 sea level.

The climate change projections were launched in Northern Ireland on 3 December 2009, and further awareness sessions and technical user interface training sessions were held in Belfast during January 2010. Officials from the Department of Environment and other Departments will be using the UK climate change projections to inform the development of a Northern Ireland climate change adoption programme.

Mr McElduff: Go raibh maith agat, a LeasCheann Comhairle. Arís, cuirim fáilte roimh ráiteas an Aire. I thank the Minister for his statement. I am drawn to the fact that the Minister of the Environment was not present at the BIC meeting in environmental sectoral format. Perhaps an explanation could be afforded for his absence. Indeed, he is absent from this morning's proceedings on the statement. Therefore, one would question his commitment to the project.

The statement contains a section on Sellafield and radioactive waste. Have there been any recent accidents at Sellafield? If the Minister does not have the information to hand, can we be furnished with it? Sometimes accidents are referred to as minor accidents and are underreported, but they are more than minor accidents.

The junior Minister (Mr Newton): I thank the Member for his two questions. It is my understanding that questions from Members were to relate entirely to the statement. Indeed, you made that point in your opening remarks, Mr Deputy Speaker. The Member will be aware of the commitment of Minister Poots to the work in his Department. We all have extremely busy schedules. I refer the Member to the date of the meeting: July. That is a time when many Members are unable to be present due to other commitments such as family holidays.

The Member referred to concerns about the accident rate; I do not have actual figures. He referred to accidents happening that are not regarded as reportable because they are so minor in nature. I am not aware of the full reporting procedure and the technicalities around it. However, I am happy to refer the question to the Minister for him to provide a written report to the Member.

Mr Kinahan: I, too, thank the Minister for the statement. On the subject of our marine responsibilities, I know how disjointed our river management is. Does the Minister have any plans to put a pilot project in place in Northern Ireland in the near future to allow all the agencies and stakeholders to find out how to work together in the most efficient and effective way?

The junior Minister (Mr Newton): I am not quite sure what is meant by the reference to working in the most effective manner. My understanding is that there are no plans to establish a marine management organisation for Northern Ireland. The issue is not regarded as sufficient to have an organisation set aside for it. However, the Member will be aware that there are a number of cross-departmental working groups. Indeed, there is an integrated strategy to address the issue through that sharing of information.

Mr A Maginness: I thank the junior Minister for his very comprehensive and interesting statement, which highlighted the protection of the environment, in particular the marine environment and our coasts. The Minister

also highlighted Sellafield and said that a joint report between the Irish Government and the Manx Government is being prepared. Does the junior Minister have any insights into that report? Sellafield is a particularly contentious issue for many of us who regard it as posing a tremendous potential danger to the welfare of all our citizens on both sides of the Irish Sea. Will the junior Minister give any indication as to what is contained in that report or, indeed, the nature of the report?

The junior Minister (Mr Newton): I did indicate that the Irish and Manx Governments are working on a report. The concern that the Member raised about the safety of all our peoples around the UK is of paramount importance. Personally, I am in favour of nuclear energy. I believe that it will be needed as energy sources dry up. Much more serious consideration needs to be given to that issue than it has received in the past. How Northern Ireland addresses that issue will be an interesting debate.

I can say that the DOE is responsible for legislating and regulating on matters that relate to the management of radioactive waste, which is where the public's major concerns lie. The DOE's responsibility includes participation in the managing radioactive waste safety programme. That programme was initiated by the UK Government and the devolved Administrations for Scotland, Wales and Northern Ireland in 2001 with the aim of addressing the legacy of radioactive waste from a variety of different nuclear energy programmes in the United Kingdom.

The Department's participation in that programme recognises the need to ensure that Northern Ireland's interests are represented when developing the most appropriate and safest way forward for dealing with the UK's legacy of higher-activity, long-life nuclear wastes.

11.30 am

Dr Farry: I thank the Minister for the statement. Was there any discussion on the various plans of the devolved regions for their own marine legislation to complement the UK-wide legislation? Arising from that, can the Minister give the House an assurance that our plans for a Bill, which will commence in 2012, and our local timetable will not in any way disadvantage us in respect of marine issues, whether regarding protection or new economic opportunities?

The junior Minister (Mr Newton): I thank the Member for his question. The UK transposed the marine strategy framework directive on 15 July 2010. The directive requires a staged approach to achieving good environmental status in the marine environment by 2020. The DOE will co-operate with the other devolved authorities and the Secretary of State to implement the directive in a coherent way. The transposing legislation also places a general duty on DARD, DCAL, DETI, DRD, and the Foyle, Carlingford and Irish Lights Commission to exercise their relevant functions so as to secure compliance with the requirements of the directive. I have emphasised all along the need for a coherent, integrated strategy, and I think that that would be the strategy that Northern Ireland would best adopt in the future across all the Departments that I have named.

Mr G Robinson: I thank the junior Minister for his statement. What will the Northern Ireland marine Bill provide for marine nature conservation?

The junior Minister (Mr Newton): I thank the Member for his question. If I refer to acronyms, I hope that he will forgive me. The Bill will create new powers to designate marine conservation zones (MCZs) in Northern Ireland's territorial waters to provide protection to nationally important habitats and species. The Bill will allow MCZs to be given the appropriate level of protection without the need for sites to be categorised as either more highly or less highly protected. That protection could range from a minimal level of protection right through to the highly protected, where no human activity would be permitted. MCZs will sit along the European marine sites — those are known as special areas of conservation and special protection areas — and areas of special scientific interest to form a marine protected area (MPA) network. That will fulfil our commitment to have an ecologically coherent network of well-managed MPAs in place by 2020.

The Chairperson of the Committee for the Environment (Mr Boylan): Go raibh maith agat, a LeasCheann Comhairle. Cuirim fáilte roimh ráiteas an Aire. I welcome the Minister's statement on behalf of the Environment Committee, and I welcome his indication that co-operation on environmental issues is constructive and productive. As we all know, our environment does not recognise borders, and, regardless of our own persuasions, it

is essential that it is addressed through co-operation. The junior Minister has outlined for us today the work that is ongoing to look at marine management across the UK and Ireland and his opportunity to look at the work of the Marine Management Organisation in Newcastle, England.

In the North, marine functions are spread across several Departments, and the Environment Committee has been calling for greater co-operation between them, with even the possibility of a single marine management body. Will the Minister comment on his experience of the work of the Marine Management Organisation? Does he think that such a body here in the North could deliver efficiencies and cost savings?

Mr Deputy Speaker: Before the junior Minister replies, I remind Members that all Chairpersons get leeway when they speak on behalf on their Committee. There is no difference whatsoever in relation to that.

The junior Minister (Mr Newton): I thank the Member for his detailed question. In my answers to Mr George Robinson and Dr Stephen Farry, I referred to the need for there to be integration in Departments' thinking and strategy, co-operation between them and arrangements to work together. I mentioned DARD, DETI, DCAL and so on, all of which have an interest in this area.

I do not believe that Northern Ireland is large enough to have a special dedicated body of that nature. Mr Deputy Speaker, you will understand my vast experience in this area. I do not believe that it is the Minister's intention to establish a stand-alone body to address issues but rather to integrate Departments' work.

Mr T Clarke: The junior Minister referred to the feasibility of Fishing for Litter. Will he tell the House what information was provided and the cost of implementation of such a scheme in Northern Ireland?

The junior Minister (Mr Newton): I thank the Member for his question. Obviously, that is an area in which there is a great deal of concern. As I understand it, the amount of litter that is dragged from the sea nowadays as fishermen go about their normal duties is enormous. The problem is how to dispose of litter that is dragged onto boats. One can well imagine that a fisherman who is out fishing for his

product neither has time nor wants to deal with litter that comes aboard in his net. Therefore, initiatives to address that issue will have to be rolled out.

As has already been said, marine policy issues are the responsibility of several Ministers. For example, Minister Gildernew has responsibility for fisheries while Minister Poots takes the lead on marine environmental issues. Officials work closely together to ensure that the interests of all stakeholders are taken into account when marine policy is developed. Minister Gildernew acknowledged the update that was provided on Fishing for Litter activities and fully supports the concept behind those schemes. Considerable progress has been made elsewhere on the introduction of Fishing for Litter schemes. Although Minister Gildernew has not been able to do so yet, she has asked her officials to work with fishing industry stakeholders with the objective of developing a scheme for the local industry. It has been recognised as important. I am sure that the Minister will take it forward.

Mr Beggs: I thank the junior Minister for his statement. He mentioned the Marine Climate Change Impacts Partnership. Can he elaborate on Northern Ireland's input to that partnership and whether we are represented in it?

As regards Fishing for Litter, I accept that there needs to be a mechanism for dealing with litter that trawlers bring onboard so that it is not simply offloaded again and is removed from the sea. Does the junior Minister accept that we must be careful about using public funds to simply fish for litter? We must determine the most efficient way to deal with the litter problem, which may be preventative work and funding such bodies as Tidy Northern Ireland. That must be considered as well as any other option to deal with litter in the seas in future.

The junior Minister (Mr Newton): I thank the Member for his two questions. Litter in the sea is recognised as a major problem. Obviously, when they drag their nets on board and remove the fish, fishermen do not want to have to handle and start to process litter. They should not be expected to do that. I do not know what will be the final outcome with regard to a policy or strategy adopted by the Minister or Ministers in this area. However, the matter must be addressed.

I have already placed emphasis on working with other Administrations, and we will pursue a joined-up approach between the UK Government,

the Republic's Government and the other Administrations around the UK. That will be essential in managing the marine environment effectively. Preliminary discussions have taken place on marine issues generally and with officials in the Republic of Ireland, and I welcome the opportunity to share and exchange information via the British-Irish Council Ministers and with the Isle of Man, Jersey and Guernsey.

Mr W Clarke: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement. He has touched on both of the items that I am going to ask about. Fishing for Litter is a worthy project: will the Minister update the House on where it has been successful? I understand that there was a scheme in Scotland. It provides a good opportunity to highlight the problem of litter in the marine environment and will give fishermen and fishing vessels an opportunity to have days at sea to supplement their income.

What input will the Assembly have into the revised paper that has been drawn up on Sellafield by the Twenty-six County Government and the Manx Government?

The junior Minister (Mr Newton): I thank the Minister for his questions. With regard to where the Government of the Republic go with their colleagues in the Isle of Man, I do not think that we are far enough advanced into that work. I believe that Northern Ireland will play a positive role, as will the other Administrations eventually. There is no sense in any one of the BIC Administrations trying to develop a strategy in that area on their own.

Progress of the strategy on tackling waste will depend on how the various Ministers tackle it. I accept that we cannot expect fishermen to handle waste. However, perhaps there will be a role for fishermen as the policy and strategy are adopted. We are conscious of the fact that, over the past number of years, the fishing industry has suffered grievously in respect of the number of days at sea. The Fishing for Litter project might present an opportunity for it, but only time will tell as the policies roll out.

Mr Lyttle: Given that the Northern Ireland Executive were informed of the UK Government decision to withdraw funding from the Sustainable Development Commission on the same day as the British-Irish Council meeting in environment sectoral format, did the Minister

take an opportunity to raise that important matter with his counterparts?

The junior Minister (Mr Newton): That was not on my agenda for that meeting.

North/South Ministerial Council: Health and Food Safety Sectoral Format

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

The Minister of Health, Social Services and Public Safety (Mr McGimpsey): I wish to make a statement on the tenth North/South Ministerial Council (NSMC) meeting in health and food safety sectoral format, which took place in the NSMC joint secretariat offices in Armagh on Wednesday 2 June 2010. The Executive were represented by me, as Minister of Health, Social Services and Public Safety, and Michelle Gildernew MP MLA, Minister of Agriculture and Rural Development. This statement has been endorsed by Minister Gildernew. The Irish Government were represented by Mary Harney TD, Minister for Health and Children, who chaired the meeting on this occasion, and she was accompanied by Barry Andrews TD, Minister for Children and Youth Affairs.

Mary Harney and I used the occasion to launch the 2009 cancer consortium annual report, 'Transcending Borders for Better Health: Empowering the Future through Research, Education and Care'. That publication marks the tenth anniversary of the highly beneficial collaboration between our two jurisdictions and the National Cancer Institute in Washington DC, USA.

Under the heading of the health progress report, Ministers noted and welcomed developments on a number of issues, including suicide prevention; the all-island evaluation of applied suicide intervention skills training; the current position and projected timescale for the development of a new satellite radiotherapy centre at Altnagelvin Hospital; and the operation of the service-level agreement on paediatric congenital cardiac services.

11.45 am

We also noted reviews that are under way on the response to the flu pandemic. Analysis of uptake in the two GP out-of-hours pilot projects will be used to evaluate the sustainability of the service. We welcomed progress on health promotion, including action to reduce tobacco use; progress on a drug prevalence study, which will also collect information on mephedrone and

so-called legal highs; and initiatives in physical activity and nutrition to help combat obesity.

Ministers also received a presentation from Co-operation and Working Together (CAWT) on its role in implementing the EU structural funds initiative, the INTERREG IVa programme in health and social care, which comprises 12 projects promoting health and well-being and focuses on reform and modernisation.

The Council was updated on the work of the cross-border child protection group and its various subgroups. We noted the establishment of the innovative North/South child protection hub website and its planned launch in the autumn; preparation of a joint protocol dealing with children in care and those on the child protection register; and progress on the development of a draft joint communications strategy. We also welcomed ongoing work to address the very complex and sensitive issue of historical child abuse and the continuing collaborative work in both jurisdictions on the management of sex offenders.

In the food safety sector, the Council noted the promotional activities undertaken by Safefood — the Food Safety Promotion Board — and the current position on that body's scientific activities, including the completion of research projects on food safety, hygiene and dietary health and the initiation of a number of new research projects. We also welcomed the development of all-island knowledge networks of food safety professionals.

Ministers approved the appointments to Safefood's scientific advisory committee, including Dr Ken Baird as chairman and Professor Charles Daly as vice-chairman. We also noted the position of Safefood's annual report for 2009 and the submission of the draft accounts to the Comptroller and Auditor General in both jurisdictions. We then noted work carried out by Safefood in support of its legislative remit on the surveillance of food-borne diseases and the work of the scientific advisory committee in identifying a harmonised approach to that surveillance.

As part of the NSMC business continuity arrangements to deal with urgent decisions, we also approved a set of regulations made by the Foyle, Carlingford and Irish Lights Commission.

The Chairperson of the Committee for Health, Social Services and Public Safety (Mr Wells):

I welcome the Minister's statement, in which he highlighted the issue of child protection. The Committee has been quite concerned about the ease with which those who would be involved in child abuse can move across the border and back, sometimes without being detected. Will he expand a bit more on what his Department, in conjunction with the authorities in the Republic, will do to ensure that anyone who is involved in that despicable activity can be easily detected? There should be no question of such people simply moving across the border, either North or South, and moving off the radar. That is so easy to do, particularly in the border areas. What safeguards have been implemented to ensure that those people are tracked so that we know their movements and what they are up to?

The Minister of Health, Social Services and Public Safety:

That is, of course, an area of constant surveillance and discussion, and a number of steps have been taken. Bearing in mind that there are two jurisdictions with separate legal codes and so on, the key element is to ensure that the border is not a barrier to the proper exchange of information and that such information is readily exchanged on a North/South and, indeed, east-west basis. We are constantly working on those issues. For example, we have a joint protocol to deal with children who are at risk. We share information on those children and ensure that we do so while not allowing the border to be a barrier. In the statement, I also referred to the child protection hub, which is an internet-based resource that provides information on anything to do with child protection. That information is available to officials within seconds, literally at the push of a button. It is the first in the UK, and I think that it is also unique in Europe.

Of course, sex offenders are the responsibility of the Department of Justice, but we have a memorandum of understanding through which we work in co-operation. I understand that there is very active North/South co-operation to protect the safety of the population in both jurisdictions, and the Department of Justice is taking the lead. Those are some of the things that we are doing. Sharing information is the key to ensuring that we know where children are if they move across the border and can effectively track children who are at risk as well as those who are liable to pose the risk.

Mrs O'Neill: Go raibh maith agat, a LeasCheann Comhairle. I welcome the positive positions and developments in the Minister's statement, but I am disappointed that there was no mention of the North/South feasibility study, which, as the Minister is well aware, was completed over 18 months ago. Media reports suggest that it is clear in that report that there are significant benefits to the population of Ireland of working collaboratively across the island. Will the Minister confirm when he will publish the report and an accompanying action plan to take the positive work forward?

The Minister of Health, Social Services and Public Safety: The feasibility study is not mine; it was commissioned by Paul Goggins, a direct rule Minister, before I got involved.

Mr McDavitt: *[Interruption.]*

The Minister of Health, Social Services and Public Safety: What?

The Deputy Speaker: Order. The Minister has the floor, so let him answer the question.

The Minister of Health, Social Services and Public Safety: Thank you, Mr Deputy Speaker. I agreed with Mary Harney at the last meeting that it was not appropriate to take the North/South feasibility study forward at the moment. I did not publish it; it reached the media. I am assuming — in fact, more than assuming — that that came from a Dublin Government source and was put on the internet through Andy Pollak, meddling again. The point is that we have adequate bureaucratic structures to develop appropriate cross-border activities in that area, the key being actions that are of mutual benefit.

I am not going to get involved in a further bureaucratic structure. I am not going to get involved at this time in a further feasibility study that is going to put in place a raft of bureaucracy and bodies. In fact, if one looks at the publication one will see the priority actions that the feasibility study calls for. Those include radiotherapy services at Altnagelvin; paediatric cardiac surgery services; suicide prevention; GP out-of-hours services; reducing tobacco use and use of drugs; and child protection arrangements. All of that should be familiar to everybody here because I am taking action in exactly those areas and more. I take such actions on the basis of benefits North and South. I do it on a case-by-case basis. We have

made progress and will continue to do so. I do not need a feasibility study commissioned by Paul Goggins and Mary Harney in 2006 to do that. I will do it, and I will be answerable not to a feasibility study commissioned in 2006 but to the House.

Mr McCallister: I welcome the Minister's statement. I share the Committee Chairperson's concerns about child protection. The Minister has spoken in the House before about constitutional issues in the Republic. Is he confident that the Government in the Republic have finally started to wake up to the issue of child protection and will do all they can to bring their level of child protection up to match what we have here?

The Minister of Health, Social Services and Public Safety: It is an issue that is constantly to the fore in all North/South discussions. Given the Ryan and Ferns reports and the Dublin inquiry and with the Cloyne inquiry still to report, the Dublin Government will be well aware of and very much up to date on the challenges involved. It is about us working together. We are part of a UK network that has an extensive system in place for child protection and for taking forward the proposals that resulted from, for example, the Soham case. That is about us — England, Scotland, Wales and Northern Ireland — sharing information. However, we, of course, have a land border with the Irish Republic, and we need to be able to share such information with it and to do so in a way that ensures that the border is not a barrier. Those are the steps that we are taking. I am confident that we are making progress, but we have a lot more work to do.

Mr Gallagher: I thank the Minister for his paper. We in the SDLP have no doubt that health provision is the one area where the greatest benefits can be achieved for people North and South. In his statement, the Minister referred to the progress that his Department is making on the radiotherapy treatment unit at Altnagelvin Hospital. Will he tell the House the precise timescale for that unit and whether he is satisfied that he has the necessary resources at his disposal to take that forward in conjunction with his counterpart in Dublin?

The Minister of Health, Social Services and Public Safety: I have made clear my position on the satellite radiotherapy unit at Altnagelvin Hospital time and again. I would very much like

to take that forward. I believe that the unit will add great benefit to the population of Northern Ireland, not least because our people need that capacity. Members should bear it in mind that the incidence of cancer on an all-island basis is rising at a rate of around 6% to 7%. The problem is the same North and South. By the age of 75, one in three people on the island of Ireland will have cancer. It is the most common cause of death, and that is why the unit is so important. The Western Trust is now developing a business case that is at a very advanced stage. I believe that we can demonstrate the need for the unit and how it will deliver value for money. However, as we sit through discussions about the Budget and about where we are going to be in October, my clear problem right now is exactly what my capital budget will be and how I will prioritise it. We are talking about, for example, a massive reduction of around 30% in capital. It should be borne in mind that the Department of Health, Social Services and Public Safety did relatively badly for capital in the first three years because it got only around 13% of the total available and that the beneficiaries during that period were the Department for Regional Development and the Department of Education. My Department's allocation was to rise to 22% in the next three years. However, even if the block grant were reduced by 30%, which is what we anticipate and what the Finance Minister appears to be saying may come from London, and if we get 22% of that reduced capital, that will leave me with very little money for new developments.

Our estate is very old. Most of our hospitals are 50 to 60 years old, and many of our mental health units are over 100 years old. We spend around £100 million annually in maintenance alone just to keep those old buildings going. Therefore, as far as I am concerned, the issue is the budget allocation. Do we need the radiotherapy unit? Yes. Should we build it? Yes. Will it represent value for money if we can provide it? Yes. Will it add great benefit to the population of Northern Ireland? Yes, it will. From discussions with my counterpart in Dublin, I know that the unit will also add benefit on a cross-border basis, because of the need in Donegal. Mary Harney has agreed to invest in the unit and to help pay for the running costs. Therefore, there is a sensible and important case to be made for the unit. However, I am in a dilemma about where the money for my capital budget will fall, and I will not know that for several weeks.

Mr McCarthy: I welcome the Minister's report. I refer to the paragraph that deals with health promotion and the advances that have been made. One thing has clearly been omitted: alcohol abuse. I am surprised that that issue did not arise at the meeting, because, as we all know, alcohol abuse is a scourge throughout Irish society the length and breadth of the island. Efforts are being made to reduce the use of tobacco and legal highs. However, there has been no mention of alcohol. Will the Minister tell the Assembly whether alcohol abuse was mentioned or was simply swept under the carpet?

12.00 noon

The Minister of Health, Social Services and Public Safety: I assure the Member that I have great difficulty sweeping alcohol under the carpet. The issue is a challenge for all of us. The Member will be aware that I am looking carefully at the progress that is being made in Scotland through legislation on minimum unit price. The scourge of alcohol is caused by price, access and affordability. Alcohol is easily available and, in many supermarkets, beer is cheaper than water. That is the key issue. I am well aware of the challenge of alcohol. Policies are in place, including our drugs and alcohol policies, and we need to take the next step. Alex Attwood is looking at licensing and at how he can take the next step. We are working closely with him and are in discussions with him. I am looking carefully at the Scottish experience and at its legislative model for ensuring minimum unit price. That is another way of dealing with the issue.

Mr Easton: I thank the Minister for his statement. He mentioned historical child abuse. Was abuse by elements of the Catholic Church discussed and the likely impact of that in Northern Ireland?

The Minister also mentioned pandemic flu. Was swine flu and its impact in the Irish Republic discussed?

Were the suggested £3 billion cuts by the Irish Government discussed? Will there be a reduction from the Irish Government in the North/South body on health because of that?

The Minister of Health, Social Services and Public Safety: Pandemic flu is the flu that is with us now and will return seasonally. That is why we are launching, through the Public Health Agency, a campaign to ensure that pregnant

women take the vaccine. It could be said that we got off lightly with respect to the forward planning that we undertook, given that the epidemiologist suggested that the virus would be worse than it was. I work closely with the rest of the UK and work cross-border with the Dublin Government. Pandemic flu is clearly a common challenge. The UK public inquiry, which was published, showed that our response was proportionate and effective. I am currently undertaking a review in Northern Ireland to look at lessons, and that review will be shared with the Health Committee and the Assembly very soon.

The Irish Government face similar challenges to ours with respect to their Budget. However, it is about making a business case and about determining priorities. Mary Harney's budget is much larger than mine by reason of the population size. However, it goes back to my earlier point to Mr Gallagher: I will worry about my money, and Mary Harney will worry about her money and about making her arguments.

In March 2010, I presented a paper to the Executive setting out options on child abuse. It is for the Executive to determine, through OFMDFM, the best way forward. I am still waiting for that. Our officials are working with those in other Departments to refine what each option would mean for the various Departments. However, I agree that the issue is urgent and needs to come forward sooner rather than later.

Ms S Ramsey: Go raibh maith agat, a LeasCheann Comhairle. I welcome the Minister's statement. It is also important that we commend the work that is being done by the cancer consortium across the island. A lot of positive, good work has been done.

The Minister will be well aware that there has been an increasing number of suicides in the greater Belfast area and in other areas over the past number of weeks. Considering that the meeting took place on 2 June 2010, it is important that we get a further update on suicide prevention and a copy of the evaluation.

Again, it is extremely important that we welcome the all-island work that is being done on child protection. People who systematically go out to abuse children do not recognise borders, so neither should we. It is also important to get more information on the child protection group, because if we look at the joint protocols —

Mr Deputy Speaker: Is there a question?

Ms S Ramsey: If the Committee can have a copy of the joint protocols, we can at least learn the lessons regularly and learn from the mistakes that agencies have made across the island.

The Minister of Health, Social Services and Public Safety: As far as sharing protocols is concerned, I am, of course, happy to share information. None of us has the answer to that challenge; that scourge of our society. We know that our strategy will not be a quick fix but is about persisting and about continuing to invest, to do work and to look for new opportunities to press down on the dreadful situation that we face. Work is being done on an all-island basis and on a UK-wide basis, so we have a common theme, and I am happy to share information as it becomes available.

As far as child protection is concerned, we redouble our efforts. Our links within the UK are very valuable, as are our cross-border links. As I said, the border must not be a hurdle, obstacle or barrier to the proper flow of information, in order that we can provide protection for our children, North, South and further afield.

Mrs D Kelly: I thank the Minister for his statement. He will be aware that World Mental Health Day 2010 will take place next month, and a campaign is to be launched next week to raise awareness of mental ill health issues.

Aside from suicide and the important cross-border work that is being done there, what other work can be done or has been discussed with the Minister's Southern counterparts to share best practice, facilities and resources? In these constrained economic times, there are simply not enough mental health nursing staff to cover many of the wards in our hospitals.

The Minister of Health, Social Services and Public Safety: I can provide nurses, buildings and so on for the population of Northern Ireland, but I need the support of the House and the Executive to get the required resources. As far as the Irish Republic is concerned, Mary Harney is in the same situation. We work on a case-by-case basis. The so-called feasibility study sets out a number of things that I am doing, and I am already doing many more things as well.

I will consider anything that provides mutual benefit, and the satellite radiotherapy unit at Altnagelvin Hospital is a case in point. We get mutual benefit through investment and working

together, as far as provision of resources is concerned. However, if the House and the Executive insist on underfunding the Health Service here, it does not matter who we are co-operating with, because we will not have enough to do the job.

Mr McDevitt: In the light of his earlier remarks and given that there appears to be nothing of note in the feasibility study that the then Minister in his Department and Minister Harney commissioned, will the Minister confirm that he should publish the study? Furthermore, how can he justify not seeking to implement the study's recommendation that both Departments introduce joint procurement systems with a view to reducing costs, without affecting front line services?

The Minister of Health, Social Services and Public Safety: We do, of course, have different financial regimes, North and South. To start to try to dovetail with the Irish Republic's purchasing arrangements, particularly when it has a Health Service in which charging plays a very important part, is not the sort of issue that I as the Minister will be taking forward —

Mr McDevitt: *[Interruption.]*

Mr Deputy Speaker: Order. The Minister has the Floor.

The Minister of Health, Social Services and Public Safety: I must say, Mr Deputy Speaker, that that is a Member who just cannot stop talking.

As far as publishing the feasibility study is concerned, I will, with Mary Harney's agreement, take it to the Executive, and, if the Executive agree to publish it, that is fine. Of course, the study has already been leaked. I assume that it was leaked — in fact, I am quite certain that it was leaked — by the Department of Foreign Affairs in Dublin, by the Iveagh House boys and girls who think that they are being smart by leaking it to the media. So, it is there for everybody to read, but there is nothing in it. It provides no way forward for us. We are in charge of our own affairs, and we will have to run our own affairs accordingly.

Mr Deputy Speaker: The Business Committee has arranged to meet immediately upon the lunchtime suspension. I therefore propose, by leave of the Assembly, to suspend the sitting until 2.00 pm.

The sitting was suspended at 12.10 pm.

On resuming (Mr Speaker in the Chair) —

2.00 pm

Executive Committee Business

Draft Strategic Investment and Regeneration of Sites (Maze/Long Kesh Development Corporation) (Northern Ireland) Order 2010

Mr Speaker: This is a motion to approve a statutory rule.

Before I call the deputy First Minister, it might be useful to set out what this debate is about and not what Members think it might be about. It is about setting up a corporate board, with 10 members and a chairperson. That is what the debate should be about; it should not be about what might go on the site, now or in the future. That debate may take place somewhere else or in this Chamber at another time. Any Member whose remarks stray from exactly what the business is about will be called to order and we shall move on to the next Member who wants to speak. I hope that that is clear.

The deputy First Minister (Mr M McGuinness):
Go raibh maith agat, a Cheann Comhairle.

I beg to move

That the draft Strategic Investment and Regeneration of Sites (Maze/Long Kesh Development Corporation) (Northern Ireland) Order 2010 be approved.

This is a very short draft Order with five articles and one schedule. If approved, the Order will establish and empower a development corporation to drive forward the regeneration of the Maze/Long Kesh site.

The First Minister and I are grateful to the OFMDFM Committee for its work and for progressing this Order to the Assembly. If established, the key objective of the corporation will be to maximise the economic, historical and reconciliation potential of the site. Each element of that work will build on the work previously undertaken by OFMDFM and the unanimous report of the all-party Maze/Long Kesh consultation panel.

The draft Order and the complex issue surrounding Maze/Long Kesh have generated

considerable debate in the Chamber, in Committee and further afield. There is good reason for the high level of interest in the draft Order and its outworking. Many people, here and across the globe, are watching and are interested in what we decide today and will, I hope, derive benefit from a positive collective decision to approve the Order and establish the corporation to redevelop the site.

At 347 acres, Maze/Long Kesh is the largest regeneration site in the region. In planning terms, the site is recognised as a:

“Strategic Land Reserve of Regional Importance.”

It enjoys a unique strategic position at the Sprucefield interchange and the gateway to Belfast. It is a most exceptional opportunity for a regeneration site, especially one of such international importance, located at the intersection of our main North/South and east-west highways, giving easy access to ports and airports.

Let me be clear about its international role: Maze/Long Kesh is known across the world, and the prison and the site are part of history. We have the opportunity to show the world that this symbol of past conflict can now be a symbol of peace. That will be a key role for the new Maze/Long Kesh: a centre for the building and promotion of peace building and conflict resolution across the world as well as here, allowing others to learn from our journey as so many already do. The peace building and conflict resolution centre that the First Minister and I announced in July will become a physical symbol of our society's transition from conflict and division towards peace and a better future for all, and a new great beacon of hope across the world, building on the foundations of the peace process, supported by the EU and others and recognised by EU President Barroso.

The First Minister and I are acutely aware of the views of many sections of our community about the site's historic past; however, we have moved on, our society has moved on and the regeneration of the Maze/Long Kesh, with a major international peace building and conflict resolution centre at its heart, can show the world how we have moved on.

Maze/Long Kesh can also do much for our economy and society. Direct and speedy access to and from the major highways will make it attractive to institutional investors and to the

private sector. The site is ripe for investor and developer interest at a regional as well as at an all-Ireland and international level. Economic development cannot exist in modern society without delivering social benefit. We will ensure that the regeneration work will leave a lasting legacy of social betterment, including access to thousands of jobs, taking people off the unemployment register and creating openings for apprenticeships, especially during construction.

The majority of the site has lain dormant since it was gifted to the previous Executive. That is not sustainable. Today, we can change that position; we can choose to regenerate and transform. We have a unique opportunity to derive the maximum social and economic benefit from a major public asset that will, in turn, positively impact on many sections of our society, promoting economic development and social regeneration, and making a real contribution to peace building and conflict resolution internationally. In these difficult economic times, we will not be forgiven on any level or by any quarter if we do not proceed with this iconic and symbolic transformation.

I stress that, in these difficult times, the decision to regenerate the site transcends party politics. It is about creating employment and embedding peace. Initially we can help to secure our building industry and create many thousands of jobs in the short, medium and long term. We need jobs. A job is by far the greatest unit of regeneration. We need to support and strengthen our economy. We need more than ever to create prosperity and deliver social benefit from such strategic assets.

The actions of a tiny minority show that we cannot take peace and peace building for granted. There must now be a clear and collective priority to ensure that the site's historic value and reconciliatory benefits are maximised to benefit the whole community. We cannot and must not waste this chance. Let us grasp and benefit from this exceptional opportunity. We cannot afford not to. I commend the draft Order to the Assembly.

The Chairperson of the Committee for the Office of the First Minister and deputy First Minister (Mr Kennedy): The Committee for the Office of the First Minister and deputy First Minister, which I chair, considered the proposal for the statutory rule on 14 October 2009 and

indicated that it was content with the policy merits. The Committee further considered the statutory rule on 25 November 2009, and resolved on that day that it be affirmed. The Committee again considered the statutory rule on 8 September 2010, and was advised that the only change would be the date of commencement. The Committee is in favour of the technical aspect of the statutory rule.

Over the past years, the Committee has kept a watchful eye on progress at the site. It has also been regularly briefed by the Department on the ongoing work and on the timetable for the regeneration of the site. Indeed, my Committee was briefed by officials on 2 June 2010 following media attention on the costs of the Maze/Long Kesh regeneration and what had been done by the Department to maximise the site's potential.

Officials advised that demolition is now complete, and that the final phase of remediation of the site, which is mostly due to oil pollution resulting from the site's use as an airfield, began in March 2010. Officials also advised that a lot of work has been done around the boundary of the site; that much of the security infrastructure, including the military gate, the tin sheeting and razor wire, has been removed; and that work is being done from a temporary office on site.

Officials advised that around £8 million will have been spent on decontamination and demolition by the time the project is finished. That figure is due to the large size of the site: 350 acres, as Members are aware. The Committee was also advised that a significant scale of development on the site could be achieved through a junction off the M1, without working on the motorway itself. The anticipated cost of that is around £30 million.

In June 2009, the Committee heard evidence from the Royal Ulster Agricultural Society (RUAS) on its plans for a centre of rural excellence incorporating an international exhibition facility at the site. The Committee, at its briefing from officials on 2 June 2010, was pleased to hear that discussions with the RUAS are ongoing and at an advanced stage, and that the RUAS is working towards a target date of 2012 for the relocation of the Balmoral Show to the site. It would be helpful if the Minister, in his winding-up speech, could indicate whether there is any further update to be given on that matter.

At the briefing on 2 June, officials advised the Committee that approximately £20 million may be available through the Peace III programme and that that money would have to be spent by the end of 2015. The Committee, at its meeting last week, agreed to write to the Department to seek further information on the application for European funding for a peace and reconciliation centre and whether the application will be progressed before the MLK corporation is operational in 2011. Therefore, the Committee for the Office of the First Minister and deputy First Minister is content that the statutory rule be approved by the Assembly.

I will now make a few remarks on behalf of the Ulster Unionist Party. I am mindful, Mr Speaker, of your original advice to Members, although that seemed to be largely ignored by the deputy First Minister in his contribution. I may seek the same dispensation.

In general, the Ulster Unionist Party welcomes the creation of the Maze/Long Kesh development corporation. Ministers will be aware that the proposal was first suggested by my party leader, Sir Reg Empey, nearly two years ago. However, our proposal was for any corporation to focus on what are generally the basic functions of a corporation; namely, securing financial investment and bringing land into effective use for economic, social, recreational and cultural purposes. Those general objectives are outlined in article 16 of the Strategic Investment and Regeneration of Sites (Northern Ireland) Order 2003.

It now appears that the First Minister and the deputy First Minister want a conflict transformation centre to be the focal part of any regeneration. However, there are significant political disagreements about the potential nature of such a centre in the proposed location. I make a particular reference to the ongoing fears on this side of the House that it could turn into a terrorist shrine.

Mr Speaker: Order. As all Members will know, I am very patient. However, the Member is straying into an area that is outside the business under discussion. I remind the Member that he should try, as far as is possible, to speak to the motion that is before the House.

The Chairperson of the Committee for the Office of the First Minister and deputy First Minister: Thank you, Mr Speaker. I acknowledge the advice that you have just given and your

original advice. My remarks were somewhat in response to those that the deputy First Minister made when he talked about the plans for a new conflict transformation centre. The Ulster Unionist Party does not want a situation whereby the new corporation, after being established, gets bogged down with that political issue. Therefore, it would be very unwise to drag an independent corporation into a largely political debate and process. It would be helpful if the Minister could inform the House whether his Office intends to give specific direction to the corporation on the issue of a conflict transformation centre, as is outlined in article 19 of the 2003 Order. It would also be helpful if he would reveal the specific content of those directions. If he intends to give directions to the new corporation, will he put them to the House before he does so?

We appear to have wasted a considerable amount of time, money and potential on the site, and, in many ways, it is ironic that the conflict transformation centre, having, in effect, stopped the stadium development, is now to be developed.

2.15 pm

Mr Givan: The Member might recall that, in 2004, a Maze consultation panel was established, which subsequently produced a report. David Campbell, the current chairman of the Ulster Unionist Party, was the chairman of that body. I have the report, and, in his capacity as chairman of the panel, the chairman of the Ulster Unionist Party stated:

"They believed that the site would be an ideal location for an International Centre for Conflict Transformation and as such had the potential to play an important part in promoting a shared society."

The Chairperson of the Committee for the Office of the First Minister and deputy First Minister:

I am grateful to the Member for his information. I refer him to the remarks of his own party colleague — indeed, his deputy leader — who warned of the potential for creating a terrorist shrine at the site. That is simply what I am highlighting, and I believe that Mr Campbell, as the then chairman of the panel and, indeed, as the current chairman of the Ulster Unionist Party, would share my view and concerns about those issues. Nevertheless, I am grateful for the opportunity to place that on the record.

The Maze/Long Kesh site offers significant potential, particularly at this time of economic difficulty. However, we cannot afford to let the project be bogged down by political arguments. Therefore, although we are happy to see progress on the corporation, the creation of which we originally suggested, we want to see it done in a meaningful and positive manner.

Mr Spratt: As a member of the OFMDFM Committee, I welcome the opportunity to speak, and I welcome the motion. This is a major project that will have a tremendous impact not only on the local community in Lisburn but, I believe, as do we all on these Benches, on the whole of Northern Ireland. It should be seen as a good news story for Northern Ireland.

If the Assembly approves the motion and the Department of Finance and Personnel (DFP) approves the business case, the board of the corporation will be up and running by April 2011. The corporation will be responsible for the redevelopment of the site. The Chairperson of the Committee for the Office of the First Minister and deputy First Minister mentioned that a significant amount of money has been spent. However, there was pretty broad consensus on that spending, despite his remarks on behalf of the Ulster Unionist Party that the money was spent on demolition and on decontaminating the land, which has, in fact, and as discussed in Committee, made the land more commercially valuable.

The site will include a peace building and conflict resolution centre. That is important and will provide economic, historic and reconciliation opportunities.

Mr Campbell: Does the Member agree that it is paramount to ensure that nothing in the site is permitted to misrepresent the past or to allow revisionism to take hold? Rather than remember the division and death of the past, we need to point forward to the future, which, I hope, the site will do.

Mr Spratt: I agree with the Member, and, according to what I have heard about the handling of the project, it will be inclusive and will recognise the past — everybody's past. The council that will be set up to look at the reconciliation site, and to which OFMDFM will be able to put its views, will be inclusive of the whole community, including members of the security forces and others.

Mrs D Kelly: This morning, I had a phone call from one of the victims of the Billy Wright murder campaign. On the day that is in it, is it not important that, today of all days, victims' voices are heard?

Mr Speaker: Order. I know that this subject is difficult for Members as it can be emotional. However, interventions must relate to the business that we are discussing. Once again, I warn the House that Members must be careful — even with interventions — that they do not stray into the subject of what might be on the site now or in the future. The debate relates to the setting up of the corporation.

Mr Spratt: With regard to what the Member said, I understand that the council will involve everyone, including victims, in the process of deciding how the centre will pan out in the future. We should be heartened by the fact that everybody will be included, and there must be equality right across the board.

As Members know, the Balmoral Show and the Royal Ulster Agricultural Society are in my constituency of South Belfast. The Balmoral Show will become a showpiece for the site, along with the many other events that are held throughout the year, and that augers well for the future of the Maze development and should be welcomed. Many of my constituents in South Belfast will be relieved that some of their parking problems will be alleviated after 2012. My constituency office receives complaints regularly when the Balmoral area is blocked by the cars of those attending events. We must recognise that parking in that area is a problem.

With regard to the economic development of the 347 acre site, there is the tremendous prospect of around 6,000 jobs, and some of the contracts will include social clauses as regards construction jobs. In responding to the debate, I hope that the First Minister will be able to tell us that local firms and local jobs will be protected throughout Northern Ireland, especially in the present economic situation.

Overall, this is a good day for the Assembly. There is progress, and it shows that the Executive are moving forward. Fair enough, it has been a long process, and I see that Mrs Kelly is nodding. However, we have gone through a process to get where we are today. Despite all of the detractors and people who tried to hold the development back, the Executive have made progress and that should be recognised.

Let us start selling Northern Ireland plc with such projects and start moving the Province forward together as an entire Assembly, as opposed to engaging in the sort of sniping that we have already heard from the Chairperson of the OFMDFM Committee with regard to his remarks about the Ulster Unionist Party. Other parties have made similar remarks. Let us move the process forward positively to assist the corporation, and let us see it as a good thing for everybody in the Province.

Mr Speaker: As Question Time begins at 2.30 pm, I suggest that the House takes its ease until that time. I am conscious that Members do not have a limit on how long they can speak, and they might go on a bit longer than they normally do.

2.30 pm

Oral Answers to Questions

Employment and Learning

Student Returners

1. **Mr Irwin** asked the Minister for Employment and Learning what initiatives he is undertaking to encourage students who study abroad to return to Northern Ireland to find employment. (AQO 30/11)

The Minister for Employment and Learning

(Sir Reg Empey): The vast majority of Northern Ireland-domiciled students who attend colleges and universities choose to do so in the United Kingdom or the Republic of Ireland rather than abroad. As a result, the Department has no initiatives that are focused on attracting that specific group of people back to Northern Ireland. However, services such as European Employment Services (EURES), although they do not specifically target people from Northern Ireland, help to raise awareness of employment opportunities throughout the European Union, including Northern Ireland.

Mr Irwin: Is the Minister not concerned that so many young people leave Northern Ireland to study elsewhere?

The Minister for Employment and Learning: In 2007, I carried out a piece of work to establish why people left. Fewer people leave now than five to 10 years ago. Professor Osborne of the University of Ulster carried out some work on behalf of my Department. The report made it clear that people who left were what he described as “determined leavers”; in other words, they left because they wanted courses that were not available here or because they wanted to go to universities other than those here. A large number of people who were offered places at universities here chose to accept places elsewhere. We must remember, of course, that more than half of those people return to Northern Ireland.

As part of the C'mon Over campaign and when job opportunities were more plentiful, departmental officials and I travelled round university campuses throughout these islands to try to attract those people back. I assure the

honourable Member that I am conscious of the issue and that a policy is in place to deal with it, but we have had to suspend that process because of the lack of job opportunities at the moment. However, I am pleased to say that, compared with the situation 10 to 15 years ago, the percentage of people who choose to go to universities outside Northern Ireland has decreased.

Mr P Ramsey: One of the main reasons for students opting to go universities outside Northern Ireland is that there are not enough places in Northern Ireland; this year was no exception. Will the Minister outline to Members the rationale of his business case to the Executive and to the Finance Minister for increased student numbers in Northern Ireland?

The Minister for Employment and Learning: No, because we must remember that we simply cannot go on funding university places for ever and increasing their number. We already have a target that 50% of people in Northern Ireland should go to university, which is well above the national average. We also have the highest number of people from disadvantaged backgrounds participating in university — 41%, compared with the national figure of 29%. With the exception of the situation at Magee, about which I have given a specific undertaking, I have no plans to ask for an increase in the maximum aggregate student number. The number of people who are refused places in Northern Ireland universities and offered places throughout the United Kingdom is comparatively small.

One must remember that well in excess of half my Department's budget is spent on higher education. People also need essential skills and training, and we have to support the employment services, further education and other services in the Department. Therefore, I simply cannot allow a higher percentage of my Department's budget to be spent on higher education.

Mr Kennedy: Does the Minister agree that Northern Ireland can benefit from those who return after pursuing higher education in Great Britain, the Republic of Ireland or abroad? Furthermore, does he agree that, although it is good for them to go, it is even better for them to come home?

The Minister for Employment and Learning: I agree with those sentiments. It is good for people to go abroad to learn and to come back

with new experience, perhaps even after having worked abroad for several years. A completely sealed system would become introspective. We need that flow in and out of Northern Ireland. However, the point that I tried to make to the original questioner is that the vast majority of people who go away do so out of choice. Of course, that situation could change, and we will have to monitor it if evidence becomes available that shows that that is not the case. However, the information from Professor Osborne is only three years old, and I believe that we are addressing it. Our performance and record on higher education is second to none on these islands.

University of Ulster: Sports Complex

2. **Mr McQuillan** asked the Minister for Employment and Learning to outline progress on the new sports complex to be located at the University of Ulster, Coleraine. (AQO 31/11)

The Minister for Employment and Learning: The proposed new sports complex at Coleraine is estimated to cost £7.6 million, and my Department was initially to provide £6.9 million of the total funding. However, due to the Executive's revised spending plans for 2010-11, which have arisen as a consequence of budgetary pressures, my Department was subsequently unable to offer any funding for the project. The university has, therefore, suspended the project pending the securing of alternative funding. I understand that the university has proceeded to apply for planning permission, should the necessary funding become available, and I am further advised that it is confident that it will get planning permission in the very near future.

Mr McQuillan: I thank the Minister for his answer. Does he know whether the university has had any conversations with the local council? I understand that the council intends to carry out a similar project, and it might be worth the council and the university having a conversation to avoid duplication and to have the one project between them both.

The Minister for Employment and Learning: I cannot argue with that point. I was not aware of that. I will ensure that that information is passed on, and I will write to the Member with the responses that I receive. At one stage, the university indicated to me and, indeed, announced publicly that it will proceed

with the project irrespective of funding from my Department. However, the Member will understand that, however worthy the project — it was a project that we were prepared to fund — the fact is that the funding is just not available at the present moment. I was not aware that the local council was embarking on a similar project, and I will ensure that that matter is drawn to the university's attention.

Mr P Maskey: Go raibh maith agat, a Cheann Comhairle. I take the Minister's comments on board. It would be much more beneficial if the agencies, the Department and councils could work together to improve the situation and get a facility on that site or on a site close to it. Could the Minister give us a breakdown of what sporting organisations will use the facility if money is put into it and the complex is built?

The Minister for Employment and Learning:

The facility supports the university's very strong position on sport. It is one of the leading universities in sport science and covers a whole range of facilities. The question of which organisations will have access to the facility will be a matter for the university; that is not for me to determine. However, if the Member is suggesting that a cocktail of funding from the university, the council and, perhaps, support through the Department of Culture, Arts and Leisure and other organisations is more feasible than simply funding it for the exclusive use of the university, again, I would have no objection. However, I am not aware of what other organisations plan to use such a facility.

University Places

3. **Mr McGlone** asked the Minister for Employment and Learning how many students domiciled in Northern Ireland had their application for a university place here rejected for the 2010-11 academic year; and, of these, how many attained a university place elsewhere. (AQO 32/11)

The Minister for Employment and Learning:

According to preliminary data from UCAS, 19,600 individuals from Northern Ireland applied for a university place in the United Kingdom for the academic year 2010-11. Of those 19,600 individuals, 8,100 have accepted an offer from a Northern Ireland university, 4,400 have accepted an offer from a Great Britain university, and 7,000 individuals did not meet the application criteria and were

not offered a place by a university in the United Kingdom. Of the 4,400 individuals who accepted offers from Great Britain universities, some 700 were not offered a place at a Northern Ireland institution. Approximately, more than 2,000 were offered a place at a Northern Ireland institution but chose to accept a place at a Great Britain university.

Mr McGlone: I thank the Minister for his answer. I wish to return to the issue of the MaSN cap being lifted to allocate more places in Northern Ireland. I am aware that a particularly important case is being made for the Magee campus, which is too small to serve the educational and economic needs of the north-west region adequately. Will the Minister provide detail on any provision or case that has been outlined or made by him or his Department with respect to raising the caps to allow for expansion at Magee?

The Minister for Employment and Learning:

The Member will be aware that I have indicated to the House, the Committee and a number of Members that the case that the University of Ulster has made to me about Magee is being dealt with and is included in my departmental bids, as I promised it would be. However, Members must understand that the MaSN cap applies to universities and not to individual campuses. Therefore, the university has control over where places are located. That said, the Member must understand that the cost for every 1,000 places is between £8 million and £10 million a year. That is big money in the current circumstances, and, as I said to an earlier questioner, we have to decide whether we want continuous growth in this sector or whether we have to balance that against growth in and support for other sectors. We are at the tipping point, but I assure the Member that the position of Magee is being pursued, as I had indicated. I await the outcome of our discussions with the Department of Finance and Personnel.

Mr Lyttle: Will the Minister detail how his Department works with the Department of Education to provide young people with robust career advice to ensure that they have properly considered the appropriateness of higher education as a pathway to a career?

The Minister for Employment and Learning: The Member will be aware that the careers service has undergone significant expansion in the past couple of years and has engaged a further 23 officers. They engage with schools. Each school

area is allocated a careers adviser, and careers advisers work in the local jobs and benefits offices, where appointments can be made. For instance, people can walk into or make an appointment at the shop in Ann Street in Belfast to get careers advice. They can also get advice online, and the period after the examination results came out last month was one of the busiest in the careers service's history.

My Department works closely with the Department of Education, dealing with all sorts of issues, such as STEM subjects, of which the Member will be aware. We also work closely with schools, and we go into schools with the full knowledge, consent and support of the Department of Education. If the Member feels that further improvements can be made to that service, I will be happy to look at them.

Mrs McGill: Go raibh maith agat, a Cheann Comhairle. Will the Minister provide an update on the widening participation strategy? From a briefing to the Committee for Employment and Learning, I understand that the draft policy should have been in place in June 2010 and been out to consultation this month.

The Minister for Employment and Learning: Widening access is a success story in Northern Ireland. We have greater participation among people from socially deprived backgrounds than any other place in these islands. As I said in an earlier answer, 41% of students at university in Northern Ireland come from those groups. That compares favourably with circumstances elsewhere. A section in the Department deals with that full time, and a grade 7 official is in charge. I have had meetings with officials, and I expect the strategy to come to me next month. I will share and discuss it with the Committee in due course.

The University of Ulster runs a programme called Step-Up. This year, I attended the graduation ceremony for that programme at Jordanstown, and there was one in Londonderry. It is an absolutely first-class programme with an unparalleled success rate of between 98% and 99%. We have a very good track record in these matters, and I am sure that Members are proud of that.

2.45 pm

Universities: Funding

4. **Mrs M Bradley** asked the Minister for Employment and Learning what assistance his

Department is providing to local universities to attract alternative sources of funding following his statement in August 2010 that it will not be possible for his Department to continue funding to universities along the lines of the last five years. (AQO 33/11)

The Minister for Employment and Learning: My Department currently provides 42% of its overall funding for teaching, research and knowledge transfer. The universities, as autonomous institutions, have a responsibility to use that core funding from the Department to leverage additional resources from a range of public and private funding bodies, such as the UK research councils, Invest Northern Ireland, the European Commission, the Technology Strategy Board and charities and from industry directly.

Evidence shows that both Queen's and the University of Ulster continue to be very active and successful in those arenas. For example, the Queen's University Institute of Electronics, Communications and Information Technology has levered major investments from both Invest NI and the European Commission to augment my Department's capital investment. The UK's largest medical research charity, the Wellcome Trust, has also invested more than £400,000 in the pioneering no wires medical device research emerging from the University of Ulster's Nanotechnology and Integrated BioEngineering Centre, which is to be exploited commercially through one of the University's spin-out companies. That demonstrates the wider economic benefits associated with investments in higher education research and development.

Mrs M Bradley: I am sure that the Minister will agree that university education research and its links with industry are vital, especially in a time of recession. What assistance does the Minister's Department give to help universities to obtain EU funding?

The Minister for Employment and Learning: In July 2010, I went to Brussels and had a meeting with Commissioner Geoghegan-Quinn, who deals with innovation matters. I hope that officials from her office will visit the Department this autumn. More bids are being sought for the seventh framework programme, and the eighth framework programme is being prepared. It is most important that our universities benefit from those. I wrote to both vice chancellors last month and gave them details of the meetings that I have had. It is my intention to ensure that,

when the European officials come to Northern Ireland, they meet those universities to discuss the projects.

I say to the Member that this is vital, given the fact that our innovation funding, which has been very substantial in the last number of years, may not be available to my Department or the Department of Enterprise, Trade and Investment in the next spending round. The reason that I went to see the commissioner was to find an alternative source of resources to allow our research to continue at the levels that I believe are appropriate.

Ms S Ramsey: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his response to that question and to the question on widening access. When the Minister looks at funding for universities, where does the issue of student fees fit in? Are we looking at the possibility of an increase in fees, or should we look at the possibility of capping pay increases to senior university officials?

The Minister for Employment and Learning:

With regard to the latter matter, I wrote to both universities — it was either earlier this year or towards the end of last year, I cannot quite recall — and raised the issue of the salaries of senior officials. I think that it was probably earlier this year. I have had responses from the chairman of the Queen's senate and the president of the University of Ulster's council, both of whom took the points that I made into account.

The Member will probably be aware that funding from my Department to the universities has increased by 21% in the last five years. During that period, all the income from the fees that were introduced some years ago has gone into the universities and is accumulating at the rate of about £80 million a year. In addition to that, the universities have secured additional resources from the research councils, philanthropic organisations and the private sector. On top of that, we have had significant capital investment. Therefore, higher education has had a good run from the Department and the Assembly over the past number of years.

As the Member will know, we carried out a review of fees. However, Joanne Stuart, who chaired the review, recommended that we await the outcome of the Browne review, which will probably come out early next month, before we proceed to consult on our own. The reason for

that is that there has been talk of introducing a graduate tax and of a substantial increase in fees etc. The issue of fees is on the table, but it is not clear to me whether London wants to move in the direction of a tax or in the direction of increased fees. That has an impact on Northern Ireland because Revenue and Customs told us clearly that it is not prepared to single out people in Northern Ireland to be treated differently from a tax point of view. Therefore, our freedom of choice may be limited by what London will decide, but we are not going to take any decisions until we see the Browne review and compare it with our review from Joanne Stuart. It will then be a matter for the Committee and, ultimately, the Assembly to take decisions when we see the outcome of those reports.

Ms Lo: Is the Minister aware of a University of Ulster policy requiring some international students with conditional offers to attend and pass a four-week English course at a cost of more than £900 plus £600 accommodation fees each before allowing them to begin their degree course? I understand that, this time, one third of them failed, and they had the option to study English in Magee campus for a full year or return home.

The Minister for Employment and Learning:

I was not aware of the specific detail of that issue, but I assure the Member that that is not a unique situation. When I was in Malaysia last year, the universities there insisted that students concentrate during the summer months on improving their English, particularly technical English. It is not just casual, conversational English that we are talking about; we are also talking about scientific English and technical English, and there is a problem.

The Member knows perfectly well that our universities like to attract international students because they get full fees from them. There is no point in bringing those people in if they cannot master the language; it is a bad decision for them and for the university. Although I was not aware of the specific details, I fully understand the rationale involved. It is an international thing. In a lot of universities, particularly in Asia, students are taught either by coming to a university in the United Kingdom or by UK universities setting up shop in Asia. In fact, Queen's University has a small site on the campus of the University of Malaya in Kuala Lumpur. Therefore, this is an international thing. Basically, universities are saying to us

that, unless students have a command of the language at the start of their course, they will find themselves in great difficulty at a later stage.

Mr Elliott: Does the Minister have any examples of joint projects that are equally funded by universities or further education colleges in Northern Ireland and universities or colleges in the Republic of Ireland?

The Minister for Employment and Learning:

The Member will be aware that the University of Ulster and I have been engaged for some time with the Letterkenny Institute of Technology. Indeed, I discussed that recently with Mary Coughlan, who is the Minister now responsible for the issue, and her predecessor. I am hopeful that some progress will be made, particularly in the north-west. I understand that Letterkenny is looking at improving its links with Sligo, but that should not in any way inhibit the ability of the University of Ulster and Letterkenny Institute to co-operate. It makes sense to do so where it is possible. There are also links at college level. Indeed, last year, I agreed with the then Minister in the Republic who was responsible for the matter to look at a series of issues whereby we might be able to enhance co-operation at further education college level. That work is ongoing. It was discussed by the North/South Ministerial Council at the meeting that preceded its most recent one.

Further Education Courses

5. **Mr Givan** asked the Minister for Employment and Learning what measures he is taking to reduce the number of students who fail to complete full-time courses at the Belfast Metropolitan College and other regional colleges. (AQO 34/11)

The Minister for Employment and Learning:

Improving quality and raising standards throughout all provision in colleges, universities, training and workplace learning providers is a key goal of my Department. Specifically in colleges, my Department challenges their rates of learner retention and achievement through each college's development and planning process. In addition, colleges are required to self-assess annually against key performance indicators, which include student retention, and provide an improvement plan against that assessment. The assessment is undertaken by the Education and Training Inspectorate to test robustness. After an inspection, colleges

have access to support for improvement from the Learning and Skills Development Agency in Northern Ireland.

Mr Givan: I thank the Minister for his response.

I am surprised: I asked the question about Belfast Metropolitan College in particular. In 2006-07, 4,685 students dropped out during their final year of study. Three years later, when the college is supposed to have carried out an annual assessment and have an improvement delivery plan, that figure has risen to 4,918. That is the figure for one college. The number of students who drop out has also increased at the North West Regional College. Clearly, self-assessments and improvement plans are not having the desired effect. The Minister's Department must take much more robust action so that retention rates improve.

The Minister for Employment and Learning:

People leave college for a variety of reasons. One of the reasons is that, sometimes, they get jobs. Of course, we welcome that. However, between 2006-07 and 2008-09, which is the most recent academic year for which validated data is available, the total number of people who failed to complete full-time professional and technical vocational courses in further education colleges reduced from 4,969 to 4,236. During that period, the average retention rate for the further education sector has remained largely the same at around 85%. Although the rates vary from college to college, they fall roughly into a band between 80% and 90%. When one considers that universities have drop-out rates of between 8% and 13%, I think that, in the current circumstances, further education is not actually performing too badly.

Any drop-out is a concern unless it is for a good, positive reason, such as to gain employment. My Department takes this seriously. We have ensured that further education colleges have put pastoral care arrangements in place aimed at promoting students' health and well-being and providing them with access to appropriate guidance and support while they remain at college. Therefore, the approach is multifaceted.

I say to the Member that there is no complacency that I can detect. As far as we are concerned, it is a waste of resources not only for the college, the Department and the taxpayer but for the student if he or she feels unable to complete a course. I repeat to the Member that people who leave courses do not always

do so for bad reasons: they move into work or, perhaps, their family circumstances have changed. Indeed, the Member will be aware that, unfortunately, a large number of people are full-time carers even though they are comparatively young. Sometimes, they are forced out of their training provision.

Mr Speaker: I will allow Mr Maginness to ask a quick supplementary question.

Mr A Maginness: I acknowledge the Minister's comments about the reasons why people drop out of college. However, those statistics are worrying. It is a high drop-out rate. I understand that there is a variety of reasons. Does the Minister propose to survey the reasons for that high drop-out rate and act thereon?

The Minister for Employment and Learning: Obviously, any drop-out rate, particularly one that is around 15%, is a concern. The performance of colleges in Northern Ireland is relatively good and stable. The inspectorate carries out rigorous investigations for my Department on a regular, planned basis at each college. Of course, in the annual plans that we agree with colleges, where we detect a spike in such statistics, we ensure that we ask for reasons why that has occurred.

I will certainly bear in mind the point that a number of Members have made on that matter and draw it to the attention of our further education division.

3.00 pm

Enterprise, Trade and Investment

Mr Speaker: I wish to alert Members that questions 5 and 8 have been withdrawn.

Social Economy Enterprise Strategy

1. **Rev Dr Robert Coulter** asked the Minister of Enterprise, Trade and Investment for an update on her Department's social economy enterprise strategy (AQO 45/11)

The Minister of Enterprise, Trade and Investment (Mrs Foster): I launched the Executive's current cross-departmental social economy enterprise strategy (SEE) in March of this year. The strategy was developed in

partnership with the social economy network (SEN), which represents the sector, and other key stakeholders inside and outside government that have a role to play in supporting its development. The latest strategy continues the commitment to three strategic objectives: to increase awareness of the sector; to develop its business strength; and to provide a supportive environment in which it can prosper. Those continue to be highly relevant, especially in the current economic downturn.

A cross-departmental policy group continues to monitor the delivery of the strategy, and an independent evaluation of the strategy will be undertaken early next year to assess its impact on the sector.

Rev Dr Robert Coulter: I thank the Minister for her reply. Due to the September monitoring adjustments, £50,000 has been taken out of the budget. Why was that the case? What is the Minister's best forecast for the rest of the year? Does she think that more effort is required in that important area?

The Minister of Enterprise, Trade and Investment: I am a big supporter of the social economy sector. In fact, I was at its showcase event in Belfast; I think that that was about two weeks ago. I am a big supporter of the social economy sector because I believe that it can do things that, perhaps, it has not done in the past, and, in so doing, help the Government to deliver on their objectives in a different way. I have had some interesting conversations with some of those bodies to see how they can help us at a time when we are having cuts to our budget. That is why I have had numerous discussions. I will continue to engage with the social economy sector. It is an important sector to us, and I assure the Member that he will not find me wanting when it comes to supporting the social economy sector.

Mr Givan: The Minister will know that the social economy is an important sector in Northern Ireland. In the testing times that are coming, funding will need to be available to assist that sector. Will the Minister outline whether any such funding is available?

The Minister of Enterprise, Trade and Investment: As I indicated in my answer to the substantive question, the social economy policy group has been helping to develop and implement the strategy across government. It consists of representatives of most of the

Departments that are involved. Although my Department is responsible for the policy and, through Invest Northern Ireland, has the very successful social entrepreneurship programme, it is asking other Departments to look in their current budget allocations to see how they can help it to meet the commitments in the strategy as published.

There is significant work to be done in relation to finding the budget to support the social economy sector, but Invest Northern Ireland's social entrepreneurship programme, which has a three-year budget of about £2.5 million, assists those social entrepreneurs to get started. In fact, between June of last year and March of this year, 46 new social enterprises were established with the creation of 107 new jobs. That is absolutely marvellous, given the type of work in which the social economy is engaged and the type of people with whom it is engaged.

Ms J McCann: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for her answers and her comments on the social economy. One part of the development process of the social economy will be its capacity to secure government procurement contracts. Is the Minister aware of any work that is being undertaken by Invest NI or her Department to ensure that that capacity-building programme is in place for them?

The Minister of Enterprise, Trade and

Investment: The Member, being the Chairperson of the Committee for Finance and Personnel, will know of the work that that Committee has done on procurement, particularly on the social economy element of procurement in Northern Ireland. The social economy sector is watching that situation very carefully to see how that work develops. There are four elements to the work that we do through the Invest Northern Ireland programme: to lead in development; to give core capability support; to have post-start strategic mentoring; and to provide mentoring support for transitional groups. In all those various stages, one can see that support is the key issue, and getting Government procurement grants will be a part of that support. We will wait to see what comes out of the work that the Committee for Finance and Personnel is doing.

INTERREG IVa

2. **Mr O'Dowd** asked the Minister of Enterprise, Trade and Investment for an update on the status of all outstanding applications for projects related to INTERREG IVa funding with which her Department is associated. (AQO 46/11)

The Minister of Enterprise, Trade and

Investment: The Special EU Programmes Body (SEUPB) is the managing authority for the INTERREG IVa programme, and the Department of Enterprise, Trade and Investment (DETI) is the accountable Northern Ireland Department for projects under the enterprise, tourism, telecommunications and energy themes. My officials are considering documentation on one tourism project that SEUPB presented to us at the beginning of September 2010. Further information on that case is still to be provided by SEUPB. I understand that SEUPB is processing approximately 10 enterprise and tourism project proposals, but those have not yet been presented to my Department for final consideration.

Mr O'Dowd: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for her answer. Does she agree that, although much good work is being done by cross-border projects, the number of projects that have not yet been through the entire scrutiny process and are being delayed is causing increasing frustration among applicants and project board members alike?

The Minister of Enterprise, Trade and

Investment: I was certainly aware of frustration. At the end of last year, I met East Border Region Committee representatives, who said to me that they were hugely frustrated with the process. I gave a commitment at that meeting that my Department's officials would engage with each of the five cross-border partnerships to assist them in shaping projects so that they could reach the next stage of seeking approval. To date, however, my Department has approved 12 INTERREG IVa projects that are focused on enterprise and tourism development. The total value of those projects is £27.9 million.

I am pleased to see that that work has been done, but some other projects are still in the pipeline. The procedure that must be gone through is a long one, as I am sure the Member is aware. First, the project goes to SEUPB, and then we are made aware of it at the outline

business case stage. A full business case must then be made, as well as a final business case. We are involved with the projects every step of the way, but I accept that council members and members of the cross-border bodies feel frustrated at the length of time that it takes. All that I can say is that, for my part, my officials are engaging with the various bodies and will do all that they can to provide project promoters with the assistance that they need to put forward their projects.

Mr Kennedy: I am grateful to the Minister for her earlier replies, and, indeed, for confirming the previous departmental and ministerial concern about some of the delays in the outworking of the programmes. Is she entirely satisfied that the Special EU Programmes Body has been adequately efficient and helpful to applicants?

The Minister of Enterprise, Trade and Investment: That was the concern at the time last year. The East Border Region Committee was not the only organisation to express concerns. The Irish Central Border Area Network (ICBAN) had concerns, as had other bodies. As a result, I met representatives of the East Border Region Committee and gave a commitment that my officials would try to assist them in any way possible. I also took the opportunity to meet Pat Colgan, the chief executive of SEUPB, to review progress on the number of projects that had been submitted for funding. That process has continued at official level, and officials have met SEUPB directors and programme managers and their economists. I am very keen that we do not lose out on any European funding that may be available to Northern Ireland because of delays. I will therefore keep a watching brief on the matter, because DETI remains the accountable Department in relation to government spend, and I certainly do not want to see us handing money back.

Mrs M Bradley: Will the Minister assure the House that the protection of the marine ecosystem will be an integral part of the BioMara R&D work?

The Minister of Enterprise, Trade and Investment: I thank the Member for giving me notice in relation to her question. BioMara is a very exciting project, as I am sure the Member will agree. It is in its second year and is making good progress across the four areas in which it is engaged. It is looking at the economic, social

and technical impacts of marine biofuels for local industrial and regional energy supply. It is also looking at the local strains of microalgae for their oil potential, which is very exciting too — getting oil from algae. The third area covers the use of macroalgae or seaweeds for anaerobic digestion and bioethanol, and the fourth area will be the development of downstream processing, which will not start until 2011.

Sustainability will be a very important element in the case for marine biofuels, as will environmental impact. I know that the Member is concerned about the impact there will be on marine life, and I give her the assurance that we will be preparing an environmental impact statement to make sure that there is no undue adverse effect on the marine ecosystem as a result of the work that is going on. I know that the Member agrees with me that it is a very exciting piece of work, but it will be done in a way that does not damage the ecosystem of the marine environment.

Mr Craig: There seems to be some slight confusion here. Will the Minister outline the respective roles of the SEUPB and DETI in the INTERREG IVa approval process? More importantly, at what stage does the Minister's Department actually get involved in those projects?

The Minister of Enterprise, Trade and Investment: The SEUPB is the managing authority for the INTERREG IVa programme. It makes an initial assessment of projects submitted to the body and then presents those cases, if it deems them viable, to the accountable Departments, both in Northern Ireland and the Republic of Ireland. That is the stage at which DETI becomes aware of any particular project.

As I said to Mr Kennedy, my Department acts as the accountable Department in respect of enterprise, tourism, energy and telecoms. It was under the telecoms theme that the innovative Project Kelvin was able to proceed, of which we are rightly proud. Essentially, responsibility for expenditure rests with the Department. We therefore have to make sure when looking at the projects coming forward that they are projects that will stand up. Therefore, a robust assessment has to be carried out in relation to all proposals that come before us.

Corporation Tax

3. **Mr Elliott** asked the Minister of Enterprise, Trade and Investment what discussions she has had with her Executive colleagues regarding the potential devolution of power to vary corporation tax. (AQO 47/11)

The Minister of Enterprise, Trade and Investment:

Fiscal policy is currently a reserved matter and is under the responsibility of Her Majesty's Treasury. Therefore, the devolution of power to vary corporation tax is not simply a matter for the Executive but for the United Kingdom Government. In that context, the Finance Minister and I met the Exchequer Secretary and the Secretary of State for Northern Ireland on 19 August 2010 to discuss the proposed HM Treasury paper on rebalancing the Northern Ireland economy. One of the issues to be considered in that paper is the scope to reduce the level of corporation tax in Northern Ireland. The contents of the paper will be issued by Her Majesty's Treasury for consultation in the autumn.

Mr Elliott: I thank the Minister for her reply. The crux of my question was mainly concerning whether the Minister or her Executive colleagues have had any discussion around how that power, if it comes to Northern Ireland, may be used within Departments.

The Minister of Enterprise, Trade and Investment:

I think it is premature to have a discussion about how we are going to use the power until we see whether HM Treasury will give us the power. There is no doubt that a reduced rate of corporation tax could act as a significant incentive. It would certainly help my Department and Invest Northern Ireland when we go to look for foreign direct investment, and it would help our indigenous companies. However, we want the paper to look at not just the benefits of lowering corporation tax but some of the challenges. For example, there is a risk of firms "brass plating", whereby companies located in GB would simply move to Northern Ireland to benefit from a lower tax system but would not add significantly to the local economy. The Finance Minister and I have mentioned that issue. Of course there are ways of dealing with that, such as limiting it in a certain way and linking it to job creation.

3.15 pm

There are also issues around the unknown costs that introducing the measure might have to the block grant. The Treasury will know how much it will cost the Northern Ireland block grant and what the undoubted increase will be in administration costs for local government here and HM Treasury. There are, therefore, challenges as well as undoubted benefits involved in reducing corporation tax. We hope that all those issues will be dealt with in the coalition Government's paper, so that we can have a full discussion about it with them.

Mr A Maginness: Will the Minister reassure the House that she will take every opportunity to consult the Chancellor about the issue? Clearly, there is an irresistible argument that the lowering of corporation tax in Northern Ireland would lead to massive investment in the economy. We now have a golden opportunity, because the current Government are more sympathetic to devolving that power to this region. Will the Minister also reassure the House that she will make every effort to persuade the Chancellor in that direction?

The Minister of Enterprise, Trade and Investment:

The Finance Minister and I met the Secretary of State for Northern Ireland and the Exchequer Secretary to the Treasury to deal with that issue. We are hoping that the paper, when it comes to us, will deal with corporation tax and the undoubted benefits that it will bring by attracting investment to Northern Ireland, as the Member indicated. We are also hoping that the paper will look at other measures that can be taken to increase Northern Ireland's competitiveness. For example, we hope that it will look at improvements to the research and development tax credit system, which manufacturing firms, in particular, have raised with me, and training credits for businesses. We also hope that it will look at rebalancing the Northern Ireland economy and the wider issue and will not put all its eggs in one basket.

Mr McKay: Go raibh maith agat, a Cheann Comhairle. Will the Minister tell the House whether she or the Finance Minister put forward any proposals to the British Treasury to examine, at least, the potential of the North having a full fiscal toolkit for tax-varying powers rather than just limiting itself to corporation tax? Does she agree that any public sector cuts from the British Government next month will have —

Mr Speaker: I encourage the Member to finish his question.

Mr McKay: Does she agree that those cuts will undoubtedly have a negative knock-on effect on services, SMEs and the wider local economy?

The Minister of Enterprise, Trade and

Investment: The answer to the Member's first question is no. As for his second question about the impact of the Budget that will come our way on 20 October after the comprehensive spending review, we undoubtedly face difficult times.

The Finance Minister has spoken on record — I have his statement here from as early as 15 July, which was after the election and the emergency Budget — about the impact that the coalition Government cuts would have on Northern Ireland. Prior to the Westminster election, we warned that — I make no apologies for saying this — if the Tories were in a position to move forward with their agenda, which was put out before the Westminster election took place, this part of the United Kingdom would suffer disproportionately. That is still my concern, and it is one that the Finance Minister shares.

However, I want to reassure the House that we will be fighting very, very hard — some comment has been made about this lately — to make sure that, whatever comes our way after the comprehensive spending review on 20 October 2010, we deal with it in a way that causes the least harm to front line services and that we manage our budgets in a way that will not be detrimental to people who are in difficulties at the moment, and we know of such people across all our constituencies. I want to reassure the House that we will be looking at our budget from that standpoint.

DETI: Budget

4. **Mr F McCann** asked the Minister of Enterprise, Trade and Investment for her assessment of the potential impact of any budget cuts on her Department's programmes. (AQO 48/11)

Mr F McCann: Go raibh maith agat, a Cheann Comhairle. Ceist uimhir a ceathair. Question 4.

Lord Morrow: I take it that an interpretation would be needed.

Mr Speaker: Order. I have often said that Members may speak in any language that they

wish to speak, but that it is important that they finish in English.

Mr F McCann: I did say question 4.

Mr Speaker: I apologise, but I certainly did not hear you.

The Minister of Enterprise, Trade and

Investment: Details of the savings will be produced in the DETI savings delivery plan, which will be published at the same time as the draft Budget 2010. It is, however, too early to say what the potential impact of any cuts will be on my Department's programmes. DETI is, of course, working closely with the Department of Finance and Personnel (DFP) in the Budget process so that the Executive can make informed decisions, and I have provided a high-level prioritised list of savings and bids. Work is currently ongoing to identify the detail of potential savings and the impact of such savings. Savings of an individual Department should not be considered in isolation but in the context of an Executive-agreed strategic approach to the Northern Ireland block. Savings will, undoubtedly, be painful. However, it is important to keep focus on the economy as a top priority.

Mr F McCann: I thank the Minister for her response. However, can she assure the House that any proposed reduction in her budget will not impact on vulnerable small and family businesses, such as those in the social economy sector?

The Minister of Enterprise, Trade and

Investment: Yes, I will make sure that that is the case. As I said in answer to question 1, the social economy provides us with a lot of opportunities in difficult times, and I am having proactive discussions with that sector. I certainly want to see the social economy flourish at this time, and I believe that it can.

Mr Kinahan: The Department anticipates a £62 million reduction in spending in Invest Northern Ireland over the next four-year period. Is the Minister planning a new strategic innovative programme so that she can better argue the case to win more funds?

The Minister of Enterprise, Trade and

Investment: The economy remains at the centre of our Programme for Government, and that priority was signed up to not just by my Department but by every other Department

in the Executive. That is one of the reasons why the economic subgroup of Ministers was set up, which was a recommendation of the independent review of economic policy. I think that the subgroup will provide us with a very strategic way forward, because it is coming not just from my Department but from all Departments on the subgroup and, indeed, will then be ratified by the Executive. The strategic themes coming through are rebuilding the economy — obviously we recognise that we are in difficult times — and rebalancing the economy by moving on to look at ways in which we can deal with the productivity deficit that differentiates us from the rest of the UK. Rebuilding and rebalancing are two themes that are appearing very strongly.

Mr O'Loan: As the Minister said, the economy is the first priority of the Executive. What happens in her Department is critical, and she has the support of this party as we enter into such debates. Given the budgetary reductions, does the Minister believe that she can protect the output of her Department? Does she see ways in which processes and programmes in Invest Northern Ireland could be altered to protect its output even with a lesser budget?

The Minister of Enterprise, Trade and

Investment: The Member will know that the chief executive of Invest Northern Ireland is engaged in a reform programme for the body, the name of which I am struggling to remember — it may be as simple as “reform”. He is trying to achieve delivery on the objectives of the independent review of economic policy; to have a more streamlined approach to programmes; to have more interaction with small businesses, which is key; to deal with the social economy in a proactive way, although I would say that we are doing that at present; to streamline the interaction between my Department and Invest Northern Ireland and between DFP and Invest Northern Ireland; and to deal with the delegated limits.

Therefore, it is the case that the chief executive of Invest NI is involved with a streamlining reform programme, which I think that will very much help us to deal with the Budget cuts and to continue to deliver for Northern Ireland and Northern Ireland businesses.

Mr Speaker: Question 5 has been withdrawn.

Employment: Engineering

6. **Lord Morrow** asked the Minister of Enterprise, Trade and Investment for an estimate of the number of people currently employed in the engineering industry and how this compares with five years ago. (AQO 50/11)

The Minister of Enterprise, Trade and

Investment: The latest estimates from the Northern Ireland quarterly employment survey show that there were 21,190 jobs in the engineering and allied industries sector at March 2010. When compared with the same period five years earlier, that is a net fall of 4,590 jobs, or 18%.

Lord Morrow: I thank the Minister for her precise and exact answer, but it was quite startling. It showed us that there is an 18% fall in those engaged in the manufacturing industry. The Minister is aware of the crisis in that industry. Indeed, she attended a meeting with me today about a firm that is in manufacturing, albeit of a different nature. Will the Minister outline what her Department is doing to encourage back into the workplace those people who have lost their jobs in the manufacturing industry? Does her Department have any new initiatives that she intends to put before the House in the near future?

The Minister of Enterprise, Trade and

Investment: I already mentioned the economic subgroup, and I will not rehearse that point. I want to be clear in saying that some people want to be negative about manufacturing. However, it continues to play a key role in the Northern Ireland economy, and it accounts for approximately 11% of employees in Northern Ireland.

Manufacturing covers a wide range of industries, and, as I know the Member will acknowledge, some subsectors have been impacted more than others. Indeed, construction and engineering, which can be found in mid-Ulster and south Tyrone, are the sectors that have been worst hit. However, the food, drink, tobacco and chemicals sectors have continued to perform relatively well. Therefore, there is a difference between the sectors.

There is better news in the engineering sector in what I call hard manufacturing, and I was delighted to see Harland and Wolff continuing to compete for and win high-value renewable contracts. Again, we go back to the green new

deal and green jobs, although I know that the Member may have a difficulty with those terms. I should say to Lord Morrow that we will perhaps call them something else on the next occasion.

In any event, the fact that there are jobs in that area of renewables really does present us with a great opportunity to use the manufacturing and engineering skills that we have in this country. In addition to Harland and Wolff, Kingspan Renewables in Craigavon announced the creation of 163 new jobs over the next five years. The Bangor engineering firm Munster Simms also recently undertook a £3 million investment in research and development. Therefore, firms are having to diversify. We will support them in that diversification, and we think that there are a lot of opportunities for manufacturing and engineering companies in the renewables sector.

There are also opportunities overseas. I had a very interesting meeting with representatives from Kurdistan last week. Our having construction and engineering skills and their absolute need for such skills to rebuild Kurdistan are a perfect fit, and I want to explore that further over the coming months.

Mr McGlone: Go raibh maith agat, a CheannComhairle. At a personal level, I thank the Minister for her involvement in a number of cases in my constituency. She rightly pointed out, as did Lord Morrow, the experiences and difficulties faced by engineering, especially in south and east Tyrone. Given that decline in the industry, are measures being taken to target investment at that area, which has suffered so much recently, by either attracting investment or working with other Departments on new skills programmes or other forms of investments to try to alleviate the problems that are suffered there?

3.30 pm

The Minister of Enterprise, Trade and

Investment: I acknowledge the Member's thanks for the help that has been given to certain firms. It is precisely the matching up of skills and needs that Invest Northern Ireland is best placed to do. We will continue to match up companies with markets across the world. The Member will also know that Invest Northern Ireland has been very proactive in working with companies in the mid-Ulster area on some of the schemes that we have announced, such as the short term aid scheme and the accelerated

support scheme, in order that those companies can keep skilled workers in a position so that, when more orders come in, they are able to stay with their companies. If there are any individual companies that the Member has concerns about, I would be more than happy to speak to him about them, and I am sure that Invest Northern Ireland in his local area would also be happy to do so.

Executive Committee Business

Draft Strategic Investment and Regeneration of Sites (Maze/Long Kesh Development Corporation) (Northern Ireland) Order 2010

Debate resumed on motion:

That the draft Strategic Investment and Regeneration of Sites (Maze/Long Kesh Development Corporation) (Northern Ireland) Order 2010 be approved. — [The deputy First Minister (Mr M McGuinness).]

Mr Butler: Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom mo bhuíochas a chur in iúl maidir leis an ráiteas faoin Cheis Fhada. I welcome today's announcement about the development corporation for the Long Kesh/Maze site, even though the Order is in draft form.

I have had an interest in the site in more ways than one over the years. First, it is in my Lagan Valley constituency. I also resided there for a while, rather reluctantly. I also sat on the Maze/Long Kesh monitoring group, which came forward with the master plan for the site.

Today's announcement about this piece of legislation is welcome. I take on board the advice that you gave earlier, Mr Speaker, about Members straying in their contributions and talking about wish lists for what they want to see and what they do not want to see on the site.

As the deputy First Minister outlined, there has been a focus on the whole issue of conflict transformation and the peace building aspect of the site. Europe has been interested in that, as have people here. As people have said, the site is a contested one and it has many histories; somewhere in the region of 25,000 people — republicans and loyalists — served time there. Many prison officers and members of the British Army were there, and politicians and Secretaries of State visited the prison. So, the site has a history, albeit a contested one.

It has taken us a long time to get to the situation today where we have a framework for developing the site. People will focus on certain aspects of how the site could be developed, such as a conflict transformation centre. There were proposals for a stadium on the site, which I think was regrettable. As you said earlier, Mr Speaker, we should not play politics with the issue in today's debate, because there is a huge

opportunity to develop the site. In a sense, that opportunity symbolises the transformation from conflict to peace building. In addition to some of the proposals for the site, other things such as housing could be developed there. The RUAS's proposed move to the site is a welcome development, and there is potential to develop the site in other ways, not just for the good of the community in Lisburn and Lagan Valley but right across the North of Ireland.

We have other controversial development proposals in the area, such as John Lewis wanting to locate a department store in Sprucefield. There are some other proposals for developing the whole area that could be built upon in conjunction with the development corporation. So, all Members, no matter what difficulties they have with some of the proposals, should welcome today's development.

Raymond McCartney and I served on the monitoring committee, difficult though it was, for a number of years — particularly the years of direct rule, when we tried to get proposals. However, we got through all the difficulties and came up with a master plan.

I hope that the master plan will be built upon by the development corporation, and we will see the whole 350 acre site developed for the good of all the community and other proposals brought forward. Today's development is welcome, and I look forward to seeing the legislation in place, the corporation set up in April next year and the development of the whole site. It will be a good symbol for the way forward. Go raibh maith agat.

Mr A Maginness: On behalf of the SDLP, I welcome this development and this motion.

This is a great opportunity for all of us to develop the Maze/Long Kesh site for the good of all the community. It is a very practical way of turning swords into ploughshares. It is a transformation of a site which for many years was regarded with great contention. It was the site of a prison which witnessed some very tragic and terrible events. Therefore, we have an opportunity to put the past into the past and build for the future. It is a great opportunity for all of us, at a political, economic and social level, to transform something which has tragic and difficult memories for all of us into something that is very good indeed. It is churlish of anybody to criticise this very significant step forward. For outside investors, it presents a

wonderful opportunity to build something good here and to benefit the whole community.

The SDLP wishes the corporation well and hopes that the corporation is successful in fully developing the site and realising its full potential. Geographically, the site is well situated in so far as the road network links it with North and South, other parts of Northern Ireland, the airports and the Port of Belfast. All of that adds to the merits of the site. It is a great boon, not just to the people of Lisburn and the surrounding district, but to the whole of Northern Ireland. It could become a regional hub for economic development, and we should bear that in mind.

I have to say that, in the past number of years, we have missed a wonderful opportunity to build a stadium on this site, and that is regrettable. We missed the opportunity to build a major sports centre which would have accommodated all three major sports in Northern Ireland and which would have at least united the sporting organisations and their supporters in using and sharing a common ground. That would have been a wonderful development for all of us. In particular, the London Olympics presented a great opportunity for us to use such a stadium in association with the Olympic Games. However, that opportunity has regrettably been lost.

It would be easy enough for Members from these Benches, the nationalist/republican side of the community, to say that this was all totally unnecessary and that people acted in a curmudgeonly fashion.

I understand the sensitivities surrounding the development of a conflict transformation centre at the Maze/Long Kesh site. It would be wrong for us to be insensitive to that. However, I think unionists got it wrong in that they misinterpreted what was being presented. Again, I hope that that is in the past, and that politicians on all sides have reached an understanding of how the transformation centre will be developed. I hope that they understand that the centre will not simply centre on one group or another; that it will not just be seen as a centre in which hunger strikers, for example, are the only centre of interest or attraction; it will be much more than that. It will take in the wider community and the widest dimensions of the conflict that tragically beset our community.

The past is the past. Now that we have hopefully got around those particularly contentious and

difficult issues and agreement around the conflict transformation centre has truly and genuinely been reached, my party and I see it as having great potential to help explain to the world how we achieved the peace that we have achieved. It can show that we can continue to build on that peace, and it will provide a greater understanding about the nature of our conflict and the lessons to be learned from it to people in the rest of the world. There are truly great lessons to be learned, and if that adds to international peace or the development of international peace, or the resolution of conflicts in other countries, then it will be worthwhile. I hope that it will be worthwhile, and that it will add to a greater understanding.

The victims of the conflict that we had to endure for so many years must not be overlooked in the conflict transformation centre. They must be given a proper place and context therein. I truly hope that the centre can become a means of peacefully resolving the problems that continue to affect our society and other parts of the world.

The RUAS's expression of interest in the site is a healthy contribution to the overall scheme that is to be welcomed and encouraged. One hopes that other organisations — indigenous companies as well as foreign investors — will also contribute to the development of the site. However, I have one question about the make-up of the membership of the corporation: how are they to be appointed? I assume that it will be done through the Office of the First Minister and deputy First Minister. How will those members be selected? How will that process take place? One hopes that people with a good business and investment background will be given a proper place on the board. I hope that the board will be balanced and will reflect the interests of the whole community.

I will end as I began: by wishing the corporation and the scheme well. I believe that it will be of great benefit to all our people.

3.45 pm

Mr Lunn: I welcome the draft Order. It is a good day for Northern Ireland, because we are finally making some progress, which has been a long time coming. The First Minister and the deputy First Minister will probably recall a meeting with Lisburn City Council representatives on 23 June 2009, when the project was to be progressed with all speed. However, we are where we are. If the corporation can be up and running by April

next year, that is fair enough. It is definitely time to move on with all speed.

As other Members said, it is a terrific opportunity for Northern Ireland. It always has been; it was in 2003 when the process started and it still is, and even more so, today. Without wanting to repeat what other Members said, I have a few questions. I wonder whether the intention is to give the development corporation any sort of planning powers, because I would hate to see marvellous plans being bogged down in the morass of our planning system, with judicial reviews, planning appeals, public inquiries, and so on. I hope that whoever puts together the corporation will consider that at least. The Maze site was described in the Belfast metropolitan area plan (BMAP) as a strategic reserve. If the corporation will not have planning powers, I hope, at least, that the site will be recognised as being strategically vital and will be dealt with by the Planning Service in that way.

I also wonder whether the development corporation will have control, or otherwise, of the much-mooted conflict transformation centre. It seems to make sense that the corporation should control the whole site and not have one section excluded from it, for whatever reason. A master plan is now to be produced, yet one was produced in 2006. It is probably still pretty valid, except for the fact that there is a huge hole in it where the stadium would have been. However, everything else on the list is still very relevant. I hope that, rather than start from scratch, the corporation can work with what is on the table already.

It is great that the RUAS has expressed strong interest in the site. However, I cannot help thinking that, had things moved ahead two or three years ago, it may have been even more interested. In the meantime, the value of the site that it has to sell at the King's Hall has probably halved in value. That may cause it problems. In addition, the RUAS is a member-driven organisation, and a vote of the membership will be required to enable it to make the move. I remind Members that it is, I think, 14 years since the same organisation considered a move out to Blaris, which is not far from the Maze, but the proposal was voted down by its members. I hope that it is happy to be involved. I hope also that it is big enough to be the anchor tenant. Originally, the intention was that the stadium would have been the anchor tenant and that RUAS would have been

happy to row in behind it. However, we will see where we go with that.

With some trepidation, I mention again the conflict transformation centre. I was asked, very late in the day, to join the Maze monitoring panel. I was there for the final nine months or so before direct rule put an end to it. Before we were dissolved, we looked at examples of conflict transformation centres around the world. There are more than 50 of them, and I am perfectly satisfied that there is no need for a conflict transformation centre to have a political dimension at all. If we look at examples from around the world and draw from them, which was the intention, we should be able to deal with the issue like grown-ups and come up with something that is valid and useful. I noticed that Mr Kennedy and Mr Givan crossed swords about how the Ulster Unionist Party changed its mind, but it is about time that people started to change their minds once in a while in this place. If people never changed their mind, we would get nowhere.

I was a fairly stern critic of all the delay, the changes of tack and the disappointments of the past seven or eight years with the project, but I now welcome it. Today is a good day, and I hope that we can move forward from here. In the words of the deputy First Minister, the project, from here on in, can transcend political considerations and move forward to be what it really is, which is a massive business opportunity for this country.

Mr Poots: I have probably spent more time on the matter than anybody else in the Chamber, and I have given a great deal of commitment to something happening on the site. Therefore, I welcome the proposals that are before us today, because they move the situation forward.

The site was always going to be difficult to deal with; it was always going to be a hot potato. I was landed with it by my party, but I do not mind hot potatoes. I have dealt with them before, and I will do so in the future. If you're not prepared to take the heat, you shouldn't go into the kitchen.

Therefore, I am somewhat perplexed and amused, but not surprised, by the Ulster Unionist Party's attitude to the situation. Mr Elliott, who is tipped by many of the big hitters to be a future leader of the Ulster Unionist Party, seems to have difficulty with the conflict resolution aspect of the project. That was reinforced by Mr Kennedy, who also has some difficulties. Mr Lunn

suggested that, on occasion, it was appropriate for people to change their minds. The Ulster Unionist Party is used to changing its mind, performing political summersaults and doing a few other things in between. A change of mind in the right direction is good, but when already pointed in the right direction, it is not good to go in the opposite direction.

I worked extensively on the issue with the chairman of the Ulster Unionist Party, Mr David Campbell. We spent hours and hours getting to the point of the conflict resolution centre, and that is what it is: a conflict resolution centre; not a shrine. It was never perceived to be a shrine, nor will it ever be a shrine —

Mr Speaker: Order. Perhaps the Member was not in the Chamber at the start of the debate, but I encourage the entire House, as far as possible, to try to come to the business that is before it. The debate is about setting up a corporation and a board. I listened to my learned friend Alban Maginness, and he strayed widely from the subject before weaving in what he should have been saying. I encourage Members, as far as possible — I know that it is not easy — to come to the subject matter that is before the House.

Mr Poots: Thank you, Mr Speaker, for your gentle correction. We will ensure that the people who sit on the board of the facility would not countenance anything associated with the glorification of terrorism.

What is a conflict resolution centre about? In Northern Ireland, there have been 3,500 deaths, tens of thousands of people injured and hundreds of thousands of years wasted in prisons. “Never Again” must be above the door, and that is the message that the site must send out. It must not, and never will, be a shrine to terrorism. In that respect, Mr Kennedy and his friends are playing politics. The board has —

Mr Kennedy: Will the Member please understand that we are on the same side? He seems to have some difficulty in understanding that. Let me make it abundantly clear that we do not want to see terrorists elevated in any kind of shrine at the Maze site or anywhere else.

Mr Poots: As Mr Lunn said, it is good for people to change their mind. Sometimes it takes years, and sometimes it takes minutes, so I appreciate the fact that Mr Kennedy did so in minutes. A short time listening to my advice assisted him,

and I appreciate the stage at which we have now arrived. I am glad that we are on the same side, and I ask others to stop playing politics with the issue, because there is a great opportunity to be developed.

The site has been identified as a strategic site. It is not a brownfield site, although some people have suggested that it is and that, as a consequence, thousands of houses could be built on it. Thousands of houses will not be built on the site, as that issue was dealt with by the development corporation. One of the difficulties we had at that time was that the Planning Service was allowing only 200 houses to be developed on the site. Those who have said that there will be mass housing have got it wrong.

It is a strategic site, and we need people on the board who have the skills and the ability to identify what is best for the site. Around 60% of the population of Northern Ireland can reach the site in 30 minutes and 80% can reach it in 60 minutes. It is in the east of the Province with the best routes to the south and the west of the Province and excellent routes to the north of the Province. It is well placed to take full advantage of flights in and out of Dublin Airport and of the eastern corridor, which has the population base to support significant events at the site.

We have an opportunity to develop something at the Maze site that is not currently in Northern Ireland, perhaps not even in the Republic of Ireland. We can do something of real significance and of real benefit to the people of Northern Ireland. By doing so, we can create thousands of jobs and tens of millions of pounds of investment. The naysayers want to grow dingle weed: they do not want to achieve anything but rather want to block things all the time. Opportunities exist to move the community forward and to create those thousands of jobs. Irrespective of the doubters, we must proceed, and we must make it work in the best interests of Northern Ireland.

Mr A Maginness: I agree entirely with the trend of the Member’s argument. Mr Lunn raised an interesting point, which was about giving the development corporation its own inherent planning powers. Is the Member sympathetic to that, and would the First Minister and the deputy First Minister seek to establish that?

Mr Poots: I am aware that that is being considered, and I am not resisting it. The site covers around 347 acres, which is a lot of land.

At one stage, one of the largest corporations in the United States of America was interested in developing the site. However, when a representative of the corporation looked at the site, he said that it was too small for the infrastructure that we were developing. He said that we needed 1,000 acres. Interestingly enough, the Blaris site beside the Maze contains 400 acres of land, and there is further land in between. A scale of land could be set aside for a development of regional significance. A master plan has already been drawn up for the Blaris site: it has gone through the planning process, and it would be subject to a full planning application. However, the master plan has been accepted in principle by the Department of the Environment's Planning Service.

There is the potential to identify that entire area for significant regional development, which could include housing on the Blaris side. Substantial and additional parties could be brought in to help to deliver the important infrastructure. If it is to be done, it needs to be done right, and if it is to be done right, we will have to spend the appropriate funds on infrastructure. Expanding the boundaries of the site for planning purposes, which would allow others to make an investment that would be to their advantage and to the advantage of the Maze site, makes common sense in my book and, therefore, we should work with the private sector to achieve that.

I look forward to moving the situation forward. I welcome the fact that the motion has come before the House today. I say to those who are trying to use the situation for political means to trip others up: wise up. Jim Allister is doing that job, even though he is not doing it particularly well. For others to join with that particular line of thought only demonstrates their negativity. They would be going against what their party has stood for for years. Let us move on and take Northern Ireland forward, not backward.

4.00 pm

Mr McCartney: Go raibh maith agat, a Cheann Comhairle. Ar dtús, ba mhaith liom mo chuid tacaíochta a thabhairt don Ordú seo, nó is Ordú tábhachtach stairiúil é. Tá seans againn an láithreán seo a fhorbairt, poist a chruthú agus aithne a thabhairt do stair an láithreáin.

I welcome and support the announcement that a development corporation will be established to carry forward the much-needed and long-awaited development of the Long Kesh site and that

the Order has been placed before the Assembly today. It goes without saying that a site of that size in that location will be regarded as a prime development site, and the interest in it shown by the Royal Ulster Agricultural Society and other developers is proof of that. I am particularly pleased that one of the key objectives set for the corporation will be to:

"maximise the economic, historical and reconciliation potential of the site".

I have no doubt that that will be achieved, and I wish the corporation well.

Given the current economic climate, the need to ensure optimum development is all the more important and is crucial to economic stability and to much-needed future employment, particularly in the hard-pressed construction industry. I also welcome the inclusion of social clauses in the Order. It is important that economic regeneration should also have targeted social outcomes.

The site is of course one of historical significance, and, from the moment it became clear that the Long Kesh prison was to close, Sinn Féin contended and has consistently done so ever since that any development of the site should include recognition of its historical significance in a meaningful and purposeful manner. The first report of the Maze consultation panel, which consisted of representatives from the DUP, the Ulster Unionist Party, the SDLP and Sinn Féin also gave due recognition to that, and the Maze/Long Kesh monitoring group that was established under direct rule also included Trevor Lunn of the Alliance Party. I do not remark on that to make a political point but to demonstrate that, through dialogue and hard work, consensus can be reached. Paul Butler and I represented Sinn Féin on that panel, and we are aware of the important work that was carried out by officials at that time and has continued in recent times through OFMDFM, to bring us to where we are today.

With the proposed establishment of the development corporation we can take the site forward, ensure that it becomes a place of hope and prosperity and bring much-needed economic regeneration to the area. Indeed, the economic benefits of the site will go beyond the immediate area and will have an impact right across the island of Ireland.

The listed and preserved buildings and the peace building and conflict resolution centre will mean that the site can also become a place of learning and understanding. Sinn Féin is encouraged by President Barroso's pledge to help with the creation of that iconic newbuild and welcomes the fact that it has been actively pursued by OFMDFM. In conclusion, the Long Kesh site can become a place for future generations in which our collective history is acknowledged and our determination to understand our past and build a better future can find voice.

Mr Givan: I support the motion tabled by the First Minister and the deputy First Minister. Many Members have touched on the history of the site and the conflict resolution centre, and, as we look to the creation of the new board that will be responsible for taking forward the development of the Maze site, it is appropriate for us to reflect on the past.

For many the Maze prison site is symbolic of the sectarian hatred that divided this society. That should never be forgotten. The conflict resolution centre that is to be built there should never allow people to forget how that prison came into being or the individuals who were incarcerated there.

We should also remember the prison staff who served there, and, unfortunately and sadly, 29 prison officers lost their life during the terrorist campaign. As I was preparing for today's debate, I looked over some of the stories of those individuals, and that brought back to me the memory of that period, which we all went through and never want to go back to. Prison officers were murdered in their homes, as they checked for booby trap bombs under their cars and in front of their wives and children as they left church. We should never forget the sacrifices that those individuals made. As a party, the DUP can give a guarantee and assurance that, regardless of what comes forward for development at the site, the board or any proposals that emanate from it will never trample over those sacrifices.

I was born in 1981, the year of the hunger strikes. I have two young daughters, and I do not want them to ever go through what a lot of people in this Chamber went through. We must build a legacy for children to enjoy and to prosper under. I believe that the site can be

a beacon for investment, as opposed to the symbol of sectarian hatred that it became.

As many Members said, the site is strategically located, and it can provide an opportunity to create many thousands of jobs. At a time in our economy when many people have lost their job, it is imperative that the Executive take opportunities that will address unemployment. The Maze site has the potential to do that.

The local community in close proximity to the Maze prison has endured a lot of problems and hassle for a long time. Residents in places such as Culcavy, the Halftown Road and around the Down Royal on the Maze side endured many years of security problems and harassment when the prison was in operation. As the site is developed, it is important that those people see real and tangible benefits. The board will need to engage with the community in the immediate proximity so that those people can see the real benefits of what is developed at the site. I hope that the First Minister will be able to provide some more information as to how that will happen.

The local firms in the wider community need to get some kind of payback. Hopefully, provisions will be in place that will ensure that those firms are able to benefit. Again, I hope that the First Minister will be able to discuss that.

Before it was a prison, the Maze was more commonly known as Long Kesh. I know that republicans seem to want to hijack that name and give it some kind of mysticism. However, long before republicans ever talked about it, Long Kesh was part of the vocabulary of the local community. Indeed, before it was a prison, it was known as RAF Long Kesh. Therefore, a strong British military history is linked to the site, and, again, the board needs to promote that. Some Members may not be aware that, during the Second World War, the visiting President Eisenhower landed at RAF Long Kesh. Winston Churchill also visited the site during the Second World War. Indeed, Her Majesty The Queen's first ever flight was to RAF Long Kesh. Therefore, the site has a great history, which all Members may not have been aware of. That is something that should be taken forward.

Mr McElduff: I simply want to seek assurance that the site will not become a shrine to the British Army.

Mr Givan: I think that we all need to recognise the history of the site and take that forward.

The site provides an opportunity that we must grasp and take forward to show that, as a community, we can actually build a future, move on and not go back to the horrendous days of the past and to what was inflicted on so many.

Mr Craig: As an elected Member for Lagan Valley, I also welcome the development, which I think will have huge benefits. Whenever I talk about the Maze, I am talking about my constituency. I know that it has a regional significance, but, in Lagan Valley, we face the same difficulties as any other constituency. In the past two years, the number of people in my constituency who are unemployed has doubled to more than 2,500. Whenever I look at the Maze project, I see the potential to deal with unemployment not only in my local area but in the wider region.

The Province will probably soon face one of the worst economic situations in its history; therefore, we should all look forward to the potential creation of 6,000 jobs. I want the potential to unleash economic growth through the Maze site to be implemented as quickly as possible. There are 347 acres of prime development land close to very good road infrastructures with inbuilt regional links. Major players, such as the Royal Ulster Agricultural Society, are keenly interested in moving to the site. That would unleash huge economic potential for the area. That is all to be welcomed.

As the Member who spoke previously pointed out, there is a history to the site. It is an unfortunate history, and perhaps I went through it more than others. I lived only a mile up the road from the site, and, when numerous individuals tried to escape one night and jumped into a Mini and disappeared, I was locked in the house along with quite a few of my neighbours while security people ran about the country looking for those who had escaped. However, I was in little danger; my car was far too large for them. I did not have a Mini.

That aside, many of my school friends and colleagues suffered because many were employed as prison officers. Fortunately, none of them was murdered during that process. I remember being woken abruptly one night when a bomb went off underneath a neighbour's car. It was about the only time I ever woke up at night; I am a sound sleeper. However, it had a significant consequence for that family; they had to move out of the area, and their family life was

totally disrupted. The fear and intimidation that was applied on them was horrendous. That said, that part of our history — touch wood — is now over, and we need to move on and look forward.

As my colleague pointed out, the site has other historical significance. It was the major base for the Americans in Ireland during the Second World War. A significant number of sorties was sent out over the north Atlantic and as far as Berlin from that site, and many American troops were stationed there prior to D-Day. There is potential to set up an aircraft museum on the site. I should declare an interest, because one exhibit that will be put into that museum — this might give away my age — is an old Canberra bomber. When it was refurbished 20 years ago, it was one of the first projects that I worked on when I joined Shorts as an engineering apprentice straight out of university. I look forward to the development of that aspect of the site. I see huge potential to develop the links with the aircraft industry, the RAF, the American air force, the British Army and the American army, which was stationed on the site. Two major hangars have been left there, one of which is being used by the historical society. However, they are very large constructions, and there is potential to diversify the other hangar for other uses.

As my other colleague pointed out, other huge potential could be levered from the Maze site. If the site is developed properly, potential private development of more than 1,000 acres in that portion of Lisburn could be unleashed. I commend the motion as the first small step in moving the project forward not only for the benefit of the people in Lagan Valley but for the benefit of Northern Ireland as a whole.

4.15 pm

Mr G Robinson: For some time, the issue of the Maze site has been a source of tension in the Assembly. Today, we all have the opportunity to make a positive move forward by approving the draft Order concerning the Maze. On that site, we have the opportunity to create much-needed employment, bring top-quality sporting facilities, relocate the RUAS, build some new housing and so on. All of that can be done at a time when the construction industry and the economy are sorely in need of such a major boost. The development will be a win-win for Northern Ireland.

Today, the Assembly can decide to take a step forward in developing 360 acres for the benefit

of the people of Northern Ireland. To reject the motion would show that some parties in the Assembly and outside it still cannot cope with the realities of government. Therefore, it is an obvious choice for right-thinking and responsible Members to support the motion, and it is my sincere hope that they will do so. I fully support the development of the Maze site.

The First Minister (Mr P Robinson): I thank all Members who contributed to the debate. It was, almost entirely, a positive debate. Some Members nodded in the direction of trying to stir up some controversy, but they went into retreat quickly, Mr Speaker, either as a result of your gaze at them or because of the passionate response of my ministerial colleague, who was on the Back Benches during the debate, and his recollection of the role of all our parties in taking the matter forward.

The draft Order provides for the creation of a development corporation to regenerate the Maze/Long Kesh site. This is a key moment for all of us in the Assembly. We now have before us the opportunity to advance the fortunes of our economy by adding to it this engine of prosperity and social good. In such straitened times, it makes obvious sense to maximise our assets, and I recall saying as far back as May 2008 that the site is far too valuable an asset to be left undeveloped. I stand by that comment, and I am glad that we have made some important progress and can look forward to the new regeneration framework to make the development happen.

Since the previous master plan was drafted during direct rule, good work has been done quietly and without fanfare. I acknowledge the excellent work that has been undertaken since then by the Maze/Long Kesh programme development unit. That has ensured that developers and investors are aware of the potential of the site and that necessary preparatory work has continued.

Part of that activity has involved key work with the Royal Ulster Agricultural Society, and we have all been delighted with that. Casting my mind back to my knowledge of history, I recall that, around a century ago, the Balmoral Show transferred from St George's Market to Balmoral, which was then described as being in the country. I suspect that it is getting even more rural with the prospect that it may move to the Maze/Long Kesh site, and I hope that that

can be finalised. In a moment, I will come to some of the specific points that were raised.

We need to build on the firm foundation laid by the Maze/Long Kesh programme development unit. We believe that creating a dedicated, focused and independent corporation that works at arm's length from government and has the freedom to work with the private sector is the right way forward. Speed of delivery is also important, and we want to realise the benefits of redeveloping the site as quickly as possible to help the economy.

I can inform the House — many Members may have heard the deputy First Minister indicate this at Question Time yesterday — that the business case to set up the corporation has been approved by the Department of Finance and Personnel. That development will send out powerful global messages, not least our desire to become a unique and significant contributor on the world stage to help other societies emerge from conflict. I am also acutely aware of the pressures on our Budget and the need to prioritise spending. That underlines the importance of spending money where it can deliver real and lasting benefit.

I do not intend to speak at length, but I will expand on some of the points that have been raised during the debate. I will begin with the comments of the Chairperson of the Committee for the Office of the First Minister and deputy First Minister, Mr Kennedy, who then spoke as a representative of the Ulster Unionist Party. I always prefer him when he speaks with his Committee Chairperson's hat on because he talks a lot more sense than on most other occasions. I was pleased to hear that the Committee is content to support the legislation.

During his comments as Chairperson of the Committee, Mr Kennedy asked for an update on the discussions with the Royal Ulster Agricultural Society. The programme director is in discussions with RUAS, and those discussions are at an advanced stage. I can tell the House that indications are positive, and we hope that the discussions will conclude around the turn of the year. The application for EU funding is being developed by the programme delivery unit and will be submitted in January. There is no question of the process being delayed until the development corporation is operational in April 2011.

Article 19 of the Strategic Investment and Regeneration of Sites (Northern Ireland)

Order 2003 provides OFMDFM with residual powers to give directions of a general and/or specific nature to the development corporation. In addition, Ministers have set the policy parameters of the development. It goes without saying that there will be the maximum possible consultation as the master plan proceeds.

It will be an inclusive and transparent development. I can assure my colleague from East Londonderry Mr Campbell, who intervened, that that approach will ensure that there will be neither misrepresentation nor revision of our past on any part of the site. The deputy First Minister and I have sign-off, and both of us are committed to ensuring that, if the site is to be recognised and stand out for anything, it should stand out for its economic potential and its potential to make a contribution towards lasting peace here and in other parts of the world.

Mr Spratt and, later, his colleague and mine Paul Givan sought reassurance on how the development will benefit local people. I can tell them that the following key social clauses will be incorporated into procurement plans where that is feasible: a commitment to employ at least one long-term unemployed person and two apprentices per £1 million spent; a robust and inclusive approach to stakeholder engagement; and the consideration of a community fund to engage those who may be marginalised by the development and delivery of the site.

I was pleased to hear the welcome from Paul Butler. He raised an issue about housing, which was touched on later by his fellow Member for Lagan Valley Mr Poots. In spite of your strictures, Mr Speaker, Mr Butler also managed to get John Lewis into the debate. I was surprised that Mr Poots did not respond to that when he was speaking. However, Mr Butler was positive and welcomed the proposal, as did the Member for North Belfast Alban Maginness. He referred to some of the background to the site. Like many others, he felt that the process thus far had been tortuous and slow. However, the deputy First Minister and I will say that at least we have managed to deliver where our predecessors in office failed, and we are now making progress.

The conflict resolution centre was raised by Mr Maginness, who felt sure that it should never become a shrine. In fact, he indicated that victims must not be forgotten. I very much support that view in the telling of the story of

our past in Northern Ireland. The voice of the victims must be heard, and that is something that will be very strongly in the minds of those of us who are looking at those issues.

Mr Maginness also raised the issue of how selection is to take place and how people are to be appointed. The MLK development corporation board will consist of just six members and one chairperson, and the deputy First Minister and I will appoint them. The process will be regulated by the Office of the Commissioner for Public Appointments. It will carry out the initial work and provide us with a slate of appropriate people. In doing that, we will be mindful of the skills that will be needed for the task ahead.

Mr Lunn, like Mr Butler, demonstrated his constituency interest in the matter. He raised the issue of planning powers, which was touched on by Mr Poots during his contribution. The head of the programme delivery unit has already made close contact with the Planning Service and has a key planner working in co-operation with the PDU. That approach was successfully used previously at Laganside.

The corporation has not been given any planning powers under the Order, but it is working closely with the Planning Service. Mr Poots indicated and the deputy First Minister and I indicated when we met the delegation from Lisburn City Council that this was an issue that we would look at but that we did not want to hold back the setting-up of the corporation because of the steps that would need to be taken. Therefore, we are moving full steam ahead with the corporation, but we will look very closely at how the planning processes work. I agree with the Member entirely: the last thing that we want with such a massive potential of a site is to have long delays on planning issues and people looking elsewhere in the world to carry out their development because of the slowness of our processes. Therefore, I hope that fast-tracking within the Planning Service will make it unnecessary to take other steps. However, if it is necessary to do so, we will take whatever steps we feel are important to get the thing moving properly.

The Member for Lagan Valley also asked how the corporation will control the peace building centre. The corporation board will take forward the development of the peace building centre on the site. The centre will eventually have its own management board and governance

model, which will be wholly in keeping with the requirements set down by OFMDFM. In passing, the Member asked who would be the main tenant, and I suppose the true answer to that is that none of us knows. It will, largely, be the task of the development corporation to see whom it can attract and who might be regarded as the main tenant. What we can say at this stage is that we want to proceed with the conflict resolution centre. We have high hopes that the RUAS, which would be a very significant tenant, will move onto the site. It has already been indicated that some use is being made of the site in relation to aviation, so who knows where it can lead? That is one of the exciting things about the scheme.

To enable the development corporation to fly as high as possible, we have not set parameters. The potential is limitless.

4.30 pm

The site is massive. I found it somewhat amusing to listen to some of my colleagues from Lagan Valley. Despite the site covering 347 acres and the fact that we are just starting to consider how it might be developed, they are already talking about expansion, extension and growing it to 1,000 acres. There is no lack of ambition in the Lagan Valley constituency or in Lisburn city about what can be done with the site. That encourages me because, as an economic opportunity, the site has massive potential.

The peace centre facility will have a campus-style use. I trust that people who are concerned that it might be seen as a shrine will have those concerns put to rest quickly. Apart from our oversight of the project, there will be a board whose entire purpose will be to extract the maximum potential from the site. The board will understand that it would not be in the interests of the Maze/Long Kesh to be identified as a terrorist shrine. Therefore, that is not our intention; nor will it be that of the board. None of us has ever opposed a conflict transformation centre. It has never been a matter of opposition to that facility. If there were concerns at any stage, they were about what might happen to the retained buildings and whether they might be used as a shrine in some way. There are clear parameters to ensure that that will not be the case. The story has massive, wide-ranging historical significance.

My colleague the Minister of Culture, Arts and Leisure has joined the proceedings early, not

only because he happens to be involved in the next piece of Assembly business, but to hear what is said in the debate. I hope that having listened to colleagues, particularly those who have local knowledge, he has been impressed by their outline of historical connections to the site. Had he not spent all that money on the Ulster Museum, he could have sited it at the Maze/Long Kesh. It seems that another museum is required. I am sure that he will put in a bid for it.

My colleague Edwin Poots made a positive and passionate contribution. He spoke knowledgeably and gave the hard sell for the project ahead. He said that there was room for people to change their minds. Mr Poots drew out from the spokesman for the Ulster Unionist Party a change of attitude. The new attitude was much more positive and mirrored that of his party chairman, who has been one of the founding fathers of the conflict transformation element of the site. He recognised that the Ulster Unionist Party can take as much credit as any of the rest of us for the progress that has been made.

The development of the Maze/Long Kesh should not be a party political issue. It is in the interest of the Lisburn City Council area and the whole of Northern Ireland. The Member for Lagan Valley spoke about the site's attractive location. He mentioned its closeness to motorways and to the populations of the greater Belfast and Lisburn City Council areas. The travelling distance to the site is relatively short. As he mentioned, it is within an hour's drive for several hundred thousand people. The Member for Newry and Armagh would change his mind at least a dozen times during that period. It is, therefore, open to anybody in the Province to get to the site easily, and people from the Republic can use the motorway for easy access. It is an attractive site internationally because of its location.

I was pleased to hear Raymond McCartney speak about the scale of the site. He said that it was a prime development site. He is absolutely right; there are few places around the world, never mind in the United Kingdom or Europe, with a site of such massive potential so close to a city. He indicated that it had significant economic importance. He also made a telling point about the construction industry. We know about the difficult time that the construction industry is having with the contraction in the private sector, and we can look at what has the

potential to happen with the spending review and the contraction in public expenditure, which will contract the public sector capital programmes. To have a scheme such as this rolling out in this area is a lifeline to many in the construction industry. Therefore, I think that Raymond McCartney made a strong point.

My colleague Jonathan Craig bared his local credentials and gave us a history lesson on some of the past uses of the site. I was impressed to hear that Eisenhower, Churchill and Her Majesty The Queen had been at the site, but no one seemed to mention that Mo Mowlam had gone there. Therefore, there is a story to be told about the site. I understand that the hangars there have an impressive array of aircraft. I do not think that there is public knowledge about what is available on the site, but that would be part of the marketing that the new corporation would do.

I thank Members for their contributions. This is an exciting development opportunity that has enormous potential for our community and that is significant to our regional economy. As the chairman of the Ulster Unionist Party said of the Maze project:

“For 30 years the prison has been a symbol of conflict, division and the worst days of Northern Ireland’s history and troubles.

We are now able to offer a vision that is a symbol of hope for the future.”

I believe that the Assembly has shown a positive view of what can be grown and developed in this area. I also believe that the Office of the First Minister and deputy First Minister will give every support and assistance to the development corporation, and I know that Lisburn City Council will do likewise.

I commend the draft Order to the Assembly.

Question put and agreed to.

Resolved:

That the draft Strategic Investment and Regeneration of Sites (Maze/Long Kesh Development Corporation) (Northern Ireland) Order 2010 be approved.

Committee Business

Participation in Sport and Physical Activity

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 15 minutes in which to propose the motion and 15 minutes in which to make a winding-up speech. All other Members who wish to speak will have five minutes.

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

That this Assembly approves the Report of the Committee for Culture, Arts and Leisure on its Inquiry into Participation in Sport and Physical Activity in Northern Ireland.

Thank you, Mr Speaker; go raibh maith agat, a Cheann Comhairle. Before commenting on the substantive matter that is before the House, I, as Chairperson of the Committee, would like to express my gratitude to the people and groups who contributed to the inquiry. I offer my appreciation to the Committee secretariat for its work in arranging the evidence sessions, formerly under the leadership of Dr Kathryn Bell, and, latterly, Lucia Wilson. I thank those Committee Clerks for helping to draft the report. I also express our appreciation to the Assembly’s Research and Library Services for the high quality research and analysis that it provided to the Committee, and I thank Hansard staff for their patient and accurate reporting of the evidence sessions.

The Committee is grateful to all those who provided written and oral evidence during the inquiry. I thank my Committee colleagues for their commitment to the inquiry and for the constructive and collegiate approach that they all adopted in trying to understand the barriers that hinder or prevent people from increasing participation in sport and physical activity and in trying to find ways to ensure that those barriers are overcome.

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

Sport and physical activity are an essential part of a healthy lifestyle. The Chief Medical Officer recommends that adults should engage in 30 minutes of moderate physical activity at least five times a week. However, that message is not necessarily getting through to the majority of

people. Leaders in the field of health and sport have found that, in this region alone, 2,000 deaths a year can be attributed to a lack of physical activity, a fact that was revealed during the inquiry when we heard from medical chiefs.

The Department of Culture, Art and Leisure's (DCAL) target under the Programme for Government 2008-2011 to halt the decline in levels of participation in sport and physical recreation is to secure 53% participation. That is to be welcomed, but it is clear that more needs to be done, as the inquiry found. In undertaking the inquiry, the Committee sought to identify and analyse the barriers and to consider the solutions to increase participation levels across the population as a whole, and, in particular, among groups with lower than average participation levels.

During the inquiry, a significant number of stakeholders informed the Committee that if the current situation pertains and continues, where there is no co-ordinated interdepartmental approach to tackle the low level of participation in physical activity and sport here, levels will continue to fall and the decline in the health and well-being of the population will have even greater economic and social consequences for this region as a whole. That is a worrying prediction that should concern us all.

As one of the witnesses put it:

"At government level, all Departments have a role to play in planning and working with education providers and the health and leisure industries. Indeed, they have a role in planning future housing, parks, road services and transport policies. All of those need to be integrated in order to impact on people and change their behaviour."

The Committee came to the firm conclusion that the Executive should prioritise the need to increase participation in sport and physical activity and, accordingly, should provide the necessary funding to implement 'Sport Matters: The Northern Ireland Strategy for Sport and Physical Recreation 2009-2019', in the forthcoming comprehensive spending review. The Committee also concluded that the Executive need to champion participation in sport and physical activity and ensure that all relevant Departments are assigned targets for facilitating participation opportunities under the next Programme for Government. The Committee concluded that the Department of Health should invest more of its budget

in preventative health measures that involve participation in physical activity. The GP referral scheme, whereby patients are sometimes referred by GPs to leisure centre or gym provision where appropriate, is a good example of work in that field.

Although the inquiry focused on adults, the Committee recognised that a more focused and strategic approach needs to be taken to ingrain the sporting habit in children and young people. Research has found that if children and young people have a positive experience of sport and physical activity at an early age, the active lifestyle habit will be carried on into adulthood. In light of that, the Committee calls for more to be done by schools and sports clubs to encourage participation from early childhood until children leave formal education. As the inquiry progressed, we learned that there is a great deal of timetabling pressure in schools, meaning that physical education (PE) provision is often neglected or underprovided for. That is why the Committee has recommended that the Department of Education should assist schools to meet the target of providing two hours of PE every week and make it a priority for primary schools to meet that target.

4.45 pm

The Committee also engaged via video conference with Government officials from Finland, because the Finnish example is an excellent one; the Finns managed not only to halt the decline in sports participation but increased participation rates threefold. In learning from the Finnish example, the Committee hopes to enhance the sport habit in youngsters by calling on Sport NI, local government authorities, such as Belfast City Council and other district councils, and sports governing bodies to fund programmes to provide opportunities for families to participate as a unit in sport and physical activity.

Our Committee always welcomes presentations from the Gaelic Athletic Association (GAA), the Irish Rugby Football Union (IRFU) and the Irish Football Association (IFA) because they are such big players in the world of sport. I can point to good work being done in this area by the Gaelic Athletic Association as a model of best practice. There is an initiative I would like to draw attention to called Gaelic for Mums, which encourages mothers who drop their children off at underage training sessions to

remain and play themselves. That has become even more organised, and, in my own county, clubs such as Carrickmore St Colmcille's and Drumragh Sarsfields have excelled in providing opportunities for mums to play Gaelic sports.

As well as pointing to the need for creating a positive physical activity habit in our children and young people, the Committee came to the view that Departments, local government authorities and sports governing bodies need to do more to maximise the use of land and property under their control. Stakeholders gave details of how walkers, runners, joggers and cyclists could avail of land and properties under their control if permission were granted to open them to the public. That would enable people from lower-income communities and backgrounds — a group that the Committee found to have lower than average participation levels — to engage in informal and free physical activity, as well as other hard-to-reach groups.

In light of that, the Committee recommends that the Department for Regional Development (DRD) and local government authorities continue to develop safe, well-lit walk and cycle paths, and we call on DRD to reduce speed limits on roads that form part of the national cycle network. The Committee also recommends that the Department of Education make school facilities more available to communities at evenings, weekends and during school holidays. Sports governing bodies should also maximise their facilities to encourage complementary physical activity.

The Committee recognises that employers have a key role to play in encouraging employees to participate; that should be incorporated into the wider focus on the promotion of work/life balance in the workplace. Investing in the promotion of physical exercise and health messages among employees not only increases physical health but a sense of mental well-being. I remember visiting the Royal Mail sorting office at Mallusk and thought that it was one of the best examples of employers providing employees with opportunities to participate, and many of them take advantage of that and come in an hour early to participate in sport and physical activity there.

The Committee recognises that there are hurdles to workplaces lending themselves to the promotion of participation. One witness said:

"In order for staff to do those things, there must be environmental changes to buildings, such as provision of showers, so that people who come to work by bicycle can shower and change their clothes if they wish. Therefore, many things must be integrated in order to encourage people at employment level."

As such barriers exist, the Committee recommends that the Department of Enterprise, Trade and Investment (DETI) provide targeted advice and assistance to employers in relation to the adoption of schemes such as Bike 2 Work and the altering of premises to assist in the creation of a work environment conducive to participation in physical activity. The Minister knows that we are lobbying her and her Department strongly to lead in that area as well.

It is clear that the importance of participating is not getting through to the majority of the population. The Committee heard worrying statistics that, in this region, 59% of adults are categorised as obese and 26% of children are categorised as either overweight or obese. As a society, we could be sitting on a time bomb if something major is not done to stop the increase in the sedentary nature of modern living, and we need to act now. Therefore, the Committee is in favour of a government-led advertising campaign that contains simple messages about how people can build organised sporting activity and informal physical activity into their everyday lives. Those messages need to be targeted, relevant and urgent.

During the Committee's evidence sessions, it heard that groups in our communities experience certain barriers and hindrances that cause them to have lower than average participation. Those groups include women, people with disabilities, older people, people with low incomes and ethnic minorities. The Committee recommends that Departments and local authorities do more to address specifically barriers to those groups in society and to create opportunities for them to have as equal an opportunity as the rest of the population to engage in physical activity.

As regards next steps, the majority of witnesses said that an interdepartmental co-ordinated approach is needed to tackle the decline in participation. All relevant Departments and their Ministers need to make new targets for creating participation opportunities under the next Programme for Government. If that is not done, the physical well-being of the public

will continue to decline until this region is left to face far-reaching economic and social implications. It is, therefore, in the interests of the public whom we serve to make that a priority in the new Assembly session. I assure the House that, as Chairperson of the Committee for Culture, Arts and Leisure, I will endeavour to ensure that steps are taken to address the 24 Committee recommendations of the inquiry into participation in sport and physical activity. I commend the report to the House and seek its backing and support for the motion.

Aside from that, I commend the Minister, in the week that is in it, for sporting a Down tie.

Lord Browne: I welcome the Committee's report into sport and physical activity, and I thank the Committee Clerk and all the staff who put in many hours of hard work to produce an excellent report. The key components of the challenge to increase physical activity among the population are increasing access to good sports facilities and the public's awareness of them. I will, therefore, confine my remarks to one of the report's recommendations.

In many respects, the report addresses those components, which the Committee Chairperson outlined, and that is to be welcomed. Although the report identifies the fact that school facilities are part of the equation, I do not believe that it emphasises enough just how important they are. We know that many schools have dedicated sports pitches and facilities and that, in fact, many of them are required to have such facilities. However, in many cases, school facilities are of a better standard than neighbouring council pitches. For the past number of years, many schools across the rest of the UK have opened up their facilities for local communities to use. Generally, that has not been followed in Northern Ireland. There have, of course, been exceptions, some of which have been in my constituency, and I am sure that Members also know of other schools that have opened their facilities to the public. However, in many cases, far too many school pitches and classrooms have been left empty and unused while council facilities are becoming oversubscribed. Therefore, there is a lack of facilities for people to take part in physical recreation.

It is quite right that a considerable proportion of the report focuses on land in the ownership of Departments and local government. However, it does not really examine why schools have been

unable to make their facilities available to the local community before now. The failure for that does not lie entirely with the schools, and it may be due to the intransigence of the Department of Education and its Minister.

I am sure that Members are aware that, before the recess, I tabled a motion on this very subject. Whilst proposing that motion, I made the point that schools are expected, independently, to make their facilities available for community use. That means that for a school to open to the community it would have to spend a huge amount of time and resources on organising a programme, making the community aware of that programme and checking insurance issues and child protection legislation, all of which would divert valuable time and money from educating our children. That is why schools have not been able to make their excellent facilities available. I hope that the Department of Education will take note of that motion and help schools on those issues. Hopefully, we will then be able to implement the recommendations that are contained in the report. We are simply asking that the Minister of Education give guidance on how to do those things. It would then be easier for schools to co-operate and co-ordinate with local councils and to make their facilities available. The strategy, unfortunately, will not work unless schools are involved. However, schools cannot be involved unless the Minister of Education decides to help them. I hope that the Education Department will bring forward the strategy that the Assembly called for before the recess so that the aims of the report can succeed and so that society can benefit from it. Many excellent issues are contained in the report. I hope that the strategy will succeed and that people will become fitter and healthier.

Mr K Robinson: I, too, commend the report, and I thank the Committee Clerk and staff for all the hard work that they put in and all the patience that they have shown towards Committee members.

Although the Chairman gave very wide coverage of the body of the report, I want to concentrate my remarks on children and young people and the need to begin the process of physical education early. As most of us know, young children find no difficulty in expending energy in a variety of ways, some of which we would compliment them on and others which would give us the wobbles if we saw what they were

up to — climbing and running and diving and doing all sorts of strange things.

The report should act as a wake-up call to wider society. Although many of the recommendations that we have put forward focus on the governing bodies, Sport Northern Ireland and the wider sporting fraternity, its ultimate impact will be gauged by the number of people — the ordinary folk of Northern Ireland — who change their activity levels and lifestyles as a result of our recommendations and comments.

We all have a role to play in the process, and some Departments will find that their enthusiastic involvement and, at this early stage, a modicum of financial contribution will have a beneficial impact on the public's health, mental health and general quality of life. Financially, a small sum directed towards addressing our recommendations would have a substantial role in reducing Departments' future budgets and in addressing a variety of ailments and social inequalities. The Health, Education and Social Development Departments each stand to gain by joining DCAL to deliver on these issues.

There is strong evidence that the likelihood of adults taking regular exercise is influenced greatly by their experience of sport and physical activity as a child. Sadly, as has already been mentioned by the Chairman of the Culture, Arts and Leisure Committee, only 17% of primary school children in Northern Ireland are provided with the recommended two hours of physical education a week. Obviously, there is scope for improvement, and PE must be given a higher status and a greater priority in our schools. I spoke to a school principal today about this, and he said that it would be very, very difficult to find the extra time unless some change is made in the Department of Education's approach to the primary curriculum. That was the downside. However, the upside is that he also told me that parents come to his school in the evening and that he sets aside space for them to carry out physical activity. That is an example of the family coming to one location and getting some sort of physical activity. The parents see the children learning and the children also see the parents learning. There is a cyclical effect, which could perhaps enhance future physical education levels.

5.00 pm

The Department of Education needs to be much more proactive and imaginative in assisting

schools to meet that two-hour minimum target. The Education and Training Inspectorate is a vital link in that. It goes in and inspects other areas of the curriculum; here is an opportunity to go in and reinforce the message that more physical activity needs to take place in schools.

The Minister of Education, who for a strange reason was mentioned again and again by Members, will get a mention from me, because she often tells us in other educational settings about the benefit of following the Finnish model and what Finland does best. Can I draw it to her attention that Finland is aiming at three hours of physical education in its schools? There is a model for the Department of Education to follow.

As well as setting aside the time, we have to be careful that an enjoyment factor is built into participating in sport and physical education generally, rather than the conscription that sometimes seems to overlay certain sports, whereby children who wish to engage in physical activity and use a certain sport as the vehicle to take that forward find themselves dragooned into a sport with which they have no affinity. Sadly, one sometimes gets the impression that not taking up that offer somewhat sets those children apart from the crowd. We need to look at that as well. Young people are entitled to follow the type of sport that they wish to follow.

Formal links between sporting clubs of all types and schools can help young people to make that transition between the primary school and secondary school and into adult life or further education. Some evidence suggests that there is quite a drop-off at that stage. We are entitled to physical education up to the age of 16; we would like to see that encouraged up to the age of 18, but we should also look at the gap between leaving that part of formal education and moving on to higher and further education or into the world of employment. Sporting clubs and schools could link together to make sure that more people carry forward their physical activities.

Sporting bodies need to put in place structures that facilitate lifelong learning and activity. The GAA, for example, reflects, as a person moves through their life cycle, the amount of activity in which they can safely engage, and then, as it goes over the peak, there is still physical activity in which they can safely engage as they reach the other side of the hill. We would like to reinforce that model of good practice.

Mr Deputy Speaker: Bring your remarks to a close.

Mr K Robinson: Last but not least, we feel that the family that plays together stays together, thereby reducing many of their social problems. Therefore, we have encouraged Sport NI and local authorities to provide and expand a range of opportunities in which families may participate as a unit.

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

Mr K Robinson: I thank you, Mr Deputy Speaker.

Mr McCarthy: As a member of the Culture, Arts and Leisure Committee, I support the report and recommend it to the Assembly. Like the Chairman and other members, I thank all the Committee staff, who were ever so helpful, as always, as we progressed through the report's findings. I also thank all the groups and individuals who responded to the consultation and the officials of the Department who helped. I welcome the presence of the Minister in the Chamber.

The Committee was aware of the shortcomings and inadequacies regarding participation in sport and physical activity across Northern Ireland. The report confirms that and makes 24 recommendations to put the matter right. Among them is the need to overcome barriers so that people are encouraged to become involved in some sort of recreation to improve their physical condition and mental well-being.

The report makes it clear that people from certain areas and backgrounds and from low-income families find it difficult to be motivated due to a lack of confidence, transportation, perhaps, and maybe even a lack of childcare provision. Those obstacles must be tackled to help people to get into healthy activity, which they would most certainly enjoy. We need programmes aimed at increasing participation among women, people with disabilities, ethnic groups and, of course, older people.

Our Committee leads by example. Members may recall that, when we started the inquiry some time ago, the Chairperson, Dominic Bradley and I set off to train, under the management of Ken Robinson, for Sport Relief. Due to Ken's expert management, Barry and I took part in Sport Relief. That shows that we lead by example and that, when people set their mind on something, they can do it.

I remind Members of another example of our leading from the front. Last week, a number of Committee members took part, very willingly, in the MLAs' football team. We were robbed after leading 2-0; we were absolutely robbed by May McFettridge. The Minister looks stunned: he does not believe me, but we were robbed after leading 2-0. Jackie Fullerton said that the man of the match was a 73-year-old goalkeeper. I know that I was man of the match, but I am not 73, so Jackie got it well wrong on that occasion.

Local government has a role to play, as councils could offer groups that experience barriers to participation the opportunity to use their leisure centres, perhaps during periods when there is a low uptake from the general public. The Committee recognises that all the issues mentioned affect people across our community, regardless of where they come from.

Chapter 3 of the report deals specifically with barriers to participation. Recommendation 14 suggests that Sport NI set targets for governing bodies to increase their participation rates as part of grant-funding packages. Perhaps Sport NI could consider that to encourage participation. As the Alliance Party's health spokesperson, I feel that it goes without saying that participation in sport contributes to a good, healthy lifestyle. We are aware that sporting bodies promote the healthy eating message, which can reduce obesity and other diseases that emanate from the lack of a healthy diet.

The Committee feels that there is a need for an interdepartmental policy, which has already been mentioned in relation to education.

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

Mr McCarthy: The report should be taken seriously by the Executive. As the Minister is here, I want to express my disappointment at the funding difficulties that have been experienced by Special Olympics Ulster. That is totally against the findings in the report. We want to see everybody participating in sport and recreation.

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

Miss McIlveen: The benefits of physical exercise have been well documented, as have the potential consequences of a lack of exercise. Regular exercise can assist in tackling the obesity problems that have been

increasing in the UK over the past number of years because of a much more sedentary lifestyle. Regular exercise has also been shown to help in the prevention of strokes, diabetes, osteoporosis and certain types of cancer.

In speaking about the report, I want to cover two broad themes: the need for a cross-departmental approach and developing employers' potential to increase their employees' participation in sport and physical activity.

Witnesses highlighted the fact that no organisation or Department has taken on the mantle of seeking to address declining levels of sporting participation and in particular physical activity, despite that clearly coming under the remit of the Department of Health, Social Services and Public Safety.

The continuous household survey has revealed that 70% of the adult population of Northern Ireland are either inactive or are not taking enough exercise for it to be beneficial to their health. I declare an interest as one of those who make up the 70%. The result is that obesity levels have almost doubled in the past 25 years, and, according to Sport NI, 59% of adults in Northern Ireland are either overweight or obese.

The report before the Assembly shows the financial incentive that exists for Departments to address those problems. Witnesses from the British Medical Association advised the Committee that obesity causes around 450 deaths each year in Northern Ireland and drains the economy of around £500 million. Furthermore, the Committee was also informed that, were the problem of obesity to be addressed, it could save the Health Service in Northern Ireland £8.4 million and reduce work days lost to sickness by 170,000 days.

The report highlights the various barriers to participation, and there are ways in which our Departments can seek to overcome those barriers. It recommends that greater co-operation is needed across Departments and key stakeholders. It is essential that Departments such as DCAL, DHSSPS, DETI, the Department of Education, DRD, DARD and DOE be part of a cohesive approach to healthy living, physical exercise and associated issues across Northern Ireland.

DCAL's role is obvious, as it is directly responsible for sport. I have already highlighted the potential benefits of increased physical

activity to the Health Department. Responsibility rests with that Department to assist in the promotion of physical activity. It is also its responsibility to make it clear what levels of activity are required. The report also deals with the confusion surrounding the definition of physical activity. That also needs to be clarified.

The Department of Education plays a vital role in introducing physical activity and sport at an early juncture in our lives. We have heard that already from Mr Ken Robinson and Lord Browne. There is a huge sporting estate in Northern Ireland that could be opened up for wider use. That matter was brought before the Assembly by one of Mr Robinson's colleagues and by my colleague Lord Browne. A great deal of that estate is underused for large periods and could be used during the evenings, at weekends and during school holidays by the wider community.

The report highlights DRD's responsibility for the maintenance of the cycle network and safe walking areas, which are important to encourage more active means of travel. The report recommends that DRD seek to reduce the speed limit on roads that are part of the cycle network to improve safety and thereby encourage greater use of the network by cyclists.

DETI's role links in neatly with my second theme, which is the role of employers. The Committee recommends that DETI should promote the benefits of physical activity to employers. As I said, a huge number of work days are lost each year as a result of illness that could be prevented or at least minimised through adopting a much healthier lifestyle. It is of enormous benefit to employers to have a healthy, happy workforce. The Committee heard evidence on innovations by employers in Finland to enable staff to engage in sport and other activities, such as collaboration with leisure centres to give lower membership rates to employees and the establishment of company sports teams. Employers can further assist employees by making it easier for them to seek healthy means of travelling to work by installing changing facilities and providing bicycle storage.

Evidently, the various Departments have roles in increasing participation in sport, but it is very important that a co-ordinated approach be taken. Communication should ensure that there is no duplication of work and that funds and resources are wisely used. To do that, the Committee recommends that an

interdepartmental forum be introduced to develop policy intervention.

I thank the Committee staff and all those who contributed to the report. I commend the report to the House.

Mr Leonard: I endorse many of the points that my colleagues on the Committee made, and, in particular, I thank Committee staff, past and present, who have put so much work into the report. However, I do not endorse what seems to be a concentrated criticism of the Minister of Education. Yes, there are many issues about the schools estate that we must all take on board, but, given her sporting prowess and activity in sport, I am sure that the Minister will be very supportive. Perhaps if we set up ESA, we would get some funds to put towards this project.

5.15 pm

Let us put aside that little bit of politicking. In my remarks, I want to concentrate on the social marketing side of the report; that is, getting the message out. We can collate information from research, meetings and opinions, but, if we do not get the right message out successfully in the right way using the right methods, we could be in difficulty. There is much work ahead in deciding how to sell the message that people should increase activity in sport and general physical activity.

The social marketing side of the issue is about changing perceptions; it will not be about contributing to information overload. There will have to be some method by which we change perceptions. I will not rehearse the figures that my colleagues quoted, but they are startling. There needs to be a societal change of perception about the importance of the topic.

I recently heard on an RTÉ programme about the ever-growing number of people suffering from diabetes. There are many issues around that increase, one of which was activity levels among the population. The programme said that they had to be increased to combat diabetes.

The message must be inclusive; it cannot be germane merely to the main sporting clubs but must reach people who are involved in informal physical activity: the private person who walks or cycles or the family that goes hill walking at the weekend. It must embrace all those groups and individuals. We have to devise an inclusive,

straightforward message that gets home to everybody and is open to all.

We have to use all media to get the message out. We must stress that it is not about elitism; that point came out in the evidence sessions. It is not about expensive gym membership; increasing physical activity or engagement in sport is something that everybody can do. I can envisage a strapline and logo that could be embraced by the biggest GAA, rugby or soccer club in an area, but the same strapline and logo could be taken on by a private person who goes for a walk once a week, three times a week or every day. If we are to have a widespread effect, we must have an inclusive, punchy message.

Finland was mentioned, and I will briefly mention the Fit for Life programme, as we can take helpful aspects of its social marketing side. I am sure that there are other such schemes.

That brings us to the kernel of money. The report rightly recommends that the Executive fund the marketing message and advertising campaign. In recessionary times, our knee-jerk reaction is that there is not enough money. However, for the life of this and future generations, the money to market this idea could be an investment in health, well-being and in society at large. We have to look at it in that way.

Various Departments could contribute to the funding, as it concerns health, culture, arts and leisure, and education. Let us at this early stage, before we write the cheque, ensure that we do not get into departmental silos; the financial implications must be embraced by all Departments. If we get the right message across, using all the media, including the modern media that we have to engage with, that will create its own momentum.

Mr Deputy Speaker: Will you draw your remarks to a close?

Mr Leonard: I will indeed. If we do that, the sporting fraternity, both clubs and private individuals, will embrace the message and sell it themselves.

Mr McCartney: Ba mhaith liom fáilte a chur roimh an tuairisc seo. Most of what has needed to be said today has already been said, so I will not repeat it. I add my thanks to the Committee staff for their work and particularly thank those who gave evidence. I was particularly struck by the small conference that we held in the Long

Gallery. Not only did people come to promote their sport, they came with a view that they had to increase participation in sport, which I found very encouraging.

Contained in the report and in all the evidence that we gathered was the relationship between physical activity or sport and a healthy lifestyle. In many ways, it is a very obvious message. However, we received statistics throughout the inquiry that showed that participation in sport and physical activity among the adult population is decreasing. I found that a bit surprising given all the positive messages.

Last week, Kieran McCarthy was not man of the match, but he was certainly the surprise package. A number of bodies came together to ensure that a massive amount of resources have been put into what are excellent facilities. When the First Minister, Peter Robinson, opened the new facilities, he made the point that people who involve themselves in sport or physical activity automatically prevent themselves from using the health system unnecessarily.

One of the key messages from the report is that there should be co-operation among Departments. Although there has been a wee bit of it today, we should not see the matter as a finger-pointing exercise and blame this Minister or that Minister. If all the Ministers agreed that more money and resources should be put into sport and physical activity, we could save money.

Similarly, we should design our schools so that they are more usable by the community. The boards of governors have a responsibility, but school principals and staff say sometimes that they do not want communities to use their premises at night because classes can be disrupted the next morning. If we design our buildings in a particular way, they can be better used. We should call for better co-operation.

The report also looked at the idea of elite sports versus participation. I do not think that this is a case of elite sports versus participation or non-elite sports attacking elite sports. Where participation can be increased, elite sports should be encouraged to do so. Indeed, the presentation that the Committee received from Ulster Rugby, which is one of the elite sports, stated that attached to funding or any sort of programme should be targeted proposals for greater participation. That is the responsibility of Sport NI.

That is not to say that we should not finance elite sports; of course we should. Elite athletes are seen as role models by young people, and they will then get involved in physical activity. However, there is nothing particularly wrong or improper about asking elite sports, when they are putting together their programmes, to include proposals to increase physical activity. It comes back to the core point: as budget lines are being sought, we all see the massive strain on the Health Service. If we can come up with innovative ways — across Departments and with no Department feeling that it is immune or that the matter is the responsibility of another — of ensuring that we increase sport and physical activity, we will reduce the pressures on the Health Service and, in many ways, create more resources to spread about and keep the whole cycle going. Go raibh maith agat, a LeasCheann Comhairle.

The Minister of Culture, Arts and Leisure (Mr McCausland):

I thank the Chairman, members of the Committee and Assembly staff for the time and effort that they put into preparing this important report. I also acknowledge and thank all the organisations and individuals who submitted evidence and views on this issue. I welcome the debate today and the contributions from Members.

As the Minister with responsibility for sport in Northern Ireland, I have, of course, followed the Committee's deliberations on the question of adult participation in sport and physical activity with considerable interest. I am aware of many of the presentations that it received as part of its inquiry. I was also very pleased and am grateful to the Committee for giving me an opportunity to make my own presentation to it on the subject, a fact that is well acknowledged in the report. Indeed, having received the report, I note straight away that I am quoted on a number of occasions. There are also frequent and extensive references to my recently published sports strategy, Sport Matters, which was developed by DCAL in partnership with the Department's arm's-length body Sport Northern Ireland.

I always welcomed the Committee's decision to undertake an inquiry into the causes of the decline in adult participation in sport and physical activity in Northern Ireland. Although physical activity — as distinct from sport and recreation — is not my responsibility, as sports Minister, I believe that the problems

of declining sports participation and declining physical activity are interrelated. I also believe that effective, well developed and properly constructed sports policies and programmes can contribute enormously to tackling the problem. That was one of the reasons why I was keen to put in place a new sport and physical recreation strategy for Northern Ireland that would set a clear framework for long-term development. In May 2010, after receiving Executive approval, I launched the strategy 'Sport Matters: The Northern Ireland Strategy for Sport and Physical Recreation 2009-2019'.

Since launching Sport Matters, I have established a Sport Matters monitoring group to oversee delivery and to approve and monitor action plans for implementation. The Chairperson of the Committee for Culture, Arts and Leisure, Barry McElduff, spoke of the need for a cross-departmental approach, and I am sure that he will agree that the sort of approach that we are adopting for Sport Matters, in which a cross-departmental monitoring group will oversee delivery and approve action plans, is a good way forward. However, I was very much concerned by Barry McElduff's comment that I am sporting a tie that is in the colours of the Down team. In view of the fact that my tie is actually red, white and blue, one of two options must apply: either Barry McElduff needs to visit Specsavers or, possibly, Down intend to stride on to the pitch this weekend having abandoned their previous colours and bedecked in red, white and blue, which is something that Members on this side of the Chamber would welcome very much.

Mr McCartney: The Minister is right about the fact that they are going to change their colours, but, unfortunately, they are going to wear yellow.

The Minister of Culture, Arts and Leisure: If the Member had said orange, I might have been happy. Certainly, red, white and blue would be even better.

I chair the meetings of the cross-departmental group, which brings together senior representatives of Departments and agencies with responsibility for sport, health, education, employment, social development and the environment; we really are bringing together quite a range of Departments. Already, the arrangements for implementing Sport Matters are being advanced, as is the preparation of detailed action plans for delivery. That

implementation and delivery is being co-ordinated by Sport Northern Ireland, which is also mentioned in the Committee's report and recommendations.

The question that may fairly be asked is: how does all that relate to the issue under debate, namely the evident fall in adult participation in sport and physical activity? In my foreword to Sport Matters, I identified the need to halt the decline in adult participation, and I stated that that was an early and key priority for the strategy. Beyond that and within the life of Sport Matters, I have set a target to increase adult participation rates by 3% from whatever baseline is established in 2011. That is an ambitious goal.

As Sport Matters makes clear and as the Committee report seems to recognise, no one person or organisation can single-handedly solve the problem of declining sports participation. A range of factors and societal issues contribute to the situation. If we are to succeed, we need a collaborative, joined-up approach, such as that recommended in the strategy. Moreover and as the Committee report also appears to suggest, one cannot separate the issues affecting adult participation rates from, for example, children's participation.

One cannot separate it from the challenges facing other groups that are currently under-represented, such as women, people with disabilities, those suffering socio-economic disadvantage and older people. One cannot separate it from our facilities deficit.

5.30 pm

In that context, it is pleasing to note that the Committee appears to have considered at least some of the more holistic issues affecting adult participation. The report refers to improving children's participation and improving facilities or places for sport and physical activity. Chapter 2 contains obvious references to under-representation among certain categories of people, and those themes are mirrored in Sport Matters.

It is important to make the point at this stage that low participation and under-representation are complex issues that go beyond section 75 categories: they are multifactorial. The availability and accessibility of facilities and services to all in the community, irrespective of categories, is an important factor and so is the quality of those facilities and services. Issues

with performance sport, sports science and coaching, none of which are directly mentioned in the Committee's recommendations, also have an impact.

Sport Matters recognises those realities. It makes the case for a fully holistic approach to the development of sport based on three key pillars: participation, places and performance. It insists that the problems, needs and failures are cross-cutting and that solutions must be widely owned. It identifies roles for central government, a range of Departments, local government, Sport Northern Ireland, sports governing bodies, the voluntary and community sector, the private sector, schools, coaches, athletes, sports science, the media and employers.

Obviously, no improvements can be delivered without effective and properly targeted investment. Up to now, I have been able to use Sport Matters to make the case not just for protecting existing investment in sport but for placing it on a stronger financial footing than previously. Even so, as everyone knows, we are now facing a much more challenging budgetary environment. My Department is likely to face considerable pressures and difficult policy choices in the near future. In turn, that pressure will almost certainly feed through to DCAL's arm's-length bodies, such as Sport Northern Ireland. It, too, may have to take some very tough decisions over the coming years on priorities and what needs to be delivered. Therefore, my Department is working with Sport Northern Ireland on planning scenarios on which decisions have yet to be taken.

Some Members may be concerned about the implications of all that on our ability to fully deliver, and I understand those concerns. However, the present financial situation makes stronger the case for the type of collaborative working and sharing of resources that Sport Matters and, as it now appears from the Committee's report, the Committee require. More than ever, Ministers, Departments and other stakeholders need to look imaginatively at ways of supporting each other practically and financially. I made that point in my evidence to the Committee inquiry last April, and I also outlined to the Committee some of the steps that I have already taken. I further suggested that the Assembly and its Committees have an important part to play in encouraging greater collaboration within government and between Departments on the issue of participation.

On that basis, I welcome the fact that the recommendations in the Committee's report are not solely aimed at sports organisations. Sport certainly has a vital role to play: however, so do many other sectors. The content of the report suggests that the Committee accepts and recognises that fact. Recommendations are aimed at Departments, including the Department of Health, Social Services and Public Safety, the Department of Education, the Department for Regional Development and the Department of Enterprise, Trade and Investment. Clearly, the Ministers concerned must respond to those recommendations.

All I will say at this stage is that, if what Sport Matters envisages can be achieved, the benefits will be wide-ranging. The Committee report rightly places strong emphasis on the role of sport and physical activity as an essential part of a healthy lifestyle. Sport Matters also recognises that link. In fact, it sets out substantial evidence on the vital contribution that sport and physical activity can make to health and well-being.

However, that is not the only benefit. In addition to the health value, Sport Matters provides compelling evidence of the contribution that well-structured sporting activity can make to educational attainment, economic growth, tourism, combating crime and the development of communities. It also suggests that sport has an intrinsic value as a key part of our culture and that any decline in participation should, therefore, be of concern to us all.

I welcome Ken Robinson's point that we should also remember the enjoyment to be had from sport. Indeed, if people enjoy sport, they are more likely to take part in it and in other forms of physical activity.

Kieran McCarthy referred to the Special Olympics Ulster, and I assure him that DCAL has taken the lead on behalf of a number of Departments and prepared a business case for its funding. That business case has been circulated to other Ministers to seek their views on future funding — £2.6 million is required over four years — and on the way forward. That is another issue that requires a cross-departmental approach, and I hope that there will be support from all the Departments that are coming together on it. The Department is awaiting those responses.

I am delighted that the report is now available and that I received a copy in the past few days. The Committee has offered me an opportunity to respond to its recommendations by 12 November 2010. Given the circumstances and the importance of the issues that the Committee report raises, it is right to take time to prepare a full and considered response to those recommendations. I will give the report the attention that it deserves and provide my comments on the recommendations by the date requested.

The Deputy Chairperson of the Committee for Culture, Arts and Leisure (Mr O'Loan): At the outset, I apologise for the absence of my colleague Thomas Burns. He is a member of the Committee for Culture, Arts and Leisure and wanted to speak on the issue, but, for unavoidable reasons, he is unable to be here.

When listening to the little interchange about the colour of the Minister's tie, I think that I heard him say that he will give his full support to Down in the all-Ireland football final on Sunday.

The Chairperson of the Committee for Culture, Arts and Leisure: Perhaps the Minister should hand up his tie for independent verification. *[Laughter.]* It looks very much like a Down tie from here; it seems to be red and black rather than red and navy. Tyrone are also playing on Sunday in the minor final, and if the Minister is not making use of his tickets, Willie Clarke, John O'Dowd and I would like to do business with him.

The Minister of Culture, Arts and Leisure: If the tie is red and black, it is for Crusaders Football Club.

The Deputy Chairperson of the Committee for Culture, Arts and Leisure: As the Deputy Chairperson of the Committee, I thank the staff in the Assembly secretariat for their assistance. I particularly want to place on record my and the Committee's appreciation of all the organisations that provided evidence to the Committee as part of the inquiry. A wealth of experience and expertise was generously provided to the Committee by community groups, sporting bodies, Departments and local government, and it was all very useful. I trust that when those who gave evidence to the Committee read the report, they will see their comments reflected in it.

I also want to thank all Members who contributed to the debate this afternoon. In his opening

remarks, the Chairperson of the Committee, Barry McElduff, set the context well and touched most bases that are addressed in the report. He told the House, in rather stark terms, that 2,000 deaths per annum in Northern Ireland are attributable to physical inactivity, which makes us focus on the significance of the issue.

Lord Browne spoke about the importance of schools' facilities. He told the House that those facilities are often better than council pitches and called, as he has before, for them to be made more readily available to the public. I will not join him in his critique of the Minister of Education, as that has been adequately rehearsed.

Ken Robinson, when addressing the issue of children and young people, correctly told the House that directing a small amount of money to the recommendations of the report can make a big difference to its sought outcomes. No doubt he was reflecting on his experiences as a schoolteacher when he told us, again wisely, that the experience of children is critical and that it should worry us that only 17% of schools provide the recommended two hours of physical education and sport a week. He gave examples of the good provisions that are provided by a school that makes its facilities available to, and encourages, whole families to use them.

Again, he rightly emphasised that it is not only the amount of time that is spent on physical activities but the quality of the experience that is important; that will have a considerable bearing on whether children continue to be involved in sports as they make the transition to adulthood. Therefore, the likes and desires of young people must be closely examined. We note that that transitional stage is significant, and people often stop taking part in sporting activities during that time.

The report refers to some encouraging links between sporting bodies and schools, which are not always easy to maintain. By their nature, there happens to be some silo working there. That point is worth making, and such links should be encouraged.

Sporting bodies need to develop strategies for lifelong involvement in their sports. It is right that the GAA is cited as a model of best practice. Other sporting bodies could benefit from looking at that practice.

Kieran McCarthy rightly discussed the barriers to participation that particular groups face. Some groups are well known for low levels of participation, and he referred to women, disabled people, older people, those on low incomes and those from ethnic minorities. Local government can play a role, and Kieran referred to the possibility of them simply offering their facilities at a time when demand is, in any case, low. Some local authorities have used other mechanisms, such as reducing or removing charges for certain categories of people, for example those on low incomes. He approved of providing participation targets for sports bodies as a condition of funding. Another Member referred to the fact that Ulster Rugby advocated the setting and meeting of such targets.

Kieran made a special case for Special Olympics Ulster. I note what the Minister said about that, and I commend him for what he is doing. I hope that that can be carried through to eventual success in conjunction with other Departments.

Michelle McIlveen summarised well and persuasively the benefits of greater participation in sport in addressing obesity. She referred to the challenges that come from the sedentary lifestyles that many of us indulge in nowadays, the consequences of which are illnesses such as strokes, heart disease and diabetes.

She discussed the need for a cross-departmental approach and cited the seven Departments that are involved, with none of them taking ultimate and overall responsibility. She placed a particular responsibility on the Department of Health, Social Services and Public Safety. She was right to do so, because that Department has a particular responsibility and opportunity on that issue. Recently, there has been a significant shift towards a public health approach, and we now have a large Public Health Agency that places an emphasis on prevention rather than cure. There is also a focus on lifestyles and addressing issues such as smoking and drinking. I do not recall whether it is in the report, but celebrations in sports are often focused around alcohol, which is an issue that sporting bodies should address. There is a particular challenge for the Department of Health, Social Services and Public Safety.

Of course, that is another example of an invest to save process. The difficulty with invest to save processes is that although we make an

investment now, we will not see savings until, potentially, many years later. That is a real difficulty but not one that must turn us away from attempting to address the issue.

5.45 pm

The issue of who will co-ordinate the cross-departmental activity is significant. The Minister addressed that and referred to the cross-departmental delivery group that is already in place to deal with Sport Matters, the NI strategy for sport. We want some of our recommendations to find their way into public service agreements (PSAs) in particular Departments, which will then have responsibility for their delivery. In some cases, PSAs might be cross-departmental with a lead Department. However, I think that the Department of Culture, Arts and Leisure and the Minister should have a residual role to ensure that Departments write those PSAs and deal with them.

Michelle McIlveen pointed out that simple measures, such as providing cycleways and safe walking spaces, are of real benefit. She enumerated well the roles that different Departments can take in that regard.

Our culture and lifestyle approach needs to be altered significantly, and achieving that culture change is not easy. Billy Leonard described that as social marketing and referred to the Finnish example, which is certainly very striking. We need to embark upon putting out that healthy message, and many different groups in our society, including sports organisations, have a role to play. Some of that does not need to involve cost. People can feed off others in the community who express messages about attitudinal change. Therefore, it is important that everyone who hears those messages passes them on loudly. Billy Leonard is right to point out that the Finnish example, which is quoted in the document, was an expensive campaign. That presents a real challenge. He also, rightly, pointed out that we have not recommended activity that involves elite sports and expensive gymnasiums only. Many of the activities that we are talking about need not involve great expense.

Raymond McCartney, essentially, endorsed a number of the same messages that other Members had spoken about.

I welcome the Minister's response. He was positive about the report, and we await his

formal response. Although today represents the conclusion of the Committee's inquiry, it is not the end of the matter as far as the Committee is concerned. We will look at his formal response with interest to see how he intends to respond to our recommendations.

In conclusion, the Committee hopes that the report has helped to highlight the need to address the decrease in participation levels in a much more targeted and cross-departmental manner. We call on the Minister to draw on the evidence that is collected in the report and to commit to new targets for creating participation opportunities in sport and physical activity under the next Programme for Government. I commend the report to the House and ask Members to support the motion.

Question put and agreed to.

Resolved:

That this Assembly approves the Report of the Committee for Culture, Arts and Leisure on its Inquiry into Participation in Sport and Physical Activity in Northern Ireland.

Adjourned at 5.49 pm.

Northern Ireland Assembly

Monday 20 September 2010

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

Members observed two minutes' silence.

Committee Business

Student Loans (Amendment) Bill: Extension of Committee Stage

**The Chairperson of the Committee for
Employment and Learning (Mrs D Kelly):** I beg
to move

*That, in accordance with Standing Order 33(4),
the period referred to in Standing Order 33(2)
be extended to 11 November 2010, in relation
to the Committee Stage of the Student Loans
(Amendment) Bill (NIA Bill 22/09).*

The Bill extends the Department for Employment and Learning's regulation-making powers to allow provisions to be made to exclude student loans from individual voluntary arrangements (IVAs), thus ensuring consistency of treatment of student loans, both under bankruptcy and IVAs. At its meeting on 8 September, the Committee agreed that it would be sensible to seek an extension of the Committee Stage of the Bill to allow for a thorough scrutiny of its provisions and to provide a time contingency, should that prove necessary. Members acknowledged that this is an important Bill, and the Committee will work closely with the Department for Employment and Learning and key stakeholders to ensure that it is scrutinised properly.

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 11 November 2010, in relation
to the Committee Stage of the Student Loans
(Amendment) Bill (NIA Bill 22/09).*

Employment (No. 2) Bill: Extension of Committee Stage

**The Chairperson of the Committee for
Employment and Learning (Mrs D Kelly):** I beg
to move

*That, in accordance with Standing Order 33(4),
the period referred to in Standing Order 33(2) be
extended to 2 December 2010, in relation to the
Committee Stage of the Employment (No. 2) Bill
(NIA Bill 24/09).*

The Bill will reform the existing workplace dispute resolution process and introduce a right to request time to train. At its meeting on 8 September, the Committee agreed that it would be sensible to seek an extension of the Committee Stage of the Bill to allow for thorough scrutiny of its provisions and to provide a time contingency, should that prove necessary. Members acknowledged that it is an important Bill. The Committee has worked closely with the Department for Employment and Learning and key stakeholders over the past two years to bring the Bill to this point.

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 2 December 2010, in relation to the
Committee Stage of the Employment (No. 2) Bill
(NIA Bill 24/09).*

Welfare of Animals Bill: Extension of Committee Stage

The Chairperson of the Committee for Agriculture and Rural Development (Mr Moutray):

I beg to move

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 13 December 2010, in relation to the Committee Stage of the Welfare of Animals Bill (NIA Bill 28/09).

I seek the approval of the House to extend to 13 December 2010 the Committee Stage of this very important Bill. The Committee has taken the Bill Office's advice on the matter and is content that this is an appropriate extension. Colleagues and I met the Minister to discuss the Bill as recently as last Thursday and have agreed that it is an appropriate extension. Obviously, if the Committee can complete its formal scrutiny of the Bill any sooner, it will. I am aware that our Committee and departmental officials have already met to discuss the logistics of progressing the Bill, and that contact will continue throughout the process. In addition, the Committee undertook formal consultation on the Bill during the summer recess to ensure that its scrutiny will be completed within the period requested and, hopefully, approved by the House.

This is a very important Bill, as it aligns the welfare of non-farmed animals with that of farmed animals. It contains some very contentious clauses that attracted a large number and range of opinions during the public consultation. It is imperative that the Committee and the Department confront those clauses early in the process so that the Committee Stage can be completed in a timely manner and the Bill can continue to progress through the House and receive Royal Assent before the end of the mandate.

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 13 December 2010, in relation to the Committee Stage of the Welfare of Animals Bill (NIA Bill 28/09).

Housing (Amendment) (No. 2) 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 28 January 2011, in relation to the Committee Stage of the Housing (Amendment) (No. 2) Bill (NIA Bill 32/09).

The Housing (Amendment) (No. 2) Bill had its Second Stage on 30 June 2010. The Committee for Social Development has sought written evidence and expects to hear from key stakeholder organisations as part of the Committee Stage. The Committee's other legislative commitments have introduced an unavoidable delay to the commencement of formal evidence taking for the Bill.

As a consequence of the Committee's legislative commitments, which currently amount to three simultaneous Committee Stages, a significant extension of the Committee Stage of the Housing (Amendment) (No. 2) Bill is sought. I assure the House that the Committee will endeavour to conclude its work well in advance of the proposed extended deadline of 28 January 2011. I ask the House to support the extension of the Committee Stage of the Housing (Amendment) (No. 2) Bill to that date.

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 28 January 2011, in relation to the Committee Stage of the Housing (Amendment) (No. 2) Bill (NIA Bill 32/09).

Energy Bill: Extension of Committee Stage

The Deputy Chairperson of the Committee for Enterprise, Trade and Investment (Mr Butler): I beg to move

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 29 November 2010, in relation to the Committee Stage of the Energy Bill [NIA Bill 23/09].

Go raibh maith agat, a Cheann Comhairle. On behalf of the Committee for Enterprise, Trade and Investment, I propose an extension to the Committee Stage of the Energy Bill to 29 November 2010. The Committee is still scrutinising the Bill, and I hope that the Committee Stage will be finalised by that time.

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 29 November 2010, in relation to the Committee Stage of the Energy Bill [NIA Bill 23/09].

Safeguarding Board Bill: Extension of Committee Stage

The Chairperson of the Committee for Health, Social Services and Public Safety (Mr Wells): 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 Safeguarding Board Bill [NIA Bill 25/09].

The Safeguarding Board Bill passed its Second Stage on 22 June and, under the 30-day working rule, should complete its Committee Stage by 5 October 2010. However, the Committee has one other Bill at Committee Stage and is heavily involved in the scrutiny of the health budget. The Committee will, therefore, require an extension to the period allocated to consider the Bill.

The extension is requested to 17 December. We hope that we will not require all that time, but with two Bills now in Committee and the potential of a further private Member's Bill, it is prudent to ask for the additional time now.

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 Safeguarding Board Bill [NIA Bill 25/09].

Assembly Scrutiny of the Executive's Budget and Expenditure

Mr Speaker: The Business Committee has agreed to allow up to two hours for the debate. The proposer of the motion will have 15 minutes to propose and 15 minutes in which to make a winding-up speech. All other Members who wish to speak will have five minutes.

The Deputy Chairperson of the Committee for Finance and Personnel (Mr McNarry): I beg to move

That this Assembly approves the second Report of the Committee for Finance and Personnel on its Inquiry into the Role of the Northern Ireland Assembly in Scrutinising the Executive's Budget and Expenditure; and calls on the Minister of Finance and Personnel, in conjunction with Executive colleagues, to implement, as applicable, the recommendations contained therein.

The publication of the report and today's debate are timely, given the upcoming Budget 2010 process and the very tight public expenditure outlook that we are now facing.

I will give some background to the inquiry. I should explain that the Committee framed the terms of reference to complement a wider review of the Executive's Budget process. The first inquiry report was published in October 2008, and it contributed to the Department of Finance and Personnel's (DFP) review by identifying potential lessons from the Budget scrutiny process in other legislatures and by co-ordinating the views of the Assembly's Statutory Committees on the strengths and weaknesses of the 2007 Budget process.

The DFP review was initially due to be concluded in late 2008. However, the Committee was not briefed on the eventual review outcome until 12 May 2010, which only then enabled the Committee to proceed with the second inquiry report. Therefore, although the Committee welcomes the majority of the 14 review recommendations, it makes a number of additional and supplementary recommendations that it firmly believes will improve and enhance future Budget processes.

The Committee took evidence on the Department's response to its report at a meeting on 15 September. At the same meeting, the Budget process action plan, which was agreed by the Executive in July, was discussed with a senior departmental official. The departmental

response, together with the Budget process action plan, has since been copied to all Statutory Committees for information.

I will outline some key points from the DFP response and the Executive Budget process action plan and any issues on which the Committee considers further clarification is needed.

A major criticism from the Committee is that the Executive endorsed the action plan on 22 July without having been apprised of the views of the Assembly's Statutory Committees. The Department confirmed in writing that it received a transcript copy of the Committee's report on 2 July, while the Budget process action plan was subsequently issued to Ministers on 5 July. The Committee appreciates the fact that papers need to be issued to Ministers well in advance of Executive meetings. However, I ask the Minister to explain why he did not take steps to ensure that the Committee's recommendations were factored into the Executive's considerations before the action plan was signed off.

12.15 pm

The Committee has called for flexibility to be shown with regard to the deadline of late December for completion of the Budget 2010 process. I must stress that the Assembly needs to be given its place on that issue and that sufficient time must be made available for Committees to properly assess their respective Departments' positions. That is particularly important given that the Budget will cover a four-year period in which resources are likely to be severely constrained. It is imperative that the important role that is carried out by the Assembly, its Members and Committees is not compromised as a result of any delay by the Executive in agreeing the draft Budget for consultation. We need the Minister's commitment on that issue today.

The Minister will be aware that the weight of statutory Committees' opinion was firmly against recommendation 12 of the DFP review, which stated that:

"Assembly Committees should have the lead role in the consultation on the Executive's draft Budget proposals, with responses to the Executive co-ordinated by the Committee for Finance and Personnel."

The Committee agrees with the concerns of other statutory Committees that it is not

appropriate for Assembly Committees to take the lead role in consulting on the Executive's Budget, as they do not have the authority to act on the outcome of that consultation. Now the issue has been challenged and it appears that some confusion surrounds the interpretation of that recommendation.

The Department's response to the concerns that were raised in the Committee's report merely informed the Committee that the recommendation was endorsed by the Executive as part of the Budget process action plan. Additionally, in response to a question on the forthcoming process that was put to him in the House last Monday, the Minister stated that:

"The Committees can examine the particular Budget proposals for their Department and consult with various interested parties during the autumn."
— [Official Report, Bound Volume 55, p50, col 2].

No reference was made to the Executive in that response. That appears to leave responsibility for consultation on the draft Budget firmly at the feet of statutory Committees.

However, in contrast, last Wednesday, during an evidence session, a senior departmental official told the Committee that the purpose of that recommendation was simply to ensure that the Minister received the views of all Assembly Committees and that there is no intention to circumvent the Executive's formal consultation process. In order to address the confusion, I call on the Minister to clearly and unambiguously set out the position in that regard and to confirm whether the Executive will undertake formal public consultation on the forthcoming draft 2010 Budget.

With regard to recommendation 13, on costings for alternative spending proposals, the Department has stated that there is an expectation that any spending proposal that is put forward by a Committee will already have been discussed in detail with, and costed by, the Department. Of course, the Minister is aware of concerns that have been raised by the Committee on a number of previous occasions with regard to access to information and the level of engagement between Departments and their respective Committees. He knows that the Finance and Personnel Committee does not have any powers to assess or adjudicate on spending proposals from other Committees. Therefore, implementation of that recommendation would require a reformed system of Assembly financial

scrutiny, which, clearly, is something for future consideration. On this issue, I urge the Minister to tidy up where we are at and state whether he is up for reforming the system of scrutiny as a priority.

I turn again to the Budget 2010 process. In its report, the Committee recommended that a regularised annual budgetary review process be established within the four-year period that is covered by the Budget to enable reappraisals of departmental allocations against progress in delivering Programme for Government priorities and savings. The DFP response was that such a review process exists in the form of in-year monitoring. However, that begs the question as to whether the in-year monitoring process is sufficient to enable strategic reappraisals of overall departmental baselines and provide for a sufficient level of Assembly and other stakeholder input.

The DFP response misses the point that in-year monitoring, by definition, is focused primarily on current year expenditure and not on future years' spend. Moreover, I draw attention to the fact that, despite the in-year monitoring process being in place, it was necessary for the Executive, in order to address emerging issues and pressures, to undertake the review of the 2010-11 spending plans, which was, in effect, a mini-Budget. Perhaps the Minister will think again and reflect on the Committee's view on that issue.

A further recommendation in the Committee's report called for the Executive to review the performance and accountability framework for Northern Ireland Departments with the aim of establishing a more transparent and robust system for measuring and monitoring the relationship between public sector inputs, outputs and outcomes. In its response, DFP acknowledged the lack of alignment between the Programme for Government, public service agreement (PSA) targets and Budget allocations, stating that any spending proposals submitted by Departments for Budget 2010 must demonstrate a linkage with one of the PSAs in the Programme for Government.

We ask the Minister to clarify why spending proposals for 2011-15 are being linked to PSAs that expire in the current financial year. Will he tell us what progress is being made in developing a new Programme for Government

and PSAs for 2011-15? Perhaps if he has any doubts about that he will explain them to us today.

I have mentioned that the Committee is supportive of many of the recommendations of the DFP review, and I am sure that the Minister will refer to those, but what cannot be misunderstood is that the Committee expects that the Executive Budget process action plan will be updated to reflect the views of the Assembly, so that an improved Budget process can be established. To us, that is an essential requirement for moving forward.

Speaking personally, I say that it is imperative that we collectively demonstrate leadership capable of connecting with the people, that we fully accept the responsibility for managing our financial affairs, and that we be open in explaining to the public the reasons for spending less where we wish to spend more, that revised priorities will be necessary priorities, and that money will not be wasted. In a nutshell, we cannot afford to be onlookers while our people reel from the full extent of London's austerity measures.

What lies ahead can only be met by our helping to guide people through what is going to hit us all, by essentially and effectively planning to ensure that, when recovery emerges, we here are fit for purpose and ready to facilitate, in both the public and private sectors, the new shoots of growth that we have worked hard, and will work hard, to encourage and produce. I know that that work has commenced, but we need to do it for real, with the accurate assumptions calculated — I believe what we are hearing are accurate assumptions — to face up to 20 October.

We must give all that we can to ensure that not only do we pull our weight in this House and on Committees, but, where we can, we punch above our weight. It is my pleasure to move the report on behalf of the Finance Committee.

Mr Hamilton: I have always believed that a Budget document is the most critical document that any legislature like ours can produce. Over the three-and-a-bit years that I have been here, we have probably spent more time debating Budgets than we have doing anything else. Those debates could be characterised as producing more heat than light at times. However, they indicate the importance that should be granted to Budget debates.

Just as we inherited our first Budget three-and-a-bit years ago, we inherited a Budget process. I think that we inherited some good points from the old process, such as in-year monitoring, although I acknowledge that that is far from perfect. However, on balance, it is worth holding on to a process that, in those three-and-a-bit years since devolution returned, has been able to reallocate over £1 billion from areas where money could not be spent to priority areas. Although it is not capable of doing everything that we want it to do, it is, nonetheless, a useful device to retain.

Just as there were some good points, it was obvious that there were some bad points that needed to be reformed. The report is a response to the Department's review of the Budget process, and I wish to make two points about it. First, I think that everybody welcomes the organisational and aesthetic points about having fewer documents and debates. We all wonder why we sometimes have documents raining down on us that say almost the same thing and why we have debates on successive days in which we are basically discussing the same issues. Secondly, the idea of timetabling the whole Budget process better is to be welcomed, as is that of having early engagement with key stakeholders. I think that everybody agrees with those sorts of organisational improvements.

In the time that I have left to speak, I wish to concentrate on two significant points. The first is a key point about better aligning the Budget with the Programme for Government and PSA targets, should those exist in the future. I echo what Mr McNarry said about that. If we are going into very stringent economic and financial times, it is even more imperative, although it was always important, that the decreasing amount of money and resources that we have to spend is targeted at priority areas. That may mean that money is not spent on weird and wonderful or even on worthy projects that do not align with PSA priorities. However, it is much better that we spend money where the Executive and the Assembly have collectively agreed that it is needed. As we all know, that may mean that not as much money, or no money at all, is spent on certain areas. However, it is much better that the Budget is aligned more directly with the PFG and the priorities that are in it.

My second point is about the need for better interaction between Committees and

Departments. At the Finance Committee and other Committees on which I have sat, I have seen Departments, at times, show an unwillingness to share critical information with their Committees. That has frustrated me, and I know that it frustrates the Minister. It has been seen most starkly during the review of this year's Budget, when seven out of the then 11 Committees came back and said that they were appalled by the lack of the information that their Departments had given to them. We are seeing that again as we prepare for the imminent austerity that Mr McNarry talked about, with certain Ministers playing games with the Budget. When Departments and Ministers do not reveal information, they are not denying me, because it does not matter if I do not see it. However, the Committee, of which my colleagues and I are members, represents the people. We are, therefore, doing the people's work, so to deny the Committee of that information is to deny the people of it and of the Budget that they deserve.

In the long term, the Assembly needs to look at its structure and at the resources that it gives to Committees to analyse the budgets that come from Departments or from the Executive collectively. As our experience enhances and our maturity grows, the job will become much easier for us.

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

Mr Hamilton: I welcome the report.

Mr McLaughlin: Go raibh maith agat. I, too, welcome the debate. Since the restoration of devolution, the key issue for the Committee for Finance and Personnel has been to ensure that the Budget process is timely and transparent. We have addressed that issue in our inquiry and have, on a number of occasions, pressed respective Finance Ministers on that question.

12.30 pm

We appreciate that the considerable economic pressures in the wider world have a direct impact on departmental projections and on Departments' ability to give up to date information. Nonetheless, the democratic processing of Budget proposals requires that the Assembly be given its place, a point that was made by Mr McNarry in his opening remarks and which I endorse very strongly. It is possible to improve the process if it is introduced in a more timely fashion. As to

whether there is game playing, as Simon Hamilton said, that is one of the inevitable consequences of people working in fairly pressurised circumstances and, perhaps, not being content in their own skin with how they have to deal with such matters.

The system has been operating throughout various periods: direct rule; the first attempt at establishing the Assembly; again under direct rule; and up until restoration. In this, the first full term, we have all been learning on our feet, which is fair enough, as far as it goes. However, the Department's response to the consultation on the Budget process reflects the continuing confusion and ambiguity around Committees taking the lead role. The Minister has made a careful note of Mr McNarry's remarks. However, I want to reiterate that there is a necessity to clarify what that role means, particularly in the context of the duty to carry out wider public consultation. There should be no room for ambiguity, and hopefully the Minister will take the opportunity to set the record straight on that.

There is also an issue around how much information Committees are given and how much ownership and responsibility they are invited to assume. Again, I think that we can improve on that process.

Reference has been made to the role of the quarterly monitoring process and its outcomes. Information on bids, failed bids and the money that is surrendered is made available retrospectively. However, is that a sufficient substitute for an annual Budget process? Such a process could be in the context of a four-year Budget period or could be a stand-alone annual process. That would be decided by the Assembly, and there are merits and demerits in each option. However, at this stage, there does not appear to be willingness from the Department. Perhaps the Minister will clarify whether he sees any opportunity or benefit in what I would describe as the process of giving the Assembly a sense of ownership and identification with the proposals.

The basic system is sound. It can be reformed and improved, and matching expenditure and performance to PSA projections is just common sense. The process has been a learning curve and, therefore, could definitely be improved. However, I do not detect that the Department is listening to the comments and advice that have

been offered in successive debates and in the Finance Committee's reports.

Mr Speaker: The Member's time is up.

Mr McLaughlin: I support the prudent management of the system. However, we can improve the democratic and participative process. I hope that the Minister will indicate today that he is listening.

Mr O'Loan: I apologise at the outset for missing part of the Deputy Chairperson's introduction to the debate.

This would be a very important issue at any time, because the Budget is critical to any section of government that spends £10 billion annually on resource and £1.5 billion on capital or has been doing so. That has huge consequences for the well-being of society. We need to do that right and, above all, in a strategic fashion.

In the present context, having a good system for how we manage our Budget is all the more important. We hear talk of potential Budget cuts of the order of 20%. Next year alone, departmental officials indicate that they are planning for reductions in resource of the order of £400 million and in capital of no less than £500 million. The consequences of that will be huge.

So, there is a huge challenge not just to make cuts but to have our eyes still on some goal that we are trying to achieve with this Budget, so that, when we look back on the next four-year period, we will say that it was very difficult indeed but we thought about how we would do it and we have something to show for it. That is the real challenge in front of the Assembly, and that will not be easy. I wonder how such an ambitious programme as the one that I am setting out can be done by December. I note the call for flexibility in recommendation 8 of the report.

Most of us would agree that something is not right about the present process. There is not much satisfaction in the political sector. Even if we discount some of the inevitable political rhetoric around Budget issues, there remains a substantial residue of genuine dissatisfaction among Assembly Members and, in the wider community, among stakeholders who feel that somehow their voice in all this is not being heard.

In the long run, we will need to go further than the report suggests. The report itself says that it is not the last word on the matter, and

its executive summary talks of reform of the Assembly financial scrutiny system, including the Committee structures. I refer to one point of detail there: this party, through its then leader Mark Durkan, proposed some time ago the creation of a revenue regulator. That did not meet with much interest or attention, yet we see an Office for Budget Responsibility created at Westminster. That is not quite identical, because the two situations are not identical, but the need for and value of an independent voice has certainly been recognised.

I want to comment on some of the recommendations and the difficulties and perhaps contradictions that I see in them. We talk about having clear, visible linkage between the Programme for Government PSA targets and Budget allocations: in simplistic terms, allocating pounds to every single PSA. Concerns are being expressed about the complexity of the current Programme for Government and the PSA framework. We note nowadays an increased need for priority-based budgeting, yet there has been an apparent move away from a PSA system in Whitehall.

The report calls for a more transparent and robust monitoring system to link inputs, outputs and outcomes. It talks about wanting a Programme for Government to be defined first. Common sense says that one would do that and allow time for meaningful discussion around that Programme for Government, yet we are told by officials that the two processes are working in tandem.

I see a lot of tensions around the recommendations that call for simplicity and, at the same time, for more information. Even for officials to present information that is, on the one hand, simple and accessible and, on the other hand, contains a large volume of information will not be easy. When we look at the myriad of linkages in government and the many contributions in Budget lines to PSAs, we can see that even the apparently simple task of attaching a pounds column to every single PSA is no small ask.

I want to refer briefly to recommendation 4: the request for a regularised annual budgetary process.

Mr Speaker: I ask the Member to bring his remarks to a close.

Mr O'Loan: That is something that this party has asked for but which, in itself, is not without complications.

Dr Farry: First, I welcome the publication of the report and pay tribute to the staff of the Committee for Finance and Personnel, who have a sterling record in producing large numbers of reports. The debate will, inevitably, focus on the process. The process is clearly important, but it will always be secondary to the decisions that we take on the competing priorities. We need to begin to see some clarity on those points from Ministers and the Executive.

The quality and nature of the process are important, and it is relevant in assisting good decision-making. I want to make a couple of points about the long-term direction in which we are travelling and to talk about issues that we will hopefully visit in the future. It is important that we look at creating a dedicated Budget Committee. Whether that means turning the Finance and Personnel Committee into the Budget Committee or creating a new Committee, it would add significant value to the process. Such a Committee would work with DFP and the Executive and would provide a much more overarching perspective on how we approach financial scrutiny. That would be a useful thing to do, and it is the practice in many other legislatures.

It is also important that we aim to move towards zero-based budgeting, where we look at the outputs that we want and the resources that need to be allocated to achieve them. That is a much more efficient way of using our resources than simply inheriting baselines and making modifications — either upwards or downwards — to what has been a historical pattern. I accept that it is a big leap for us to do that, particularly in the current financial climate, but it is worth remembering that that should be the direction in which we should seek to travel.

In the interim, there is a large number of steps that we can take to improve the nature of the current process, whether that is with respect to the drafting of the Budget, the consultation process, how we debate it in the Chamber or the conclusions that are eventually drawn in the final documents. There is probably some degree of consensus on what can be done in the short-to-medium term.

The great paradox facing us is that, although we know what we should be doing, we are not doing

it. The theory does not meet the practice. Every time the Assembly has to take decisions on a Budget, we are faced with special circumstances that prohibit us from going through the proper processes. For example, the 2008-2011 Budget was rushed, given the timescales that were inherited. We have not learned our lessons. The revisions for the 2010-11 Budget happened after the commencement of the financial year. Again, that is not good practice.

I have real fears about what will happen with the four-year Budget that we are going to discuss over the coming months. At this stage, all we know for certain is that the comprehensive spending review will be announced by the UK Government on 20 October. However, there is a lack of clarity about and different versions of what is happening in the preparation within our Executive. Which Departments are prepared to co-operate? Which Ministers are co-operating and which are not? Are we even slipping behind the very difficult and tight timetable that was originally published? When are we going to see a draft Budget published? Are we going to wait until after 20 October before the preparation even begins? How long is the consultation process going to be? Those are all important questions that we need some clarity around. It goes without saying that the earlier we plan, the sounder the decisions we take will be.

An over-arching question will be over the relationship between this Budget, the Programme for Government and any new investment strategy for Northern Ireland. There is very little talk about a Programme for Government, but we are aware that one has to be developed. It is good practice to simultaneously develop the Programme for Government and the Budget. It would be even better to have the Programme for Government ahead of the Budget. I fear that we will scramble and produce a Budget to meet the legal timetables and that the Programme for Government will drift, which will mean that we do not have proper joined-up government.

There are also issues with regard to a four-year Budget. There is a democratic issue: should this Assembly be setting a Budget for the entire term of its successor? There is also an issue over the flexibility of a four-year Budget. The current Budget became out of date, and, in my view, the monitoring rounds were not sufficient to address the changed circumstances. Even

though a large amount of money was changed, we did not look at baselines.

12.45 pm

Mr Speaker: I ask the Member to bring his remarks to a close.

The Chairperson of the Committee for Agriculture and Rural Development (Mr Moutray):

I commend the Committee for Finance and Personnel for bringing this important report to the House. My Committee contributed written evidence on the matter, and it is pleasing to see that many of the concerns that it raised have been carried into the report and have resulted in strong and appropriate recommendations.

The Committee has consistently stated that it would welcome any improvement to the process that would enhance how it undertakes its statutory responsibilities in scrutinising budgets. The Committee believes that it is denied proper strategic scrutiny, because rather than accessing relevant and timely information, rather than being in a position to undertake the detailed analysis that is required to assimilate departmental budgets and rather than assessing the impact that those budgets will have and the contribution that they will make to the wider Budget process and Programme for Government, it is presented with little or no information. The Committee is also set deadlines by the Department that do not allow it to query the reasoning behind either the budgets or the bids. The Committee often receives papers only a few days before the infamous DFP deadline that is bandied about as an excuse for failing to present papers on a timely basis. Therefore, the Committee endorses the Committee for Education's recommendation that the Department of Finance and Personnel take a lead in developing guidance for the introduction of timely and relevant budgetary information to Committees. However, I suggest that that needs to go further. I firmly believe that there should be some form of punitive clause in this guidance. Let us be honest: the private sector has punitive penalties for late returns, so why should they not exist for Departments that are non-compliant with the current or proposed guidance?

No doubt we will hear my colleague the Minister of Finance and Personnel say that DFP does offer guidance and that he has continually stated in the House that Departments should engage Committees early. We know, for

example, that savings delivery plans were due to be returned to that Department by 26 August 2010, as per the DFP guidance. How many of those were made? It is the Departments that choose, for whatever reason, not to engage in a timely and relevant manner. They choose to ignore the deadline set by the Department of Finance and Personnel and the relevant Statutory Committees for the presentation of budgets and bids. It is the Departments that have left the community of Northern Ireland in the dark about the size of the potential cuts to be imposed, thereby leaving themselves open to rumour and speculation on a daily basis.

Come October and the announcement of the reduction in the Northern Ireland block, the Department will scramble to produce savings plans that will be insular, be aimed at protecting what belongs to it and follow the current process of being presented to a Committee a few days beforehand in the hope that they are rubber stamped. That process ignores the Committees' roles of scrutiny and advising Ministers. It removes their ability to take cognisance of stakeholders' opinions. Most importantly, it ignores the important linkages with the Programme for Government and the associated PSAs that are recommended in the report. In other words, we will find that budgets will have evolved from being a tool for strategic management to being an obstacle to it. That scenario needs to be resolved immediately and can be resolved only if a disincentive to ignore the guidelines is included.

In its response to the Committee for Finance and Personnel's consultation that was held prior to the publication of the report, my Committee stated that strategic direction should be a primary driver for the compilation of the Budget. It also said that early engagement with the Department is essential in the development of its strategic plans and, consequently, of its budgets for 2011-14. We stand by that. Although we have welcomed some overview discussions with the Minister of Agriculture lately, that is not in any way sufficient.

My Committee stated its concerns about the bidding process for the forthcoming Budget period. Equally, it stated that the Programme for Government and the Budget should be linked, along with the public service agreements, savings delivery plans and any other strategic documentation that impacts on the Budget

process, so that a fuller and more transparent overview can be provided.

Mr Speaker: I ask the Member to bring his remarks to a close.

The Chairperson of the Committee for Agriculture and Rural Development: The Committee for Agriculture and Rural Development commends the report to the House.

The Chairperson of the Committee for the Environment (Mr Boylan): Go raibh maith agat, a Cheann Comhairle. I welcome the opportunity to outline the Environment Committee's views on the inquiry report. The Committee monitors the Department of the Environment's public service agreements on an ongoing basis and is keen to see improvement in their delivery.

At its meeting on 16 September, the Committee was presented with the latest quarterly update on the PSA targets. Members were disappointed to note that little progress had been made on the targets and agreed to write to the Department seeking an explanation for that lack of progress. The Committee believes that the Department's lack of progress on the targets shows that there must be greater linkages between PSAs and the Programme for Government, as there remains a concern that Departments are largely allowed to self-monitor their PSAs. Members also believe that linking PSA targets to the Programme for Government would introduce a more independent auditing process, thus ensuring greater monitoring of targets and encouraging better progress towards achieving them.

I now wish to touch on the Committee's concerns on the short time frame that members are given to scrutinise budgetary proposals and their implementation. I understand that Departments have recently been under great pressure to produce savings plans, but the time afforded to the Committee to scrutinise proposals properly is rarely sufficient. Members would also recommend that the Department engage in the budgetary process with stakeholder groups as early as possible. The Committee has recently received several letters from community groups about reductions to their grant. Although we recognise that we are living in austere times, members are of the view that the least that those groups deserve is early engagement and an explanation of the criteria used in deciding the extent of the reduction.

The Committee feels that linking each spending proposal that Departments put forward with specific outputs or outcomes would make a valuable contribution to the scrutiny process. It is easy for members to see what the spending proposals are, but we would appreciate more detail on the benefits and value for money that they represent. Further to that, the Committee would welcome greater clarity on the Department's prioritised spending proposals. Members are supportive of the report's recommendations for the Executive to provide clear information on their draft proposals.

The Committee agrees that Statutory Committees have a key role to play in scrutinising their respective Department's financial issues. However, as recent practice has borne out, most issues that the Environment Committee raises tend to be Department-specific and need to be addressed directly with the Department and/or separately during plenary sittings. There would, therefore, appear to be an additional co-ordinating role for the Committee for Finance and Personnel only if and when issues of more general or cross-cutting concern are raised.

Mr McQuillan: I speak to the motion as a member of the Committee for Finance and Personnel. A number of issues addressed in the report are complex and detailed. We should note that no system is perfect, and we in Northern Ireland are restricted owing to how we receive our money from Westminster, which comes in the form of a block grant.

The key point of the report is that we must look at better ways to allow for effective scrutiny of Departments' expenditure. In these difficult economic times, we all know that cuts are coming. Things will become clear on 20 October 2010 when the Chancellor of the Exchequer delivers his pre-Budget report. We will have less money to play with, and I feel it important that any future Budgets be undertaken through effective consultation with each Department's Committee and in conjunction with the general public.

The budgetary process in Northern Ireland is complex and difficult to understand. It is unclear what money goes where, and the process must be made clearer, with more input from all involved in government, including our constituents. We must work to ensure that money is spent in line with the aims and objectives laid out in the Programme for

Government. We must ensure that we adhere to those aims and objectives and that they be met.

Things are not easy at the moment, and they will not be getting any better. Difficult decisions need to be made, but we must ensure that we make those decisions collectively. We are here to represent the people who elected us. We are responsible for delivering for them and for offering leadership. The Assembly is the property of every citizen of Northern Ireland, and, as the First Minister, Peter Robinson, said about the Budget some weeks ago, we must work as a team to work through the cuts that are coming to us. Those cuts are coming: there is no doubt about that.

The report refers to a recommendation from the Department of Finance and Personnel for early and more structured engagement between Departments and the Assembly Committees to set out the key issues and pressures that face us. That is vital in the current economic climate. We must club together for the benefit of the people of Northern Ireland. I support the recommendation that a clear timetable should be made available publicly at the start of each Budget process, setting key milestones and adhering to what is laid out in our Programme for Government. That is necessary to allow effective scrutiny of expenditure. We must work towards a more effective and efficient decision-making process and put in place those procedures as soon as possible. We must work as an effective, transparent and efficient body so that we and the people of Northern Ireland know what is being spent and where.

The Chairperson of the Committee for Employment and Learning (Mrs D Kelly): I

thank the Committee for Finance and Personnel for undertaking this important inquiry. On behalf of the Committee for Employment and Learning, I welcome its findings and the opportunity to speak in today's debate.

The Committee for Employment and Learning noted that the timetable set by DFP for Ministers to submit their budget and savings proposals for the next CSR period has gone astray. The Committees and the Assembly face the prospect of uncertainty over the time that will be given to them to scrutinise those budget and saving plans properly. On behalf of the Committee for Employment and Learning and the other Committees, I make it crystal clear that Executive Ministers represent the interests

of their parties while the Committees represent the interests of the electorate and stakeholders. We are the guardians of the democratic process; we are the voice of the people in these matters. Without the Committee and Assembly scrutiny of proposals that are put forward by Ministers, a democratic deficit will exist.

The Finance Committee's report makes clear recommendations about the establishment of a regularised process for the passage of the Executive's Budget and expenditure and the scrutiny thereof. It is incumbent on every Committee Chairperson and member to support the inquiry's recommendations to ensure the integrity of the statutory scrutiny role of the Committees and Assembly.

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

I take this opportunity to make some personal comments about the report and its findings and about my experience as a Committee member, most notably on the Committee for the Office of the First Minister and deputy First Minister. Regularly and routinely, reports do not come to that Committee on time. The last monitoring rounds were presented in early September. Some general detail was given about the bids for the next Budget, but only officials were sent to the Committee to discuss some of them. As we learned later, the removing barriers to community prosperity programme bid was agreed by only two communities at an interface area. It did not benefit the wider interests of stakeholders who should have had an input into that process. Indeed, it was not discussed at all by the Executive. I ask officials to state whether other Ministers had an opportunity to discuss and provide input to the programme bids because those fall across the work of their portfolios.

Mr Hamilton said that the process must be agreed collectively by the Executive. However, we all know that the Executive's agenda and proposals have, over the past few years, been delivered on the day of Executive meetings. Adequate time has not been given to all Ministers to discuss and note what is on the agenda. Mitchel McLaughlin stated that this is our first full term as Assembly Members and that we are learning on our feet. As you know well, Mr Deputy Speaker, many of us come from a local government background. Therefore, we ought to have a very real sense of our mission here; holding Ministers and

Departments to account. I regret to say that far too many Members have a policy of protecting their Ministers and their party's Departments rather than holding to account the work of those Ministers with a collective voice and ensuring that every pound is spent on a needs basis and is objective in nature.

Mr Deputy Speaker, I hope that the debate results in Members stepping up to the mark and realising their full potential as the voice of the people in holding Ministers, Departments and the Executive to account.

1.00 pm

The Chairperson of the Committee for

Education (Mr Storey): I rise to highlight the Committee for Education's support for most of the recommendations in the Department of Finance and Personnel's review of the Northern Ireland Executive Budget 2008-2011 process, which is examined and commented on in the Committee for Finance and Personnel's report that is being considered by the House today.

In common with a number of other Statutory Committees, the Committee for Education has experienced a serious lack of information from the Department of Education that would allow proper scrutiny of its budgets and subsequent advice from the Committee to the Minister of Education. That was the Committee's experience in the early months of this year on the Department's review of spending plans for 2010-11, and it is very much the position with the Budget for 2010, for which we have no prioritisation of the Department of Education spending plans and no information on proposals for savings or efficiencies and their impact on schools. All Members should be seriously concerned that a Department cannot bring forward its spending plan priorities or its proposals for savings and efficiencies — and their impact on schools — to a Statutory Committee.

That is precisely why, in its submission to the Finance and Personnel Committee on the important subject of today's debate, the Committee for Education provided a detailed recommendation to address this issue. I am pleased that the Finance and Personnel Committee has adopted that recommendation in full. Paragraph 32 of the report makes the key point:

"DFP should take the lead in developing 'standard guidance to NI departments on the timing and

provision of relevant information to Assembly statutory committees' and that this should be agreed at Executive level, with departmental compliance being monitored by DFP in consultation with the Assembly statutory committees."

I trust that the Finance and Personnel Minister and the Executive will action that recommendation as soon as possible. I ask the Chairperson of the Finance and Personnel Committee to ensure that that key recommendation for Assembly Committees is not lost in the mist or in any administrative process.

I also wish to highlight one other important issue that relates to the ability of Committees to fulfil their statutory role to scrutinise Ministers and advise them on their budgets, a fundamental role of the House. Paragraph 33 of the Finance and Personnel Committee's report deals with the critical issue of Statutory Committees being given sufficient time, which should be early in the Budget process, particularly the current Budget 2010 process, to engage with their Departments and key public stakeholders. I note that paragraph 33 states:

"unavoidable delays in initiating the Budget 2010 process means that there will be less scope"

between Departments and key stakeholders.

Does that mean that Assembly Committees and the House will be squeezed out of the all-important Budget 2010 process? For example, will no proper time be allowed for scrutiny of Departments' prioritised spending plans and saving delivery plans when they become available? Members, this process should not allow that to happen. From the Department of Education's point of view, it is regrettable that, despite DFP's requirement to have savings delivery plans submitted by 26 August, we find ourselves in the present situation that no such savings plan has been submitted.

Finally, the Committee for Education wishes to register its support for the Committee for Finance and Personnel's opposition to DFP's recommendation that Assembly Committees should have a lead role in the consultation on the Executive's draft Budget proposals. Clearly, the major responsibility for public consultation must remain with Ministers, who have a duty to act on the outcomes of public consultations. In addition, at this stage, Assembly Committees do not have access to the departmental financial information or specialist support that is

necessary to provide detailed proposals on how to fund increased spending.

Those are the views of the Committee for Education.

The Chairperson of the Committee for Health, Social Services and Public Safety (Mr Wells):

I support the motion. Overall, the report calls on Departments to provide timely, accurate and comprehensive information to their respective Committees to allow them to properly scrutinise budgetary proposals. Budget scrutiny is one of the key roles of Committees, and the flow of information is crucial if the process is to be effective.

I particularly welcome recommendations 14 and 15. Recommendation 14 calls on Departments to publish a full list of spending proposals along with the draft Budget, and recommendation 15 asks for Departments to publish a high-level impact assessment for each proposal. With regard to the Health Department, those recommendations, if implemented, would be most useful to the Committee, by enabling it to analyse and come to a view on the Department's budget. From past experience, it has been difficult for the Committee to obtain meaningful information from the Department to allow it to thoroughly assess budgetary matters.

Most recently, the Committee had severe problems in extracting any information from the Department about the revised expenditure proposals for 2010-11. The Committee originally asked for information in January 2010, and it took evidence from the Minister and his officials on 28 January 2010. On the same date, the Committee took evidence from various trade unions, with the intention of scrutinising the proposals to see how additional savings would be made. However, the Minister publicly took the position that the Department of Health, Social Services and Public Safety should be exempt from making any additional savings. The Committee did not support the Minister's position that no cuts should be imposed, because it was unable to judge the alternative, based on detailed information that it needed from the Department, which, of course, was not forthcoming. The Committee asked for that information in January 2010, and it wrote again and again to the Minister. However, for four months, he chose to keep the Committee in the dark about what was happening. Eventually, officials provided the Committee with a paper

and a briefing on 27 May 2010, by which time we were already two months into the new financial year. Even at that stage, the Committee still did not receive detailed figures from the Department. Instead, it gave us a one-page list of what it was doing and not doing.

When officials were asked for details about the £21 million of savings in the capital budget, they simply replied that work on those details was ongoing. The reality is that the Committee received basic information four months after the Minister of Finance and Personnel announced the Budget readjustment and many months after other Committees received information from their respective Departments. Therefore, for four months, the Health Committee was completely in the dark on budgetary changes, with major implications on some aspects of the Department's work.

If the report's recommendations are implemented and taken on board, the Committee hopes that all Departments will avoid that type of situation in the future. Not providing budgetary information to a Committee shows a lack of responsibility on behalf of the Department and a lack of respect for the Assembly and the wider public. Among groups involved in health and social care, there is a great deal of concern and worry about funding going forward. Clarity is required, and clarity is predicated on information being transparent and timely for those who require it.

With respect to Budget 2010, the Health Committee has not yet received the Health Department's spending plans for the next four years. I understand that the plans have been submitted to DFP. We have now written formally to the Minister requesting those plans. I sincerely hope that they will be forthcoming.

When departmental officials briefed the Health Committee on 9 September, they provided only high-level figures on how much money that they believed they would require going forward. No information was provided on areas in which potential cuts might be made or what impact those cuts would have on services.

I will conclude on behalf of the Committee. I reiterate the point that information flow is crucial. Departments cannot simply be allowed to continue to ignore Statutory Committees and provide little or no information on budgets. I hope that all Departments, including the Department of Health, Social Services and Public Safety, will

read the Finance Committee's report carefully. I commend the motion to the House.

The Minister of Finance and Personnel

(Mr S Wilson): I thank all Members who took part in the debate. As Mr Hamilton said, debating the Budget is one of the most important roles that the Assembly can play. We spend a large amount of our time on such debates. In fact, one proposal that we are considering concerns streamlining Budget debates so that at least, rather than simply repeating ourselves at the Estimates, Vote on Account or draft Budget stages — we often have more repeats than the BBC — we have a better scrutiny role for the Assembly.

I thank Members for their constructive remarks today and for the role that the Committee for Finance and Personnel played in examining the changes that might take place. It is timely that we examine the Budget process. We have been through two Budget cycles and have learned some lessons. The previous Budget cycle was, of course, undertaken after the process had been started by direct rule Ministers. We want a process that is adapted to the circumstances of devolution. We must also ensure that we have a process that will enhance links and improve transparency and the Budget consultation process.

I will deal with some of the points that were raised in the debate. The Deputy Chairperson of the Committee for Finance and Personnel, Mr McNarry, raised a number of issues, the first of which was the fact that there was some disagreement, albeit fairly minimal, between the Committee and the Executive as to how the Budget process could be enhanced. In particular, he was concerned that the Committee was not happy with the wording of the proposal for the role that Committees would play in consultation and that the Executive had endorsed it.

I will say two things to Mr McNarry on that issue. First, this is the first time that a Minister has been accused of moving too fast in responding to the views that were expressed by the Assembly and by a Committee on wanting a change in the Budget process. If the Committee and Mr McNarry would have preferred that I had proceeded at a more leisurely pace, perhaps that is a change. The Committee for Finance and Personnel asked for its views to be embargoed until this debate took place, which meant that I could not have discussed

those views with the Executive. I am not sure that waiting until this debate took place before having a response from the Executive would have been the best way forward.

Mr McNarry also talked about the lead role for Committees in consultation and the fact that that was the one area of disagreement. All Ministers from different parties in the Executive endorsed that unanimously.

1.15 pm

Secondly, I want to make it clear that this was not an attempt by the Executive to ignore the fact that there must be Executive consultation on the draft Budget. There will be Executive consultation. Very often, Committees can drill down in the budgets for their own Departments and bring along specific evidence in that consultation. Very often, the Executive consultation may be on the strategic approach, and we need that, but, equally, there must be consultation on the approaches made by individual Ministers and Departments on their application of the overall Budget decisions. That was the role that was seen for Committees. From today's debate, it is clear that Members want to have a greater role in the Budget process and in the interface with the public. A number of Members have made the point that the public should have a greater input into the impact of the Budget.

Mr McNarry also raised the issue of the review process for strategic reappraisal. That has been an issue, and Mr McNarry has raised time and time again the adequacy or otherwise of the in-year monitoring. I point out to him that in-year monitoring over the previous three years of the Budget saw around £800 million reallocated during that period in one way or another, although perhaps not so much this year because Departments have not given as much up so far in reduced requirements.

The Deputy Chairperson of the Committee for Finance and Personnel:

I am grateful to the Minister for giving way. In case he misunderstood, except for the last 45 seconds of what I said to the House, I was speaking for the Committee. It is the Committee's report and it is the interpretation that the Committee wished me, on its behalf, to put to him.

The Minister of Finance and Personnel: I accept what the Member has said. However, it does not matter whether it is a personal view or a

Committee view. The facts still remain that in-year monitoring does allow — or did allow — for substantial reallocation. I noted what the Member said. However, I want to make it clear that there needs to be a review of the Budget for strategic reappraisals. It would be nonsense to have a strategic reappraisal of the Budget on a year-to-year basis or, on a number of occasions, within the year. The whole point of a strategic review is to look to the longer term and see the direction of travel in which one wants to go and the spending that one needs to undertake.

The Member also raised the issue of linkages to PSAs. I accept that, and we have accepted in the report that there are far too many PSAs and there are linkages between them. Nevertheless, it is important. Hopefully, in the process of determining the new Programme for Government, we will find that we need fewer PSAs, and we should have fewer PSAs. I have expressed that view anyway, and it has been conveyed to the Office of the First Minister and deputy First Minister (OFMDFM). Nevertheless, there must be some linkage between the Budget and the targets that are set. However, we should make the targets simpler and easier for people to understand the direction in which we are going.

Mr O'Loan: Will the Minister give way?

The Minister of Finance and Personnel: I will give way, although I will not get through as many points.

Mr O'Loan: I thank the Minister for developing the points in the way that he is doing. However, this is an important issue. The Committee recommends at recommendation 4:

“that a regularised annual budgetary review process is established within this framework ... to enable the Executive and Assembly to make interim reappraisals of departmental allocations against progress in delivering PfG priorities and savings.”

It is clear that the Committee has more in mind than is provided for by the existing in-year monitoring process, which has its place, and I accept what the Minister said about that. Clearly, the Committee would not have made that recommendation unless it was seeking more. Is the Minister setting his face very determinedly against the Committee with regard to that point?

The Minister of Finance and Personnel: I have made it clear that I am always open to looking at alternatives and, if there are alternatives to the current reallocation process, let us hear them.

However, even taking into account what the Member said, the approach that should be taken is not clear. For example, how often should PSAs be examined? If a Department is not meeting its PSA targets, should we simply recommend that the money be taken from it? The Member will know that there may be situations in which PSA targets have not been met during the year, but there may be reasons for that and, as the year goes on, it may be possible for those targets to be met. The solution is not as easy as the Member suggested and, if there is to be an alternative to the current system, there must be more drilling down and looking at exactly how the system will work, rather than the vague suggestions made by the Member.

The one thing that we cannot have is the chopping and changing of the Budget three or four times in one year without recognition that, sometimes, there are different speeds of progress towards the long-term and strategic goals that we have set out. However, the point about PSAs has been accepted and it should be taken up when looking at the Programme for Government.

Mr McLaughlin and a number of other Members raised the issue of the information that is given to Committees. The Budget process is one thing, but the information on which the discussions are based is another. We are undertaking the review of the Northern Ireland financial process, which will give Members an opportunity to make it clear to my officials and the Department what additional information they need and how they wish to see it presented. It is fine for Members to say that they want more information and to have it presented in a more transparent and timely manner, but it would be useful if they made it clear how that information could be more usefully presented and how the debates and discussions throughout the process might best be conducted. I hope that that is one of the things that will emerge from the discussions on the financial process.

I have put it on record in the Assembly that if Committees are to look at the Budget process and departmental budgets, they must at least have the information conveyed to them in a way that is understandable and useful, and that enables them to ask the right questions. That may be unpleasant for Departments and Ministers, but it will lead to a better Budget process. Members have spoken about the need for better guidance from the Department.

However, there is an onus on Members who deal with that process monthly through their membership of Committees to make it quite clear what information they require and how they want it presented. The Department is committed to facilitating that.

Dr Farry and Mr O'Loan raised the timing of the current Budget process, and Mr O'Loan indicated that the period between now and the end of the year seemed extremely short for such important changes to be made. Dr Farry made my point for me, but I emphasise that we cannot delay the process. Time may be tight and that may mean that Committees will have to work intensely. However, given the fact that we must make strategic decisions and offer certainty to Departments, we cannot end up with the process that we had last year, when the Budget was still not approved at the start of the financial year. That is particularly important at a time when there will be massive constraints and when those who will be affected by Budget changes will need the necessary information to plan ahead.

Mr Moutray and a number of other Members spoke about some Ministers and Departments having not yet provided savings plans, etc. They also made the point that those plans were not received until late last year and asked what the situation will be this year.

To date, only four Departments have delivered their savings plans to DFP. The wording used is that only four Departments have been allowed by their Ministers to provide savings plans to DFP. That comes back to the political resistance that appears to exist in some cases.

Members asked what sanctions can be imposed on Departments. All that I can say is that here is the sanction of criticism in the Assembly. Lack of information will make it difficult for DFP to know what is in the mind of Ministers and what their priorities are. It will be much more difficult to make financial allocations if we do not know the thinking behind bids. Moreover, the general public will be critical of Ministers who do not make that thinking known. Dolores Kelly said that it does not help when Ministers who behave in that way are protected by their parties. I must say that Mrs Kelly has been very valiant in her support for the Department for Social Development (DSD) when I have sometimes been a bit critical of it. Therefore, words such as "kettle", "black" and "calling" spring to mind when we hear that kind of criticism.

The Chairperson of the Committee for Employment and Learning: Will the Minister give way?

The Minister of Finance and Personnel: I think that I will be called to finish soon.

Mr Deputy Speaker: You have 20 minutes.

The Minister of Finance and Personnel: I have time. Given that I referred to the Member, I will give way.

The Chairperson of the Committee for Employment and Learning: I thank the Minister for giving way. I have never been a member of the Committee for Social Development, but does the Minister agree that it is the duty of Committee members to scrutinise the work and contribution of the Minister and his or her Department?

The Minister of Finance and Personnel: The Member's admission that she has never been part of that Committee makes it even worse. She defends, sometimes very vigorously, some of the initiatives that come forward from DSD even though it is transparent that its actions have not been as they should have.

The Committee for Finance and Personnel asked what to do if Ministers refuse to co-operate with the Budget process. That has become a constant theme. I want to emphasise that, first, Committees have a role to call their Ministers to account. They should do that, and Mrs Kelly is correct. It does not really matter from what party the Minister comes. If Committees, and Ministers' own party members on those Committees, cannot do their job properly, there should be no protection for Ministers. We are dealing with public money, so there should be proper scrutiny.

DFP cannot compel Ministers to submit savings plans. However, I want to make it clear — I made it clear to Ministers in discussions over the summer — that if information is not available on Ministers' high and low priorities, inescapable expenditure in their Department and on how initiatives fit into the Programme for Government, it is more difficult for an assessment to be made as to whether money should be allocated for any purpose. Given that we are committed not simply to top-slicing off budgets but to looking at priorities, the more information that Ministers give and the stronger the case they make, the more chance there is of that case being listened to. Therefore, they disadvantage themselves.

Mr McLaughlin: I thank the Minister for giving way; I have a brief point to make. Would it be a useful reform or initiative to suggest to other Ministers that we simply abandon the generic heading of "inescapable" and look at the detail underneath it? That term is a catch-all, and I wonder if, at times, those expenditure items are, in every circumstance, genuinely inescapable.

The Minister of Finance and Personnel: I have tried to tease that out during the Budget process. If a Minister tells me that a certain item is inescapable, I ask why it is inescapable. If it is something that they really want to do, that is not inescapable. I ask whether they have a statutory responsibility or a contractual obligation to meet.

1.30 pm

The other suggestion in our response is that the Assembly might wish to consider examining Standing Orders to determine how they might be able to compel Ministers to provide the kind of information that, so far, some have refused to provide.

In conclusion, the debate has raised important issues. It might seem a bit esoteric to the general public. Nevertheless, behind all the verbiage, it is important. We have sums of money to spend, and we live in constrained economic circumstances. That money must be spent in the best possible way, which requires the greatest possible input into the decisions. Ministers must justify their decisions, and it must be possible to examine that justification. Final decisions on the Budget can then be made on the basis of sound knowledge.

The Chairperson of the Committee for Finance and Personnel (Ms J McCann): Go raibh maith agat, a LeasCheann Comhairle. I thank Members and the Minister for their contributions to today's useful debate. I also thank the Committee staff for producing the report. As the Deputy Chairperson said, the Committee supported many of the recommendations in the DFP review and put forward additional recommendations that were aimed at enhancing the Budget process. The Committee's report reiterated its concerns about access to information and the level of engagement between Departments and Committees. Indeed, Chairpersons and Members raised that issue today.

The Committee agreed with the Committee for Education's recommendation that DFP take the lead in developing:

"standard guidance to NI departments on the timing and provision of relevant information to Assembly Statutory Committees."

In response, the Department advised that, although DFP will urge Departments to engage early and fully with their Committee, they cannot be compelled to do so. Although I accept that point, leadership is required. If we are to move forward decisively, that leadership must be focused. In particular, DFP should be proactive in bringing forward specific guidance and protocols on engagement with the Assembly and its Committees for Executive agreement and ministerial commitment. In the absence of such protocols, there is no mechanism by which Committees can hold their respective Department to account on the timing and level of detail of the information that is provided to them on financial matters.

The Department suggested that the Assembly could also consider addressing the issue of engagement through Standing Orders. In its report on the review of the 2010-11 spending plans for Departments, the Committee for Finance and Personnel undertook to consider, with the Committee on Procedures, how Assembly scrutiny of the Budget might be underpinned by having a stronger procedural basis in Standing Orders. The Committee intends to pursue that in the near future.

I will address some of the comments that were made during the debate. I will not do so Member by Member but under specific headings to cover the contributions. A main theme was Departments' engagement with their Committee. Some Members highlighted their concern about the lack of such engagement. DFP has issued guidance, which I mentioned earlier, to Departments on consulting their Committee as part of the Budget process. However, it has tended to be framed only in broad terms, as emerged in today's debate. A highly detailed guidance on good practice is needed, and minimum standards to be met by Departments in the provision of information to Committees must be set. In recognising that the relationship is one between individual Departments and their Committees, such good practice would provide the necessary benchmark against which departmental

performance could be measured. Members highlighted that important point.

The lack of linkage between the Programme for Government and the Budget was also discussed. A further theme to emerge from the report and the debate is the lack of a clear, visible linkage between the Programme for Government, PSA targets and budget allocations. In its response to the Committee's report, DFP stated that it shares the Committee's objective of having a transparent and robust framework against which budget allocations, efficient outputs and clear outcomes may be measured. However, although the Department has pointed out that changes to the Programme for Government's structures and those of departmental budgets would be necessary to align the two, the Department has not allocated how and when this will be achieved, including its role in working with OFMDFM on the matter. Therefore, action is needed on the issue, especially in the context of tightening public finances.

I turn to the Minister's comments. He referred to the fact that the Committee's report was embargoed until today's debate. That is in line with normal convention, so that is fair enough. However, the embargo did not apply to Executive Ministers as Members of the Assembly, and, therefore, the Department could have and should have informed the Executive of the Committee's recommendations before the action plan was signed off.

The Minister talked about the in-year monitoring process. Many Members asked whether that is enough, and we always talk about being more strategic, open and transparent. We could not have foreseen the economic crisis that we were thrown into, and we could not have foreseen that Westminster would bite lumps out of the Budget. We need to look at the in-year monitoring process and ask whether it is enough. Members have argued that point in the debate, and it is a valid point to consider.

The Minister of Finance and Personnel: I accept that our Budget has been reduced by £127·8 million this year, and, as I said in my statement to the Assembly last week, we are already starting to address that through in-year monitoring. When the Chairperson refers to having a strategic look at the Budget in-year, how does she, in practical terms, see the direction of travel of the Budget being changed around in the last six months of a financial year

and in the last six months of the current Budget allocation? Is it really possible to make such a strategic change, and how does she envisage that happening?

The Chairperson of the Committee for Finance and Personnel: In the report, the Committee recommends that a regularised annual budgetary review process be established within the four-year period. In-year monitoring focuses primarily on the current year's expenditure and not on future spend, so there is room to do that. I hope that that answers the Minister's question.

A number of issues that were raised in the Committee's report and in the debate highlight the need for the Executive's Budget process action plan to be updated. The Committee believes that it is important that DFP takes a strong lead in ensuring that, once updated, the Budget process action plan is driven forward and that the necessary protocols and timetables, to which all Departments will be expected to adhere, are put in place.

In this time of financial constraint, it is vital that the Assembly, its Members and its Committees are allowed to fulfil their important oversight and scrutiny role despite the imperfect financial scrutiny processes that exist. We have seen evidence of what this locally elected institution can achieve in ending the culture of departmental underspend, which was a feature of direct rule. However, the Executive need to help the Assembly to reach its full potential with its oversight function. With the necessary processes and protocols in place and full engagement by Departments, the Assembly can play an enhanced role in ensuring that public money is spent more effectively and efficiently and that Departments achieve the maximum input from the limited resources in delivering key public services. That is the strategic aim behind the Committee inquiry's recommendations. I commend the report to the House and ask it to support the Committee's motion.

Question put and agreed to.

Resolved:

That this Assembly approves the second report of the Committee for Finance and Personnel (NIA 66/09/10R) on its inquiry into the role of the Northern Ireland Assembly in scrutinising the Executive's Budget and expenditure; and calls on the Minister of Finance and Personnel, in conjunction with Executive colleagues, to implement, as applicable, the recommendations contained therein.

Private Members' Business

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

Carbon Monoxide Awareness and Strategy

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

Mr McQuillan: I beg to move

That this Assembly calls on the Executive to introduce legislation to compel builders to fit carbon monoxide alarms to all new homes; and further calls on the Executive to bring forward a strategy to raise awareness of this silent killer and to encourage people to fit carbon monoxide alarms.

First and foremost, on behalf of the people of Castlerock and further afield, I want to put on the record of the Assembly my heartfelt sympathies and condolences to the families of Aaron Davidson and Neil McFerran, who tragically lost their lives in Castlerock at the beginning of August. The two boys were on the north coast enjoying themselves while they awaited their A-level results. They were only 18 years of age, and we owe it to them and to their families to ensure that this never happens again. My heart also goes out to the other young man who was with them: Matthew Gaw. He survived, but he lost two of his friends, and I am sure that the incident will be with him for the rest of his life. My thoughts and prayers are with him and all the families affected.

Carbon monoxide poisoning is known as the silent killer; its victims simply fall into a sleep-induced coma unaware of what is going on. People can suffer mild symptoms from carbon monoxide poisoning and make a full recovery; however, between 10% and 15% of people with serious poisoning suffer long-term problems. As we saw in Castlerock, others are not so lucky. A headache is the most common symptom of carbon monoxide poisoning. Other symptoms include feeling sick and dizzy; feeling tired and confused; vomiting and stomach pain; and shortness of breath and difficulty breathing. The longer people breathe in the gas, the worse their symptoms. They eventually lose consciousness, which can happen within two

hours when there is a great deal of carbon monoxide in the air. Certain people are more at risk of carbon monoxide poisoning than others, including those with heart or breathing problems, babies, young children and pregnant women. Pets can be the first to show signs of carbon monoxide poisoning.

A main cause of carbon monoxide poisoning is poorly installed or maintained appliances, such as cookers, heaters and heating devices. Blocked flues and chimneys are also a cause of carbon monoxide poisoning; therefore, it is vital that they be cleaned and maintained properly and regularly. Enclosed or unventilated spaces, where there are no air vents, windows or doors, increase the risk of poisoning. For example, a lethal level of carbon monoxide can build up in 10 minutes from a car in a garage that is switched on and left on. Paint fumes and fumes from cleaning fluids that contain chemicals can also cause carbon monoxide poisoning. It is important that people take precautions to reduce the risk of poisoning.

The motion calls on the Executive to legislate to compel builders and developers to fit carbon monoxide alarms in all newly built homes in the same way as they are obliged to fit smoke alarms. At present, no conditions are placed on developers or landlords to compel them to fit carbon monoxide alarms. There is, however, a legal requirement to fit a smoke alarm and to ensure that it is in working order.

Gas has become popular as an effective and efficient way of heating our homes. However, it carries a severe risk if the system is not maintained properly. Every year in the United Kingdom, about 50 people die and 200 people are left seriously injured as a result of carbon monoxide appliances that have not been installed or maintained correctly.

People who sleep in rooms containing open-flue gas appliances that are left burning at night are most at risk. I urge anyone who is thinking of getting gas installed to ensure that the fitter is registered. In September 2006, an all-party parliamentary gas safety group in the Mother of Parliaments published a report into the issue and called for more to be done. Its focus was to raise awareness of the issue and to call on people who work in the industry to do more to raise awareness of the threat of carbon monoxide. The group also called on the Health

and Safety Executive to introduce a zero-fatality target for carbon monoxide poisoning.

1.45 pm

The all-party group also urged the Government and those in the industry to work to ensure that people had access to detection equipment and that homes were fitted with reliable detectors and mechanisms. The report touched on the availability and communication of information. There is information, but it is not being communicated properly, particularly compared to information on smoke alarms. I for one was not aware of the serious risk that carbon monoxide posed until the tragic deaths in my constituency. Smoke alarms and carbon monoxide alarms are equally important, and the importance of their use should be communicated equally. Responsibility for that lies with the Minister of Health, Social Services and Public Safety. We need to see a publicity strategy to encourage homeowners to purchase carbon monoxide alarms, as well as smoke alarms, in order to prevent further deaths from this silent killer.

We must work to ensure that no one else dies as a result of carbon monoxide poisoning. I therefore urge Members to support the motion and join me and my colleagues in ensuring that legislation is brought forward that compels builders and developers to install carbon monoxide alarms in all new homes and that the Department of Health, Social Services and Public Safety produces a strategy to raise awareness of this silent killer.

The Chairperson of the Committee for Finance and Personnel (Ms J McCann): On behalf of the Committee for Finance and Personnel, I welcome the opportunity to participate in the debate. We were all shocked to hear of the carbon monoxide poisoning tragedy during the summer. On behalf of the Committee, our sympathies go to the families of the two young men who died and to the other young man who was with them at the time. I commend the Members who brought this important issue to the attention of the Assembly.

The Department of Finance and Personnel has responsibility for regulations relating to the building of new homes, and, at its meeting on 8 September, the Committee for Finance and Personnel agreed to write to the Department requesting information on whether consideration has been given to including regulations on gas installation and carbon monoxide alarms in

current building regulations. The Committee will carefully consider the Department's response and the outcome of today's debate before deciding on a way forward. Go raibh maith agat.

Mr McClarty: I thank the Members who tabled the motion. However, everyone in the Chamber agrees that it is regrettable that it has taken this tragedy to bring the issue before the House. Castlerock is a close-knit community that benefits significantly from tourism. That is why it was particularly devastating when I heard that two young teenagers who were enjoying a few days' break in the area had been killed by carbon monoxide. I again extend my condolences to the families of Aaron Davidson and Neil McFerran. If any hope is to come out of the tragic deaths of those two young men, it is that many homes across Northern Ireland will now have been fitted with carbon monoxide alarms, and public awareness of the poisonous gas is now significantly higher than it was.

The whole north coast community was affected by the tragedy, and, unsurprisingly, the deaths received significant media attention. In the days and weeks that followed, shops in the area could not cope with the demand for carbon monoxide alarms. Therefore, the risk of such a tragedy occurring again has been greatly reduced but not yet eliminated. Alarms can be purchased for £15 in many hardware shops as well as many larger supermarkets. However, the case remains that many homes are occupied without any sort of detection system in place. The fact that the killer gas often originates from faulty gas appliances or defective flues means that rather than be reactive, the Executive should focus on being preventive. A proper system needs to be put in place so that any work that is carried out on gas appliances, including those in domestic premises, is undertaken by an engineer who is on the Gas Safe Register.

The motion is particularly noteworthy at present because, this week, students returned to university, and, subsequently, many young people moved into new accommodation. Students who move into rented accommodation have every right to request to see the landlord's gas safety record. Although it is reassuring to note that landlords have a legal duty to carry out annual checks on their appliances, we must not forget that many new flats are occupied by private homeowners. Subsequently, appliances will rarely, if ever, be inspected.

Even if installation of carbon monoxide alarms is to become compulsory, which a number of Ministers suggested quickly after the tragedy in Castlerock, I still urge homeowners to install them sooner rather than later. The legislative process is such that it will be a considerable period before that becomes mandatory.

I will conclude by remarking that simply to install alarms and hope for the best is still not good enough. Although alarms can act as a life-saving first line of defence against gas, I share Northern Ireland's Health and Safety Executive's opinion, which is that alarms should not be regarded as a replacement for regular maintenance and safety checks by an engineer who is on the Gas Safe Register. We must ensure that the tragedy that occurred in Castlerock prompts action by the Executive. I am, therefore, grateful to the Members for tabling this motion. I look forward to the Minister's response and an update on the progress that he has made in that area.

Mr Dallat: I, too, welcome the motion before the House. The tragic deaths of Aaron Davidson and Neil McFerran, both of whom were 18 years old and from Newtownabbey, should never have happened. However, they did happen. We all share their families' grief.

Unfortunately, Aaron and Neil were not the first people to lose their life as a result of gas poisoning. Indeed, many others have survived but suffer from the horrific side effects of inhalation of that deadly poison, which rob them of a decent quality of life. According to statistics, every year, 50 people in the United Kingdom die and hundreds more suffer serious health problems as a result of accidental overexposure to carbon monoxide. Campaigners believe that the number of people who are affected is far higher but doctors are not clued up about the symptoms, which are often mistaken for those of some other illness.

Carbon monoxide is, as we have been told, a colourless, odourless gas that is produced in small quantities when fossil fuels are burned. If an appliance is poorly installed or maintained, far more carbon monoxide is produced than normal. Any appliance that produces a flame, from a gas fire to a grill, could start to pump out gas. If a room is not well ventilated or a chimney is blocked, the consequences can be devastating.

Members may recall that in October 2006, in Corfu, seven-year-old Christianne Shepherd and her six-year-old brother Bobby died as a result of carbon monoxide poisoning from fumes from a faulty boiler. That was yet another tragedy for parents whose children were on holiday, like Aaron and Neil in Castlerock.

Since the Castlerock incident, which shocked the entire community, there has been brief discussion about the need for gas alarms. However, that discussion has already faded away as other priorities take over. Although detection is vital, I want to focus on the escape of gas in the first place. We have been used to gas for a very long time. By and large, it is perfectly safe. However, when something goes wrong, the consequences are, unfortunately, deadly.

Given that carbon monoxide gas is a colourless, odourless poison, the most stringent regulations must be put in place to ensure that those who install gas appliances in their many forms are trained and skilled to the highest level and that there is constant inspection and oversight to ensure that the events of the past do not become the norm in the future.

I am conscious that there is an inquiry going on into the deaths of Aaron Davidson and Neil McFerran, and I do not intend to get into that. However, I feel that it is imperative that there is an immediate review of the regulations involving the installation and maintenance of gas appliances, and I believe that we, as an Assembly, are in a position to ensure that that happens.

We should examine the regulations obtaining in the Republic of Ireland, where, I know, this issue is taken very seriously and where appliances must be fitted with devices that cut off the gas if, for example, the light goes out or there is a leak. I have looked at the Gas Safety (Installation and Use) Regulations (Northern Ireland) 2004, which appear to cover the concerns that I have expressed. However, the question is: are they enforced? Are appliances inspected or checked? Has the Health and Safety Executive the resources and manpower to ensure that existing regulations are complied with? I doubt it, and that is the area that we should focus on.

The Gas Safe Register replaced the Council for Registered Gas Installers (CORGI) in Northern Ireland on 1 April 2010, just before the tragedy. To carry out work on gas installations and

appliances safely and legally in Northern Ireland after 31 March 2010, gas engineers must be on the Gas Safe Register. The installer of the gas appliances in Castlerock and other affected areas was a member of that organisation.

In summary, although the existing regulations are clear and specific, there is a need to ensure that they are complied with. I also believe that voluntary registration for a fee stops short of preventing such tragedies in the future, and I urge the Minister to use the opportunity to review and strengthen the law in relation to gas and its use in our everyday lives.

Mr McCarthy: On behalf of the Alliance Party, I support the motion. As has been said, it is a pity that we have had to wait until the recent tragedy, in which two young men lost their life. I offer our party's sympathy to the families on their dreadful loss. It never should have happened, and I sincerely hope that it never happens again. I also thank Assembly Research Services for providing Members with an excellent information pack on this subject. I also welcome the statements made last month by Ministers Wilson and Foster, acknowledging the risks that became apparent following the tragic loss of the boys in Castlerock last month.

It was not that long ago that the fitting of smoke alarms in all homes was thought to be a sensible idea. I am not sure whether the demand that all homes be fitted with smoke alarms came about because of a disaster to some family or other, but it has certainly saved lives. Now we have a similar call for carbon monoxide detectors to be fitted. It makes sense for all homes and properties to be fitted with those alarms.

Like all Members who have spoken this afternoon, it is my contention that, if those detectors can save one life, we should ensure that every precaution is taken. We have an opportunity in the Assembly to do something, before something more serious happens. I fully support the motion and thank the Members who brought it to the Floor.

Mr G Robinson: First and foremost, I express my profound sympathies to the Davidson and McFerran families, and to Matthew Gaw, the young man who was caught up in the tragedy, and compliment them on the dignified way in which they dealt with such tragic events in the public eye.

The events in Castlerock this August have made many of us aware in the most dreadful way of the lethal nature of carbon monoxide. What happened in Castlerock is something that every Member of the Assembly will not wish to see happen again. To ensure that that is the case, new legislation should be brought before the House at the earliest possible opportunity.

This legislation must, however, be enforceable and practical, otherwise it is pointless. The obvious starting point for any new legislation is to ensure that all newbuilds have detectors installed, as should all rented properties, be they in the public or private sector. Smoke detectors are compulsory and have undoubtedly saved lives, so let us ensure that the same applies to carbon monoxide detectors.

2.00 pm

The events in Castlerock have shown that this is a life and death debate; let us not forget that. The Minister of Finance and Personnel and the Minister of Enterprise, Trade and Investment have made clear their support for new, carefully considered, workable legislation in their statement of 10 August. Minister Foster was and is right to urge people to acquire detectors now and not to wait for another tragedy. It is essential that people are made aware of how carbon monoxide manifests itself. The Health Minister must play the leading role in doing that, and other Departments, such as the Department of Education, also have a role to play. A joint education campaign on smoke and carbon monoxide detectors could perhaps be a way forward.

I am convinced that the Assembly must be proactive in response to that tragedy. Never again should we have to deal with loss of life knowing that we could have put in place legislation to minimise the possibility of another tragic event. It is, therefore, with sincerity that I ask all Members to support this worthwhile motion.

Mr F McCann: A Cheann Comhairle agus a chairde. I support the motion and commend the three Members who brought it to the House. The recent tragic deaths of two young people on the north coast highlight, once again, the dangers that lurk in our homes. It is only when tragedy strikes that that issue is brought to the fore once again. I hope that positive action will result from the intervention taken by those Members.

Over many years, we have heard about the serious problems caused by the use of fossil fuels and about how they can create deadly carbon monoxide. In fact, appliances that burn gas, oil, wood, coal and other combustible items found in households can all produce that silent killer if not serviced properly. For that reason, it is crucial that people have their appliances checked regularly, and it is equally important that chimneys are swept regularly. I recently read a report that stated that over 600 people are admitted to hospitals across these islands each year suffering from carbon monoxide poisoning and that around 50 of those people die. That could be avoided if people followed a simple code: get appliances checked by an expert and install alarms that can detect the odourless gas. The alarms are not expensive to install and should, as the motion states, be mandatory for all newbuilds. However, we should look at how the matter can be taken further.

Today, some 3,000 Housing Executive homes still have solid-fuel room heaters, which are better known as glass-fronted fires. Those have been a major source of concern for many years, and there have been many calls for the total removal of that type of fire. I continually deal with constituents, young and old, who are terrified of the various appliances in their homes. The providers of those appliances, particularly gas appliances, do not spend enough time explaining how they work. People are given a booklet explaining how the system works, but, much of the time, it is gobbledegook to them. A simpler method needs to be adopted to explain how a system works. However, we also require a commitment to remove all glass-fronted fires from Housing Executive homes as a matter of urgency. Many of my constituents who have glass-fronted fires continually tell of the smell emanating from their fires. Many of them have been told that they are imagining it, but that does not reassure them, and they are left terrified.

I believe in the spirit that underpins the motion. However, the Minister for Social Development should lead by example and ensure that all Housing Executive homes are fitted with a carbon monoxide alarm system. Housing associations should follow suit if they have properties containing those types of room heaters. An investment of £20 a household could result in many lives being saved. A total investment of £60,000 could bring about real peace of mind for people and protect them from that silent killer.

A strategy is required to ensure that developers install those alarms as an essential part of the house-building process. That really is a no-brainer. Alarms can save lives, and developers should not wait until the Assembly makes the process mandatory but install them now. There are examples of various types of strategies in other jurisdictions that publicise and highlight the dangers of faulty appliances, and we need to draw on those. This should not be a long, drawn-out process. If we act swiftly, we can hopefully avoid a repetition of the terrible tragedy that occurred in Castlerock just six short weeks ago.

Mr Wells: I enthusiastically support the motion and do so from very unfortunate personal circumstances. My brother's girlfriend and her sister died as a result of inhaling carbon monoxide in holiday accommodation in Portugal. It was one of the most difficult times in my family's life. Two very talented young ladies who had all of life ahead of them — one of them was hoping to get married — had their lives wiped out simply because of the absence of a carbon monoxide detector. I have absolutely no doubt that had the holiday accommodation had a detector both those people would be alive today. For the sake of £10 or £15, two lives were wiped out. Unfortunately, it has taken the more recent tragedy in Castlerock to highlight the issue.

I have become a bit of an anorak on the issue of carbon monoxide detectors because of the tragedy that affected my family. When my daughters go off on holiday, I pack a carbon monoxide detector in their bags and ring them to make certain that they have put it up in the appropriate place in their accommodation. When they go down to university, I make certain that at least two carbon monoxide detectors are fitted in their houses, particularly if there is fossil fuel heating, just in case.

We need to take action to ensure that such tragedies do not occur again. One immediate step that we can take is to do what we did in 1993, whereby, in response to many people dying in their sleep as a result of fires, building regulations were amended to make it compulsory to fit hard-wired smoke detectors in every house. I accept the fact that fitting carbon monoxide detectors would not have a huge impact initially, because, particularly in the present market conditions, perhaps only 6,000 or 7,000 houses are being built each year — at

times, I wonder whether it is even that many — in Northern Ireland. However, we have to start somewhere. There is no doubt that the 1993 decision to fit smoke detectors certainly saved lives in Northern Ireland: very, very few people in Northern Ireland are killed at night by fires in houses in which there is a working smoke detector. The lesson to be learned is that smoke detectors alert people to the fact that there is a fire, and they can then get out. The same principle applies to carbon monoxide.

An amendment to building regulations would send a clear signal to society and to builders, particularly those who are perhaps renovating houses, that it is the accepted norm to fit a carbon monoxide detector. However, there is a view that, if detectors were fitted, people would not service their boilers or make certain that their heating appliances were properly looked after. Therefore, we need to combine the compulsory fitting of detectors with a campaign to ensure that people who have any form of fossil fuel heating have their boilers and heating appliances regularly serviced to ensure that there is no possibility of a leakage of carbon monoxide into the home. We need to combine both. We also need a campaign to encourage everyone, not just those building new houses, to fit carbon monoxide detectors in their homes. The cost of a detector is minimal. A battery-operated detector can be purchased for anything between £8 and £15. Indeed, people can buy a combined carbon monoxide and smoke detector, which can be fitted as one unit. It takes only a few seconds to put a detector up, but the number of lives that it could save is quite large.

The stats from Northern Ireland and the rest of the United Kingdom show that many people are being affected by carbon monoxide poisoning, some of whom are lucky and are discovered before the gas takes effect and they are killed; others, unfortunately, are not so lucky. That is an absolutely needless waste of life. The one thing that we, the Assembly, the elected people of Northern Ireland can do for society — the one good thing that can come out of the terrible tragedy in Castlerock — is to take action to ensure that such terrible tragedies do not happen again. The Assembly has the ability to move fast when matters of urgency arise. The Departments involved must take the opportunity to review the situation immediately. Let us make certain that this is the start of a step in the right direction towards ensuring that such awful tragedies never happen again.

Mr Kinahan: I also welcome, from the bottom of my heart, the chance to support the motion. We must never again find ourselves in the position that we are in today of reacting after an incident.

As members have heard, in my constituency two Newtownabbey families are devastated by the loss of their sons. My heart, as I know do all your hearts, go out to all those involved. It is our duty in the Assembly, as it is of those at Westminster and in Europe, to pass legislation to save lives, increase safety and make life better. Today, we know that we have failed, and failed badly.

We are involved in many Departments, Committees and areas in which we should be doing things to ensure that we do not make the same mistakes in other areas. I plead with all Members to have a big think in the Departments and Committees about what else we could be missing, and where action taken today, either through legislation or just good publicity, will prevent this from happening again.

Just over 20 years ago, a good friend of mine lost her life due to a faulty flue and died from carbon monoxide poisoning. If we accept the figures that we were given today, some 1,000 devastated families needlessly lost someone in that 20-year period. We must never see that happening again, and we all know what we have to do.

I support the motion. I support the fact that we must have compulsory CO2 alarms in every house and building as soon as possible. We must make sure that all gas appliances in domestic and commercial premises, indeed in every building, are checked, and not in just rental properties. Those checks should be undertaken by a Gas Safe engineer.

We must ensure that all gas appliances and flues in all buildings, whether through publicity or legal action, are serviced annually by a Gas Safe engineer. We must also ensure that a legal duty is placed on all rented and public buildings to have a regular safety check, and that anyone using those buildings can see the certificate that shows that the laws are being followed.

At the same time, we must make sure that publicity ensures that everyone knows that those sorts of buildings must have windows and doors that can open, in order to get fresh air into them. We must also encourage everyone to get their chimneys swept regularly. There are

many more things that we should do, but we need to carry on educating the public about the dangers and symptoms of carbon monoxide poisoning. We need to work closely with the industry, because it is not their fault: they have been trying to sort this out for years. However, it is in our hands today to make the changes.

So, let us ensure that this does not fall between two stools or two Departments, or four or five Departments, and that this Assembly, and the next Assembly, pass the necessary legislation to deal with it. Until then, it falls on us, and on all forms of Government, to make sure that the publicity ensures that everyone understands the dangers of CO₂, so that we never again see ourselves being negligent. I support the motion.

Mr Burns: I support the motion. Members are calling on the Executive to introduce legislation to make builders install carbon monoxide alarms in all new homes. Judging from the content of the contributions already made, and comments placed on record by Members in the recent past, I am sure that that call will receive full cross-community support.

Members are also calling on the Minister of Health, Social Services and Public Safety to bring forward a strategy to raise awareness and for the people to take personal responsibility for fitting carbon monoxide alarms in their homes, whether newbuilds or not. We heard from so many people of their personal circumstances, when they took that responsibility on themselves, and know the great need for those carbon monoxide alarms. I wholeheartedly support that call, because such action will save lives.

2.15 pm

Carbon monoxide is a silent killer. As others said, it is highly poisonous and has no taste, smell or colour. People need to be aware of its lethal effects and how to protect themselves from it. They need to know that gas boilers that have been badly fitted, and those that have been badly repaired or maintained, produce carbon monoxide. People also need to know that fuels such as oil, coal, wood and petrol also produce carbon monoxide.

Members have spoken about the recent tragedy in Castlerock, where two individuals, Aaron Davidson and Neil McFerran, lost their lives. Their families have my deepest sympathy. I wish their friend, Matthew Gaw, a speedy recovery. It was a terrible incident that could have been

avoided; and had there been a carbon monoxide detector in the dwelling, their lives would have been saved.

From a practical point of view, I can see no reason why anyone would object to the installation of a carbon monoxide detector in his or her home. They look similar to smoke alarms, they are easy to fit and they cost only a few pounds. I recommend that everyone fits one immediately.

People should not wait for a change in the law. They should do it as soon as possible, because, as we are all well aware, changing laws and introducing new legislation can take a lot of time. Given that people die from carbon monoxide poisoning every year, that is time that we do not have to waste.

I strongly support the call to make it compulsory to install carbon monoxide detectors in all new homes. I also support the plans by the Health and Safety Executive to launch a major awareness campaign in the near future. I hope that the Minister of Health, Social Services and Public Safety will actively participate in the campaign, because he is one of the key stakeholders.

I also remind householders to get their gas appliances checked regularly by a professional. The fact that there are no compulsory regulations to install a carbon monoxide detector in new homes is a mistake that should be corrected. That is a situation that must change.

Mr Leonard: Go raibh maith agat, a LeasCheann Comhairle. I also support the motion. Along with other colleagues, I convey my sympathies to Aaron and Neil's families. It is very proper that we remember Matthew, as various Members have said. That young gentleman is going to have to live with the feeling of having survived a situation in which he lost two mates, which is an awful burden for such a young person to carry into his mature years. That was reflected by the poignancy of Jim Wells' contribution, in which he remembered his relative and friend, and Danny Kinahan's contribution, in which he remembered his friend. That shows that people have to live with such memories for a long time. My sympathies go out to everybody concerned and every member of the affected family circles.

Casting our minds back just a few weeks, as well as the tragedy, there were people who feared other potential tragedies. I dealt with a small business in Portstewart where members of staff were taken to hospital. They

were worried about a gas installation and the sickness of a couple of workers. I spoke to the owners — I know them very well — because there was worry about sickness and nausea. As people went to hospital for their check-ups, their personal worries and those of their relatives were very strong. Thankfully, it turned out to be a false alarm.

There was also a situation at a business in Rasharkin. Daithí McKay and I had dealings with the owner of that business, whose family feared for his staff and his customers. The whole worry was about whether it would be another carbon monoxide case.

In debating the motion, we have actual tragedies, which are horrible, and the potential and fear of tragedies. Obviously, there are two aspects of the motion. One refers to legislation about new homes, and the other refers to an awareness campaign. Those measures are common sense and practical and should be put in place.

Today's debate is also an opportunity to raise some ideas that go further than the motion, although nothing negative about the motion is being said.

The point was adequately made that it will affect x number of properties per annum over the next few years. That is obviously a limitation. Newbuilds in the area will be fewer for the foreseeable future. Bigger and more practical issues ride on the intent of the motion. There are issues about registration, annual checks and implementation of the highest standards for the equipment itself. The legislation must be preventative, as well as being able to react to disastrous occurrences. There is an awareness campaign to help with the ordinary domestic market, but I reflect the views that have been expressed. Let us not wait for an awareness campaign, let us do it.

Then we have landlord provision. Reference was made to the university students who return, this week in the main, to various styles of accommodation, including university accommodation. Are there carbon monoxide detectors in those premises, which are provided by responsible organisations? Many public buildings use gas installations: the local swimming pool, the dentist's surgery and whatever. There is an area there as well. Should we ask mortgage and insurance brokers, or others responsible for the lending of money and having insurance responsibilities related to

accommodation, to take action? Should there be a provision that insists on carbon monoxide detectors? Some of those issues may be outside our control, but surely there is the will to use the influence of the Assembly to motivate other bodies.

As to the Housing Executive and housing associations, I strongly agree with my colleague Fra McCann that major house providers in the North should lead by example. At a practical level, if it were phased in as repairs were being made, perhaps to buildings with tenants who are more in danger than others, if there were a programme of implementation, it would at least show that the Housing Executive and the housing associations are going to lead by example.

Therefore, there are positive aspects to the motion and I support them totally. There are also other issues on which we can continue and work.

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

Mr Leonard: This Assembly will play its role in minimising risk and, hopefully, avoiding further death and injury.

Mr Ross: This debate, as has been said, has been brought about because of the tragic and sad deaths of two young men from Newtownabbey, Aaron Davidson and Neil McFerran, due to carbon monoxide poisoning in Castlerock at the beginning of the summer. Incidents such as that are still rare, but as has been proven, they can be fatal. The poisoning, as has already been stated, is known as the silent killer because it is colourless and odourless. Sadly, it often takes tragedies of this nature to draw attention to issues such as this. In sharing with the pain of the families, the public rightly demands that we do all we can to ensure that that sort of event does not happen again.

My colleagues councillors Robert Hill and Billy Ball have been active on Newtownabbey Borough Council on the issue. They reflect the view of the public, who want to see something done and who look to Stormont when there are incidents such as this. They certainly look toward the legislative route. The general view from this debate is that there is merit in changing the legislation. People want to see a legislative change. They want new homes built in the Province to have not only smoke detectors but also carbon monoxide detectors in them. There is not yet a European standard for carbon

monoxide detectors, but there is a British standard. We hope that, in the coming months, there will be a standard European version that can be used.

If that is the route that the Assembly takes, then, as has been said by a number of Members already, it will not address the immediate issue, which is that before we would get anywhere near having the majority of homes in Northern Ireland fitted with these devices, there is a gap there and we need to take immediate action. Fra McCann suggested that the Housing Executive and housing associations could start by putting them into their properties. That is a good idea and it is something that they should look at.

The motion identifies the most immediate needs. That is important. Things must be done in parallel with change in legislation or in advance of it. I agree with that. Families and individuals across the Province can take steps immediately, rather than wait on legislation to pass through the House.

Three things need to be said. First, people having new appliances or boilers fitted should use qualified, registered installers. Those fitters should be recognised by the Gas Safe Register, for example. It is important to say that it is not only homes using gas that may be impacted by carbon monoxide poisoning; home heating oil, natural gas, Calor gas, Flogas, coal or turf can also have an impact. I heard some confusion over that on the radio; some people thought that siting an oil-fired boiler system in their garage left them less at risk. That sort of complacency can be dangerous. It is important that people recognise that it is not just gas that can lead to danger. Around 70% of homes use some form of home heating oil or solid fuel, so it is not the case that if one does not use gas one will be OK.

Secondly, people need to be cognisant of the need to have their key appliances tested and get a proper service done each year. I heard on the radio the example of cars. We have to get our cars serviced every year. We would not think of not getting that done; it is a safety thing. The same should be done for boilers and other appliances in the home; people should get them regularly checked and serviced.

Thirdly, and again this has been mentioned, there must be awareness. The tragic events in Castlerock have undoubtedly led to an increase in awareness among the general public and

representatives. I understand that the Executive will launch an awareness campaign towards the end of the year. That is important, and I look forward to seeing it. Hopefully, it will reinforce the message. I know that other organisations such as Phoenix Natural Gas have taken the step of sending out leaflets to their customer base to raise awareness and allay some concerns that people may have. I know that organisations such as that would work with some of the various installers to ensure that the public is well aware of the dangers and of what help there is out there.

However, I have one warning: having a carbon monoxide device is not enough to totally calm someone and stop them from worrying about the danger. Everybody knows the danger of fire in the home and most homes now have smoke detectors, but, startlingly, many people do not regularly test their smoke detectors. We should also be aware of that.

It is most important that people should not wait for legislation; they should take action now. We have heard that devices are available for as little as £20 to £40. That is money well spent. Many shops sold out of them immediately after the sad circumstances in Castlerock. I hope that people take action now rather than wait for legislation from this House. I commend the motion.

Mr Deputy Speaker: As Question Time commences at 2.30 pm, I ask Members to take their ease for a couple of minutes. Afterwards, the next Member to speak will be Mr Mickey Brady.

The debate stood suspended.

2.30 pm

Oral Answers to Questions

Environment

Mr Deputy Speaker: Question 11 has been withdrawn.

Planning Policy Statement 5

1. **Mr Kinahan** asked the Minister of the Environment what progress has been made in finalising PPS 5. (AQO 60/11)

The Minister of the Environment (Mr Poots): Draft planning policy statement 5 (PPS 5) was published originally by the Department for Regional Development in July 2006 for a four-month consultation period. My Department assumed responsibility for PPS 5 in January 2008. Work was ongoing to update and revise that planning policy statement. A judicial challenge to draft PPS 5 was heard in the High Court in January 2009, and the judgement was handed down by Lord Chief Justice Morgan on 14 June 2010. On 5 July 2010, the judgement was appealed. Therefore, it is difficult at present to provide detail of the final content of the planning policy statement or a definitive date for its adoption pending the outcome of the aforementioned appeal, which may have implications for its timing and content.

Mr Kinahan: I thank the Minister for his answer. His predecessor in Parliament indicated that delays and poor handling by Ministers often made planning seem ineffective. Does he agree that draft PPS 5 seems to have been very ineffective in protecting town centres? When will we see a more effective and final PPS 5?

The Minister of the Environment: That is out of my hands. The Executive and the Department have done the work to bring forward a PPS 5 that will be effective and a useful tool for Planning Service. However, Central Craigavon Ltd has appealed the decision of the judge. Government is being usurped by legal forces on a continual basis. It is one of the circumstances in which Northern Ireland plc would have a better planning document with which to move forward, but it is being held back by the legal system and by people who abuse that system for financial gain.

Mr Givan: The Minister highlighted how Central Craigavon Limited is abusing the legal process by challenging that document. He will know that PPS 5 recognises Sprucefield as a regionally significant site for out-of-town retail development and that —

Mr Deputy Speaker: The Member should come to a question.

Mr Givan: — another judicial review has been launched by companies from Belfast that are anticompetitive and anti-consumer choice. Does he feel that, once again, the legal process is being abused to try to frustrate the government and planning processes?

The Minister of the Environment: I have complete clarity as regards this issue. A considerable number of the legal cases would not be accepted in England due to the motive involved. If the Government's work is to be usurped on a regular basis by those with financial vested interests, that will be to the detriment of the people of Northern Ireland. I will not kowtow to the wishes of big business on this issue; I seek to resist them. I urge the courts to stand with us in seeking to resist individuals who use and abuse the legal system and technicalities in many of the European directives to hold back the prospect of jobs, job creation and new investment in Northern Ireland.

Mr O'Loan: The purpose of PPS 5 is to ensure viable and sustainable town centres. The Minister has wider responsibilities beyond PPS 5 in that regard. Has he done any cross-departmental work to sustain our rural town centres, which find it very hard in these economic times?

The Minister of the Environment: The Department of Agriculture and Rural Development has responsibility for rural centres. The Department for Social Development deals with urban regeneration, so perhaps the Member should have a conversation with Minister Attwood about that issue.

We apply planning legislation with existing policies. Draft PPS 5, which is a better document, was dealt with by the Department for Regional Development before it came to the Department of the Environment, and it has Executive support to go forward. The fact that it is not being allowed to be produced by individuals with financial vested interests is damaging other town centres and the economy

in Northern Ireland. Let it go on the record that there are individuals who are prepared to damage Northern Ireland's economy for their own vested financial interests.

Ms J McCann: Go raibh maith agat, a LeasCheann Comhairle. In the absence of the implementation of the policy, will the Minister advise Members what policy Planning Service is using to drive economic development?

The Minister of the Environment: In driving economic development, we must operate within existing policies. My predecessor, Sammy Wilson, issued ministerial statements on two separate issues: one was on prematurity, and the other was on taking into account economic considerations when arriving at a planning decision. In both cases, responding to the financial downturn, Minister Wilson identified how planning could be helpful within existing policy. Unfortunately, that has also been challenged through the legal process, again by Central Craigavon Ltd, which, for some reason, does not want economic considerations to be taken into account when it comes to making planning decisions.

I welcome the proposals that Minister Wilson put forward. They were clearly not a change in policy but highlighted what planners could do within existing policy and asked for greater emphasis to be put on those issues. I hope that those matters will very soon be dealt with by the court and will be thrown out, allowing us to proceed.

Planning Policy Statement 7: Addendum

2. **Ms Lo** asked the Minister of the Environment for his assessment of the impact of the PPS 7 addendum. (AQO 61/11)

9. **Mr Spratt** asked the Minister of the Environment for his assessment of the practice of demolishing existing family homes to build apartments. (AQO 68/11)

The Minister of the Environment: With your permission, Mr Deputy Speaker, I will answer questions 2 and 9 together.

To better manage the practice of demolishing existing family homes to build apartments, on 10 August 2010, I published an addendum to Planning Policy Statement 7, titled 'Safeguarding

the Character of Established Residential Areas', which I am confident will have a positive impact.

Ms Lo: I thank the Minister for his response and particularly for coming to my constituency to meet residents of Piney Hill. Will he reassure South Belfast residents that he will take swift enforcement action against those who breach planning conditions?

The Minister of the Environment: Enforcement is a slightly different issue that is applied to individuals who engage in development without having planning permission. People engage in such activities at their own risk. Enforcement action has been taken in a number of cases over recent months, including one in which a £30,000 fine was imposed and another in which there was a fine of £5,000, both for a breach of planning policy. Therefore, people who engage in development without planning approval are doing so at their own risk. I accept that, in the past, enforcement was perhaps not as rigorous as it could have been, but I believe that enforcement officers are much more active at the moment than previously.

Mr Spratt: Bus routes appear to be among the exclusions in the addendum to PPS 7. It appears that the Minister's Department is using all bus routes as a reason to exclude applications. Given that some such applications are in areas on main arterial routes, is that what that exclusion means? If not, will the Minister instruct his Department to look at the matter more carefully?

The Minister of the Environment: The exclusion is for main traffic routes, which are identified in area plans. The fact that a bus operates in a particular area does not make it a main traffic route, and that should not be the means by which a planning officer identifies a main traffic route. My Department will clarify that, but, lest any Member be in any doubt, the addendum to PPS 7 refers to routes identified in area plans.

Mr McClarty: In my East Londonderry constituency, we still see out-of-character, intensive developments being passed by the local planning office. Will the Minister give examples of how the new addendum is making a difference?

The Minister of the Environment: The addendum is clear. For example, it is unacceptable for someone to knock down a large house in a cul-de-sac in order to build 12

apartments in its place. A planning officer who cannot understand that that is what is being said is not carrying out their duties properly, and I would expect public representatives to challenge them on the issue. The addendum offers a significant change to the previous planning policy, moves away from the densification policy in the previous regional development strategy and deals effectively with garden grabbing. If the Planning Service does not implement it as written, we will investigate.

Mrs M Bradley: How will the Department encourage proposals that incorporate features intended to maximise sustainability and energy efficiency?

The Minister of the Environment: Although sustainability is not wholly enforceable, PPS 7 encourages people to install sustainable drainage systems, which, by absorbing much more rainfall and releasing it slowly, as opposed to tarmac and hard surfaces that release rainfall very quickly, are particularly important in cities and built-up areas and will ensure that we do not add to the flash flooding problem. That provision is contained in PPS 7.

Seals

3. **Mr Gibson** asked the Minister of the Environment what steps he is taking to investigate the deaths of seals at Strangford Lough and other coastal areas. (AQO 62/11)

The Minister of the Environment: In view of the unnatural seal deaths that have occurred off the County Down coast, the Northern Ireland Environment Agency issued a press release to highlight the issue and to encourage the public to report any suspicious activity involving seals to their local PSNI. NIEA continues to assume responsibility for the collection of seal carcasses in the Strangford Lough, Cloughie and Minerstown areas of County Down. The arrangement was linked originally to monitoring associated with the marine current turbine in the Strangford Narrows. As a result of the unnatural seal deaths in those areas, my Department issued the press release that I mentioned. NIEA liaises with the PSNI on those matters, and it will continue to do so in the investigation of any further seal deaths.

Mr Gibson: I thank the Minister for his response. Although animal welfare is the overriding concern, the Minister will be aware

that seals in Strangford Lough and along the County Down coast are very much part of the tourist package that the area has to offer. What is the Minister's assessment of seal numbers in our coastal waters? There is a view that they are declining. Furthermore, will he comment on whether the electricity generator between Strangford and Portaferry might be responsible for any seal deaths?

The Minister of the Environment: In the past number of years, the grey seal population has, in fact, risen while the harbour seal population has fallen. There are different types of seal, and while one type has increased the other has decreased. It is as a result of the marine turbine that seal populations have been monitored and the problem has been identified. The marine current turbine has in-built, automatic cut-off facilities to reduce the risk to seals of being struck by the blades. The turbine also has a device that emits an ultrasonic warning, which allows marine animals to detect the structure from a distance. Those safety devices are designed to reduce collisions, and the inspection of injuries to carcasses that have been collected to date are not consistent with blows from what are relatively blunt blades on the turbines.

Mr McCarthy: Will the Minister join me in thanking the staff of Exploris in Portaferry who, day in and day out, attend to the needs of sick and injured seals from around Strangford Lough? Those dedicated staff need assurance from the highest office in the land — the Minister's — that those found guilty of this horrendous crime will be caught and punished appropriately and as soon as possible.

2.45 pm

The Minister of the Environment: Yes. It is as a result of monitoring that such activity is being detected. It is not a recent activity but has been going on for a number of years. I welcome the support of the Exploris centre, which also cares for young seals that do not get the care that they need from their mother and have been abandoned. The people from Exploris intervene in such cases, and we appreciate the work that they do.

Mr McNarry: The barbarity involved has horrified the people of Strangford and beyond. Will the Minister outline the severity of the punishment that could be applied to those responsible if

apprehended? What can be done about illegal netting along our coastline?

The Minister of the Environment: It is believed that the problem is related to illegal netting. Therefore, we have to seek to monitor such activities and, as far as is possible, given the nature of such activities, eliminate them. If people are brought to court, the punishment could involve a prison sentence. The message may need to go out that people who engage in such activities could end up in jail for their crimes.

Electricity Interconnector

4. **Mrs O'Neill** asked the Minister of the Environment when he expects the public inquiry to be completed on the NIE planning application for the North/South electricity interconnector. (AQO 63/11)

The Minister of the Environment: My officials have written to the Planning Appeals Commission to advise it of my decision to proceed by way of a public inquiry. My officials have also indicated to the Planning Appeals Commission that further information will be sought from the applicant so that proper consideration may be given to the likely environmental effects of the proposed development. My officials will not be in a position to formally request the Planning Appeals Commission to hold a public local inquiry until the Planning Service has received and considered the further environmental information.

The Planning Appeals Commission has been made aware that that process of considering the further environmental information will delay the formal request to hold an inquiry. Following consideration of the further environmental information, the matter will pass to the Planning Appeals Commission, which will determine an appropriate timetable. I have no information as yet regarding a likely completion date for the public inquiry.

Mrs O'Neill: Go raibh maith agat, a LeasCheann Comhairle. Is the Minister aware of any similar appraisal being taken forward by his counterpart in Dublin over the EirGrid application?

The Minister of the Environment: A public hearing was commenced in the Republic of Ireland. The information that had been supplied to that inquiry was challenged, and, as a consequence, the inquiry has been

stopped until further information is gathered. We are seeking to ensure that all the relevant information is brought together before the planning application is sent to the Planning Appeals Commission.

Mr I McCrea: The Minister referred to further environmental information. Can he assure the House that objectors and other interested parties will have an opportunity to comment on that information?

The Minister of the Environment: The purpose of having a public inquiry is to allow people to make their case on the issues and on issues that remain untested. That is why we are proceeding to a public inquiry. The public's voice will be heard through the public inquiry process.

Mr Cree: In the wider scheme of things, can the Minister advise how delays in the planning system are affecting the growth of renewable energies as a whole?

The Minister of the Environment: A considerable number of renewable energy applications are being approved. We could almost double the amount of renewable energy that is produced if all the planning applications that have been approved were enacted. In that respect, renewable energy targets can be met sufficiently by the rate of Planning Service approvals. Nonetheless, some of those will not be developed, while others will run into problems with connections to the grid and so forth. I will continue to press for those applications to be dealt with as expeditiously as possible. I want to ensure that as many opportunities as possible for the development of renewable energy are in the system.

Planning Service Staff

5. **Mr McQuillan** asked the Minister of the Environment what progress has been made on the redeployment of Planning Service staff. (AQO 64/11)

The Minister of the Environment: My Department faces in-year pressures of £16 million, which is 12.4% of our opening baseline position. That scale of financial pressure in one year is unprecedented in either my Department or any other Northern Ireland Department. It follows a difficult position last year, when we had to absorb financial pressures of £9 million. The shortfall in the Planning Service, which is mainly due to reduced fee income in 2010-11,

is estimated to be at least £6.4 million and is not something that we could have avoided.

I am pleased that my Department received £2 million in the June monitoring round and that it will bid for additional in-year funding in subsequent monitoring rounds. However, the final decision on that rests with the Executive. Pending Executive decisions, I have drawn up contingency plans to manage the position. As most of my Department's budget is staff-related, reductions in workforce levels across the Department, including the Planning Service, have become unavoidable. The contingency plans include a redeployment scheme for administrative staff and a regrading scheme to enable professional and technical staff in the Planning Service to transfer voluntarily to the general service discipline.

To date, over 44 administrative staff from the Planning Service have been deployed, and dates have been agreed to release a further nine over the next few weeks. Work is ongoing with the Department of Finance and Personnel and other Northern Ireland Civil Service Departments to identify posts for professional and technical staff, together with opportunities to loan or second staff to other organisations for limited periods. For example, by 28 September, 60 PTO staff will have transferred on loan to Land and Property Services for two years. All those measures are aimed at retaining valuable planning expertise in the Northern Ireland Civil Service to be utilised when the economy starts to improve.

Mr McQuillan: I thank the Minister for his detailed answer. Does he have any plans to introduce a redundancy package for those staff either now or in the future?

The Minister of the Environment: I have no plans to introduce redundancy packages. We moved when we did to ensure that we could transfer as many staff as possible without having to contemplate redundancies. We are having success, and the transfer of 60 staff to DFP has relieved us considerably. We will continue to work on the process, but I will need people to co-operate with me. At this moment in time, the unions are being co-operative, and I thank them for that. It is in everybody's best interests that we work together to resolve the problem. If we start to work against each other, the potential for redundancies will be greater.

Mr Gallagher: Will the Minister look at the redeployment initiatives in tandem with reasonable and fair travelling times? Is he aware that, when the process was carried out in Enniskillen, two individuals with young families living there had their names pulled out of the hat and were asked to redeploy to Belfast? That is giving people absolutely no choice, and it is something that workers in Fermanagh cannot do.

Mr Deputy Speaker: Will the Member come to his question?

Mr Gallagher: In view of such circumstances, will the Minister review the redeployment process?

The Minister of the Environment: It is not my intention to get involved in individual cases. The professional staff could have been transferred to four offices. One of those is the Omagh office, which is considerably closer to Enniskillen than Belfast. The process will not happen without pain, and I recognise that. I also recognise that the situation that we find ourselves in means that the morale of individuals working in the Planning Service may not be as good as it otherwise might be. However, the Member should compare the situation with that of those who were employed in the private sector by Quinn Insurance and were made redundant. We are seeking to ensure that nobody is made redundant and everyone has the opportunity of remaining in the Civil Service and retaining their employment in as reasonable a way as possible. I encourage the Member to take up individual issues with the local officers to see whether they can be resolved satisfactorily for his constituents.

Mr Beggs: The Minister indicated that he has surplus planners, yet another Department, which runs the Planning Appeals Commission, has a considerable backlog. Has the Minister lobbied the Planning Appeals Commission, OFMDFM and DFP to allow planners to transfer to that agency? They could use their skills to remove the planning backlog, which has resulted in undue delays, concern for local residents and a delay in capital expenditure programmes.

The Minister of the Environment: I am unsure whether the Member has been paying attention to the issue, but the Planning Appeals Commission had its resources doubled over recent years to allow it to deal with the backlog. The commission may be an independent body, but the House comes up with the resources

for that organisation and should expect results from the extra investment. On the basis of that increase in funding, perhaps the backlog should be dealt with more quickly.

Local Government: Environmental Protection

6. **Mr P Ramsey** asked the Minister of the Environment what monitoring processes are in place to ensure that the 26 local district councils deliver on their responsibilities to protect the environment, raise awareness and enforce any laws relating to infringements. (AQO 65/11)

The Minister of the Environment: My Department has a range of procedures in place that help it to establish how well district councils are delivering on their environmental responsibilities. In order to minimise the environmental impact of waste and meet statutory and non-statutory targets, district councils undertake awareness-raising programmes on recycling and are required to provide information on waste arisings, recycling levels and the amount of waste that is sent to landfill. That information is collected through the national WasteDataFlow system and is audited by the NIEA. My Department also monitors district council progress towards achieving air quality objectives by appraising their statutory air quality reviews, assessment reports and action plans. District councils also have responsibility for part of the pollution prevention and control regulations for inspections and the permitting and enforcing of activities such as the dispensing of petrol, dry cleaning and the chemical treatment of wood. My Department issued guidance on the level of inspection required, which is risk-based and monitors the inspection and enforcement activity undertaken by councils.

I am keen to help councils to demonstrate how well they are delivering against their environmental objectives. Therefore, as part of the proposals for a local government reorganisation Bill, I am proposing that a new service delivery and performance improvement framework be introduced for district councils. That will enable councils to demonstrate continuous improvement in the exercise of their functions and compliance with their responsibilities.

Mr P Ramsey: I thank the Minister for such a detailed reply. Given that the review of public administration will not be going ahead, will

the Minister outline what performance levels for effectiveness and efficiency he will bring in across the 26 councils?

The Minister of the Environment: It is not that the review of local government will not be going ahead. Indeed, we will be presenting the way forward on that to the Executive in the not too distant future for their approval. However, the local government reorganisation Bill can go ahead well in advance of the amalgamation of the councils. That legislation has been sitting in the office of the deputy First Minister for almost two years. It deals with minority rights and ensures that minorities are protected, and I ask the House to challenge that office on why it has held back that legislation and on the blocking mechanism it placed on the review of public administration advancing as fast as it should have done.

Mr McElduff: Go raibh maith agat, a LeasCheann Comhairle. *[Interruption.]*

Mr Deputy Speaker: Order.

Mr McElduff: In the absence of the transfer of powers, which is costing millions of pounds in efficiencies not realised, will the Minister tell the House whether local councils will be in a position to fulfil their environmental and waste management obligations?

The Minister of the Environment: One of the transfers of powers that we wanted to address related to the amalgamation of the current waste organisations. That was identified as an area in which real savings could be made, yet it was resisted by Members opposite, including the Member who has just spoken. Therefore, when it comes to giving lectures about the savings that are to be made — *[Interruption.]*

Mr Deputy Speaker: Order.

The Minister of the Environment: The real savings that were identified in the PricewaterhouseCoopers report that related to a business services organisation and a single waste authority were rejected by the party opposite. We could have made savings, but the party opposite ensured that it did not happen.

3.00 pm

Mr Deputy Speaker: Order. The Minister has the Floor. I ask Members to respect that when Ministers are responding to questions.

The Minister of the Environment: The party opposite may not like the fact that savings could and should have been made and that it was the blocking mechanism to those savings being made and passed on to the public.

Finance and Personnel

Mr Deputy Speaker: Questions 1, 3 and 5 have been withdrawn.

Public Expenditure

2. **Mrs D Kelly** asked the Minister of Finance and Personnel for his assessment of the First Minister's assertion that there may be a better way to deal with the forthcoming Budget reduction than implementing pro rata cuts across Departments; and whether he is considering any alternative options. (AQO 75/11)

The Minister of Finance and Personnel

(Mr S Wilson): The First Minister is correct to say that pro rata cuts are not the best way forward for the Budget process. That does not reflect the Executive's strategic priorities, and it cannot be right to assume that the pressures and demands of each Department are of equal merit. In constructing the draft Budget position, I will look at the priorities that are set out by the Programme for Government. Other factors will be brought into play, such as the ability of Departments to spend the money allocated to them and the impact that that will have on front line services. I cannot emphasise enough — I have done it time and time again — the importance of real engagement by Ministers so that we can discuss how their proposals fit into the Programme for Government and where exactly the priorities lie in their Departments.

Mrs D Kelly: I thank the Minister for his response and for his commitment to having clearly stated priorities and not advocating the salami-slicing approach. What principles will the Minister give to his Executive colleagues as a basis for their departmental savings plans and expenditure proposals?

The Minister of Finance and Personnel:

First, there are unavoidable costs in every Department, and those must be a high priority. The meaning of "unavoidable cost" is, of course, a matter of debate. Therefore, engagement with Ministers is important to establish that. Some Ministers tell me that everything is unavoidable;

I do not believe that. It is essential to find out unavoidable costs and tease out why they are unavoidable. Those inescapables must be met.

Secondly, we will look at what contractual commitments have already been entered into because, if we do not meet those contractual commitments, there will be costs to the public purse. That is wasteful.

Thirdly, we will look at Departments' lists of bids. From that list of unavoidable items and items where there are no contractual commitments, we will find out what Ministers regard as the priorities for their Department, why those are priorities and how their assessment of those priorities fits into the Programme for Government and its strategic view. It is important to build up that kind of picture, and I suspect that those are the questions that Committees will want Ministers to answer.

Miss McIlveen: Will the Minister confirm whether he will make representation to the Treasury to highlight Northern Ireland as a unique case that needs favourable treatment?

The Minister of Finance and Personnel: I should maybe dispel a couple of myths about the Budget process. The Budget process and the final amount of money that we get from Westminster is not all about negotiation with the Treasury. The amount of money that is devolved to Northern Ireland, which represents about 90% of our Budget, is calculated through the Barnett formula. There is no negotiation about that. In some cases, there will be interpretation about which items fall under the Barnett formula and how much consequence they should have. I have those meetings with the Treasury.

Secondly, I, along with other Finance Ministers, have been meeting Treasury Ministers. I had one such meeting last week. At those meetings, we highlighted our unique circumstances, although I must say that the response to our pleading for special cases was not that favourable. Nevertheless, I highlighted to the Treasury Ministers that we have a higher dependence on the public sector, we are at a different stage of the economic cycle, and we have particular problems with the amount of finance from the banking sector because of the structure of banking in Northern Ireland. Collectively, the three Administrations pointed out that the increase in tax receipts should be regarded in the spending review as one of the factors that will determine how deeply the cuts

bite. We will benefit from any general reduction in cuts across the United Kingdom.

Ms J McCann: Go raibh maith agat, a LeasCheann Comhairle. Given that upwards of a quarter of the Executive's overall Budget across all Departments is spent on public procurement, has the Minister or any of his Executive colleagues discussed adopting a more strategic approach? That would help to sustain current employment and create new jobs, and I hope that it would, therefore, grow the economy in general.

The Minister of Finance and Personnel: Of course, we look at the amount of public procurement not only on the capital side but on the current side. As the Member will know, through public procurement, its rules and the kind of public procurement that we undertake, we have sought to take into account the needs of particular sectors. In some cases, we have realigned and reprofiled our capital spend to do so.

We have also examined how public procurement can be used to encourage the employment of the long-term unemployed and to encourage apprenticeships through including social clauses in some contracts etc. Attempts have been made to meet other objectives by virtue of the fact that we spend billions of pounds on procuring goods and services in Northern Ireland and beyond.

Budget 2010

4. **Mr S Anderson** asked the Minister of Finance and Personnel to outline the importance of a timely resolution to the Budget 2010 process and the potential consequences if this is not achieved. (AQO 77/11)

The Minister of Finance and Personnel: Ideally, the Executive will publish their draft Budget as soon as possible after the announcement of the UK spending review on 20 October. That would allow the Executive to sign off on the draft Budget. It would also enable the Committees to start their examination of the draft Budget, with a view to having a revised Budget by the end of the year. We would then progress to Assembly endorsement through a debate on the Floor early in the new year. That is the timetable that I would like to follow. It is important that we meet that timetable, because doing so would allow allocations to be decided for all the various bodies, trusts, boards, voluntary groups

etc. That would give them the opportunity to undertake some orderly planning for the financial year.

As I have pointed out time and again, we can, perhaps, live with a slack Budget process when there is plenty of money available, but we cannot afford to have a Budget process that maintains uncertainty until the beginning of the financial year, when there are likely to be fairly large cuts in budgets.

Mr S Anderson: I thank the Minister for his response. Could any Minister decide that his or her Department will simply go ahead and spend on the presumption of their budget being agreed?

The Minister of Finance and Personnel: Departments cannot go ahead and spend without the specific approval of the Executive and the Assembly. The implication of that is there can be no unilateral declaration of independence and no "go it alone" or Sinn Féin "ourselves alone" attitude to the spending of money by Departments. It is important to have a process whereby the Budget is agreed to provide to Departments the statutory basis on which to spend in the next financial year.

Mr McDevitt: Is the Minister concerned that his party and Sinn Féin appear to be taking an entirely divergent approach to the Budget? What specific direction has he received jointly from the First Minister and deputy First Minister in respect of his approach to the formulation of the forthcoming Budget?

The Minister of Finance and Personnel: Before the Member gets too self-congratulatory, perhaps he should ask what the response has been from the Minister for Social Development to discussions on the Budget. No one has covered themselves in glory, and the important thing is, as I have emphasised, that we start to concentrate on how we get a draft Budget proposal out for discussion and consultation. Of course, it is not only the First Minister and deputy First Minister who have to drive that. We may not like it, but we have to operate a system in which Ministers have to work together to get a Budget. It is not a case of the Finance Minister cracking the whip and saying that the Ministers must all do as I say, although I wish it was. Not only do the First Minister and deputy First Minister have a role to play — all Ministers have a role.

Mr Elliott: Has the Minister had any discussions with the Minister of Justice and the Treasury on spending cuts in light of the deteriorating security situation in Northern Ireland?

The Minister of Finance and Personnel: I have had some discussions. The Member will well know that, as a result of the application of the Barnett formula to Northern Ireland for this year, we have been subject to cuts of £127.8 million. Off the top of my head, I think that around £23 million of those cuts are attributable to the Department of Justice. That is one of the cases in which the application of the Barnett formula has not been correct. Last week, I met the Chief Secretary to the Treasury, Danny Alexander, in England, and I hope to have a one-to-one meeting with him on that. It has implications for further years; if the baseline were cut this year, that cut would continue throughout the spending review period. I will report back on the result of those talks.

Long before I took office as Finance Minister, in negotiations with the Treasury over the devolution of policing and justice, the First Minister's far-sightedness on the need to ensure that we did not find that a deteriorating security situation impacted on other budgets meant that we had access to an emergency fund. It has been confirmed that that access would still be available if the Justice Minister were to make a case to draw on it.

Mr McElduff: Go raibh maith agat, a LeasCheann Comhairle. We know now that the Finance Minister got that portfolio as a result of praising the First Minister.

The Minister of Finance and Personnel: Ask a question.

Mr McElduff: Does the Minister agree that, rather than having a meek anticipation of the scale of the cuts that are to be imposed and almost volunteering to the British Treasury for it to pick us off and to come and get us, a far more collective Executive position would have been achieved if he had tried to negotiate greater flexibility and resource to promote recovery in the private sector?

The Minister of Finance and Personnel: It always does one's career good to keep on the right side of the First Minister, and I intend to do that as often as I can. On occasions, I might get on his wrong side, and I will have to live with the consequences of that.

I do not know whether the Member listened to my response to an earlier question, but it is not a case of our rolling over to the Treasury. Indeed, during the election campaign, when it was suggested or implied that Northern Ireland would receive a higher proportion of cuts than other parts of the United Kingdom, we made it an election issue. The now Prime Minister pulled back from the indication that he had given in his interview on 'Newsnight' on that issue.

3.15 pm

As far as the Barnett formula is concerned, I must make it clear that one does not negotiate on the basis of a fixed formula; the formula is there, and we have to live with it. There may be flexibility in some areas, and, as I say, the interpretation of the formula can be debated. Indeed, there were three or four conversations with the Treasury over the summer about opportunities for flexibility through access to the funds that are held in the end-year flexibility. The Minister of Enterprise, Trade and Investment, the First Minister and I also spoke to the Treasury about the content of the economic package that it intends to announce in the autumn.

Mr Deputy Speaker: Question 5 has been withdrawn.

Construction: Employment

6. **Mr McNarry** asked the Minister of Finance and Personnel for his assessment of the impact on unemployment levels in the construction sector as a result of any anticipated cutbacks in government spending on capital projects. (AQO 79/11)

The Minister of Finance and Personnel: The economic downturn has had a severe impact on the Northern Ireland construction industry, with many individuals and firms having been affected. In August 2010, 13,000 people from the construction industry were claiming benefit. Given the amount of self-employment, I suspect that that is probably an underestimation of the number of people in the construction industry who have lost their job. It represents an increase of 28% since January 2009, so there are real concerns about employment in that sector. However, the construction industry has benefited greatly from the Executive's decisions to reprofile capital expenditure and the amount of capital expenditure that is undertaken. The

last Construction Employers Federation survey that I saw indicated that about 56% of those who are employed in the construction industry are now employed in public sector projects. In one way, we could boast about that; however, in another way, we should be very disappointed, because it shows that yet another sector of the economy relies on the public sector. I am not sure that that is healthy in the long run.

Mr McNarry: We can, of course, argue over figures. The figures that I have show that we have already lost 21,000 jobs and that further losses are expected. We need to talk about opportunities. Will the Minister indicate what opportunities may be presented to restructure budgets to prioritise capital projects that will involve and benefit the construction industry?

The Minister of Finance and Personnel: I do not want to quibble with the Member about the figures. I said that 13,000 might be an underestimation, given the number of people who are self-employed.

As regards looking strategically at budgets, I must make it clear that, although I am sympathetic to spending capital money to support the construction industry, we should only consider projects that are seen to be beneficial to the growth of the economy's infrastructure; I am sure that Members will agree. I must put that caveat down. We should not take a decision simply because it might bail out some of the construction industry and create a few jobs. There must be a vision as to what a project will do.

A number of things might be done, and the construction industry has been very helpful about them. I hope to meet representatives of the industry this week or next week to discuss their views on how we might draw in private finance. However, it will be difficult to do that because even some of the existing private finance initiatives will depend on banks being prepared to lend money. Another hard decision that the Assembly and individual Ministers might have to make is whether to switch some money from current spending — even at a time when current spending is being reduced — into capital spending. If there are projects that are regarded as really worthwhile, are Departments prepared to sacrifice some current expenditure to have more capital projects?

We also have to make decisions about whether we can increase receipts by selling off assets,

although we may take flak about that. Indeed, I have no doubt that the chattering classes in the press will point out that something was worth £10 million three years ago and is being sold for £5 million now. If opportunities arise, do we go down that route to enable us to release resources to undertake vital capital projects?

Mr Campbell: The construction industry would benefit from a number of urban regeneration projects that the Minister may be aware of, including two in Coleraine. Will the Minister confirm that, when discussion is taking place around the Executive table, consideration will be given to the economic effect of such projects on revitalising the local economy?

The Minister of Finance and Personnel:

Absolutely. In answer to other questions earlier, I said that one of the points of engaging with Ministers is to get them to tell me the things they want to spend money on and what benefits those will have on the wider community and on infrastructure, whether it is for Northern Ireland as a whole or for a particular town, which is the instance to which the Member is referring. That is the value of that detailed engagement. I have to say that the way in which Ministers have responded so far has not been encouraging.

We cannot ignore the fact that the Minister for Social Development spoke to me about urban regeneration projects. He explained the problems that he was having, and, in the June monitoring round, he obtained £10 million for urban regeneration projects. Therefore, I am a listening Finance Minister. Where a case is made and resources are available, I will do my best to facilitate Ministers.

Mr O'Loan: The Minister confirmed that the construction sector has taken the brunt of the recession. Officials have told us that there could be a cut in capital spend next year of £500 million and more in future years. Does the Minister agree that that cut would be calamitous for the construction sector? Therefore, there is a real onus on the Executive to come up with the original thinking that he has already started to indicate and ensure that it is carried through to real results.

The Minister of Finance and Personnel: We all have worries about the impact that potential capital cuts will have on the construction industry and about delivering the kind of infrastructure that we know is required to meet the wider economic objective of the Executive,

which is to grow the economy. However, some things that I have suggested to the Assembly require not only Executive agreement but Assembly agreement. When it comes to the production of any new thinking, I have to say that the Member is sometimes one of the greatest naysayers, but he does it very articulately. His allegation is always that, if we do one thing, we will not be doing something else and that will hurt people. However, it requires innovative thinking on the part of the Executive and innovative thinking and tolerance on the part of the Assembly.

Senior Civil Service: Pay

7. **Mr A Maskey** asked the Minister of Finance and Personnel for his assessment of whether a local body would be better equipped to carry out an annual review of Senior Civil Service pay, given the recommendation in the review of Senior Civil Service pay that local pay policy should be tailored to local economic and labour market conditions. (AQO 80/11)

The Minister of Finance and Personnel: I have received the Senior Salaries Review Body's report on Senior Civil Service pay and have invited views on its recommendations from the Committee for Finance and Personnel and the relevant trade unions. Before taking any decisions on future pay arrangements for senior civil servants, I would like to hear from those groups.

Mr A Maskey: I thank the Minister for that response and appreciate the efforts that he will take to have that report well considered. In view of some recent reports, does the Minister agree that it is unacceptable that some senior civil servants are getting paid more than Ministers or, indeed, more than the Prime Minister?

The Minister of Finance and Personnel: I do not want to go into all the recommendations of the Senior Salaries Review Body, but, last year, Northern Ireland was the only region of the United Kingdom that did not pay the bonuses that were recommended.

The review body recommended a pay freeze for 2010, the removal of some bonus payments and, more importantly, the possibility of removing pay increases and the normal pay uplift for underperforming Departments. Therefore, the Senior Salaries Review Body's report made recommendations that would address some issues. At the end of the day,

we must be cognisant of the fact that it is important to have balance and to get the right people into jobs while ensuring that we do not pay over the odds.

Lord Morrow: I would like the Minister to comment on the Civil Service equal pay settlement. Will he outline how former Civil Service staff were informed of their rights to qualify for equal pay?

The Minister of Finance and Personnel:

There was a massive debate on the equal pay issue. The process was initiated by the former Minister of Finance and Personnel, who is now the First Minister. All stages of the process have now been completed. We dealt with the Civil Service's representatives, namely the trade unions. Obviously, we looked at the Department's legal position and the financial implications, and we negotiated with trade unions. Apart from the role that they played, which, I understand, was to notify their members regularly through newsletters, information was also conveyed to civil servants through the Department.

Dr Farry: Will the Minister confirm that he intends to discuss and put in place recommendations by 1 April 2011 and that he is, in fact, open to the regionalisation of Senior Civil Service pay?

The Minister of Finance and Personnel: The fact that we have already unilaterally made a decision on bonuses is an indication that there has been some regionalisation. Some pay review recommendations already have implications for spending for next year. Such recommendations include those that state that there should be no increase in Senior Civil Service pay in 2010 and that there should be assimilation of new pay scales in 2011 and so forth. Therefore, it is clear that some point to the fact that they have to be implemented by the end of the current financial year.

Budget 2010: Statutory Committees

8. **Mr Beggs** asked the Minister of Finance and Personnel what role he expects departmental Committees to play in the Budget 2010 process. (AQO 81/11)

The Minister of Finance and Personnel:

Departmental Committees should play a pivotal and proactive role in co-ordinating responses to departmental budget allocations. I have

stressed to my ministerial colleagues that it is imperative that they engage as early as possible with their Committees in a transparent manner. As I said earlier in answer to a previous question, full and frank engagement is beneficial both to Committees and Ministers. Of course, a Minister who gets a Committee on board has allies when it comes to making the argument. Some Ministers, through their unwillingness to engage either with the Department of Finance and Personnel or, even worse, their respective Committee, find themselves isolated with no friends or supporters when it comes to making departmental bids.

Mr Beggs: I thank the Minister for his answer. Is he surprised to learn that, when departmental officials came to the Committee for the Environment recently to discuss the Budget 2010, rather than discuss the difficult options that are in front of the Assembly, they presented the Committee with a range of additional expenditure? When will there be constructive discussion between departmental officials and Committees so that we can share the difficult decisions that we face and live within our means?

The Minister of Finance and Personnel: There was a requirement on all Departments to provide savings plans that were to come to the Department of Finance and Personnel by the end of August 2010. Of course, those savings plans should then be explained to Committees. The Member is correct. It is important that, throughout the Budget process, Ministers are scrutinised on the things that they include in their savings plans and are rigorously questioned on why they choose those particular savings over others.

I have to say that one of the Ministers from the Member's own party has been notorious for that and is well known publicly for it. He brings the most emotive savings and puts them into the public domain in an attempt to protect his budget.

The Member has absolutely hit on the point. Ministers should have scrutiny of their savings plans so that we know whether it is a public exercise to try to protect their budget or a real attempt to manage their budget in the best possible way in times of economic constraints.

3.30 pm

Private Members' Business

Carbon Monoxide Awareness and Strategy

Debate resumed on motion:

That this Assembly calls on the Executive to introduce legislation to compel builders to fit carbon monoxide alarms to all new homes; and further calls on the Executive to bring forward a strategy to raise awareness of this silent killer and to encourage people to fit carbon monoxide alarms.
— [Mr McQuillan.]

Mr Brady: Go raibh maith agat, a LeasCheann Comhairle. I too support the motion. I would also like to extend sympathy to the families of the two young men who died so tragically in Castlerock. The salient issues have already been covered in the debate, and there are just a few points that I would like to add. Other Members, Mr Wells and Mr Kinahan in particular, have mentioned relatives and close friends who have died from carbon monoxide poisoning. I too had a family friend who died over 30 years ago as a result of inhaling fumes from a gas heater. Yet the tragedies continue. Glass-fronted fires have also caused many problems, because, unless the proper fuel is used, the flues get blocked. In my constituency there have been near-fatalities as a result of people not using the proper fuel.

The Gas Safety (Installation and Use) Regulations 2004 provide some regulation and plenty of guidance, but, unfortunately, they are not always adhered to. Boilers need to be monitored regularly, and carbon monoxide detectors fitted as standard. Proper maintenance and detectors need to be used in conjunction to ensure their effectiveness.

As my colleague Mr McCann said, the Housing Executive, as a public housing body, should take the lead and set an example. There should be an onus on landlords and builders to install those detectors as standard. It is essential that people who fit and maintain boilers are properly trained to the highest standard and are competent in what they do. For instance, when disabled facilities grants are awarded by the Housing Executive, smoke detectors have to be fitted and hardwired into the electricity system.

Why not carbon monoxide detectors? After all, those alarms cost approximately only £15 to £20. They need to be fitted as a priority to prevent further unnecessary tragedies such as what happened in Castlerock.

Mr Irwin: I welcome the opportunity to comment in the debate on an important and pressing issue right across our Province. The death of Aaron Davidson and Neil McFerran at the holiday home in Castlerock was such an awful tragedy. I express my sympathy to the families as they continue to try to live with the heartache and deep sadness of their loss. We also know that it must be cold comfort that the House is discussing the need for legislation on the fitting of carbon monoxide alarms after that tragedy. They will ask why it takes a tragedy on that scale to spur the House into action. However, that awful incident brings home with a heavy and cruel blow the dangers of carbon monoxide, and the fact that those boys knew little of their predicament shows just how silent a killer it can be.

The fact that the fitting of carbon monoxide alarms is not mandatory along with the fitting of gas heating or oil appliances is concerning, and, in my view, the House has a duty to fully explore and address the issue. We must, however, avoid an ill-thought-out response to the issue and ensure that the gas industry bodies are fully consulted and kept on board. There must also be a review and obvious tightening-up in the industry, given that the gas appliance involved in the Castlerock incident was found to be defective. This is a serious situation, which deserves urgent and thorough consideration in tandem with the industry regulators and training programmes.

There will be an obvious cost associated with any such legislative requirement for the fitting of alarms and the identification and selection of suitable alarm units. Those are all issues that will require consideration. In the meantime, there is a clear need for greater publicity about carbon monoxide and its effects. I support the Members in their call for a strategy to raise awareness. There has been a well-co-ordinated, sustained and successful campaign on our television screens about the need for smoke alarms. A similar campaign on the same level, perhaps contained in the same advert, could be equally successful. Those suggestions and other Members' comments must be given full and frank consideration. I support the motion.

Mr O'Loan: I will speak only briefly about the issue. I support the remarks that have already been made and extend my sympathy to the families involved in the tragedy at Castlerock.

I raised concerns about this important issue at a meeting of the Committee for Finance and Personnel two weeks ago and asked that the Committee ask the Department whether it had considered making provision for that in building regulations. The Committee is still awaiting an answer to that question.

A number of agencies — the Health and Safety Executive and the consumer organisation Which? — have given clear advice that audible carbon monoxide detectors ought to be fitted. Building Control Northern Ireland is, however, a little more cautious in what it says. It has identified the dangers of carbon monoxide and quite rightly points out that it is produced when a fossil fuel, be it coal, gas or oil, is incompletely burnt. Therefore, if appliances are properly fitted, maintained and serviced, tragedies should not happen. That, of course, must be the first line of defence. However, it is better to have further protection, and we most certainly should be telling the public to install carbon monoxide detectors. On the basis of the information available at present, it is only sensible and prudent that building regulations should require newbuilds and extensions to have carbon monoxide detectors fitted. I notice that Building Control Northern Ireland gives particular information about the standards that such a detector should meet.

I have some extra information that I wish to throw into the discussion, because I do not think that anybody else has mentioned this significant point. There is a question mark over the life of the active element in carbon monoxide detectors, because they may last for only five to seven years. We know about the issues that arise from the mere replacement of batteries in smoke detectors. Therefore, if current models of carbon monoxide detectors have that weakness — if we can call it that — there is a possibility that people will have a false sense of security. That issue, therefore, needs to be considered and addressed in any regulations. In saying that, I fully support the motion.

The Minister of Finance and Personnel

(Mr S Wilson): I thank Members for their participation in this helpful debate. Members identified that the issue is much more complex

than simply installing carbon monoxide detectors in homes.

Like other Members, I wish to express my sympathy to the families of Aaron Davidson and Neil McFerran, who were the victims of the Castlerock tragedy. As another Member has already pointed out, our thoughts also go out to Matthew Gaw, who survived the tragedy and is now living with the implications of that.

After the tragedy occurred, the Minister of Enterprise, Trade and Investment and I held a joint press conference in which we indicated that we were prepared to look at all the circumstances surrounding the tragedy and at whether or not legislative change is the best way forward and, if so, what form that should take. However, we wanted to inform ourselves, as was the right thing to do, that, before any legislation was introduced, there was good evidence on which to base that legislative change. As many Members pointed out, the worst thing that we could do would be to simply wash our hands of the situation by saying that we did our bit — by bringing about legislative change — and, as a result, leave people vulnerable and with a false sense of security or, indeed, leave many properties in which there may be problems untouched by the work that would be done. I will outline some of the issues that I believe to be relevant in coming to that conclusion.

A number of Members raised the issue of new building regulations to deal with the installation of carbon monoxide detectors. The principles of building regulations state that the regulation is justified if, and only if, there is a sound case for intervening; if it is the preferred option compared with other options, such as spending, taxation or persuasion; and if the likely benefits justify the costs. Members have said that the cost of installing an alarm is between £20 and £50, which, assuming that 7,000 new houses are built each year, would probably add around £350,000 a year to construction industry costs. As a proportion of total building costs, as many Members would point out, that is a fairly insignificant amount of money, given that houses are perhaps selling for £100,000 or £150,000. Therefore, I want to make it clear at the start that cost is not the issue. However, there are issues that we need to look at before we decide which route to go down.

If we go down the building regulations route, that would cover the 6,000 to 7,000 new houses

that are being built each year. However, it would not cover existing houses, which may have gas or solid fuel heating — a point to which I will return in a moment — and it would not cover appliances, which, as many Members said, are also a source of carbon monoxide in homes.

The Minister of Enterprise, Trade and Investment said that, in looking at this, we would look at the regulations and the thinking in other jurisdictions, including the Irish Republic and GB. In GB, a proposal will be made in the autumn to include the installation of carbon monoxide detectors in building regulations. However, significantly, those regulations will cover only houses with solid fuel heating. The recent tragedy occurred in a property with gas heating, so most of the debate has been about gas heating, but, as the Member for East Antrim Mr Ross pointed out, solid fuel heating is a much greater source of carbon monoxide poisoning than gas heating is. In England, 1.25 million properties have solid fuel heating and 20 million properties have gas heating. However, the regulations will apply only to houses with solid fuel heating, because there are already directives that require gas heating systems to have secondary safety systems. In the Republic, which is looking at the issue, its document on gas technical standards indicates that, although additional security may be achieved if there are high-quality and effective CO detectors in properties, that can be no substitute for the regular maintenance of appliances to ensure that they are safe. Mr McClarty made that important point, as did others, and, as I have said time and again, it is one of the reasons why we should not present a change in building regulations as some sort of panacea that will make people safe. Even the industry accepts that the most important thing is for people to be aware, and then they should regularly check safety appliances in their own home.

3.45 pm

My second point — a number of Members referred to this — is that, even if we were to introduce building regulations to require detectors to be put into new homes, most homes would still not be covered. Furthermore, if we were to do that, there would be no power to require the replacement of detectors at the end of their lifespan. Given that their lifespan is five or seven years, as Mr O'Loan pointed out, the danger is that they would not be replaced. Many Members mentioned smoke alarms, which

are required under building regulations. Of those that were surveyed, 16% were deemed not to be working, and in 50% of fatalities in house fires, the smoke alarms were found not to be working. With a smoke alarm, it is simply a case of replacing the battery. Where replacement of the whole unit is required after five or seven years, the likelihood of people doing so, without other measures being taken, is low. We have to be careful if we think that simply requiring detectors to be installed once at the beginning of the lifetime of a house would solve the problem. The record does not show that that would be the case.

CORGI, the gas installer, indicated in its UK report that the main source of difficulty with carbon monoxide in homes was the failure to service and maintain appliances. That same report indicated that we in Northern Ireland are even less likely to have gas appliances serviced and maintained regularly. A number of Members raised the issue of creating awareness. One of the most immediate things that can be done is to get the message out to those who have gas or solid fuel appliances in their home that regular maintenance is required and they must ensure that the flue has been cleaned. We in Northern Ireland have not been good at ensuring that that happens.

In addition to the limited lifespan of alarms, there can be false alarms. When a smoke detector becomes faulty, the first thing that many people do is reach up and pull out the battery because they cannot be annoyed. If the alarm is too close to the cooker, the steam comes up and the alarm goes off, and they take the battery out. The problem with false alarms and the limited lifespan of detectors means that people will often have the detector serviced only when it activates. We are all guilty of that, in every walk of life. How many of us wait until the wee oil light appears in our car before we check the oil and put some in? I know that I do. That is a common problem, and we need to bear in mind the regular maintenance of the alarm.

Members raised the issue of awareness. If we are looking at a range of measures, awareness is one that we should address. In surveys of people in Northern Ireland, 60% of respondents indicated that they have never considered getting a carbon monoxide alarm. Most of those people responded in that way because they did not believe that they were at risk. The first thing that needs to be done is to raise awareness of

the degree of risk. A number of Departments are working on that. For example, DETI intends to launch a campaign through the Health and Safety Executive, which will start from 1 November. That campaign will include TV, radio, Internet and outdoor advertising.

Some Members asked about students who are going into accommodation now because it is the beginning of the autumn term. The Health and Safety Executive is making an advice leaflet available to students' unions and landlords to indicate to them that they should ask questions about whether appliances have been checked and should think about the potential dangers associated with those appliances.

The Department of Health, Social Services and Public Safety is producing an advisory guide to highlight the risk of carbon monoxide and to ask people to think about whether they are at risk. The guide will outline situations that might place people at risk and encourage people to raise the issue. The Public Health Agency is to undertake training with emergency crews on carbon monoxide poisoning. As a number of Members pointed out, people are sometimes affected by carbon monoxide poisoning, but symptoms are put down to something else. The Royal Society for the Prevention of Accidents is holding workshops with community groups to raise awareness. Many councils have started leaflet drops and are encouraging people to have their flues cleaned, get their appliances serviced and have carbon monoxide detectors installed in their properties.

A whole range of measures are being taken to raise awareness and encourage people to have their appliances checked. Even if we go down the building regulations route, we still need to encourage people in properties that will not be covered by those regulations to have detectors installed voluntarily and make sure that they are checked regularly.

It is important that we have a balanced debate on the issue. I reiterate the undertaking that the Minister of Enterprise, Trade and Investment and I gave shortly after the Castlerock tragedy. We will consider practices in other jurisdictions, the thinking behind those practices and the reactions that there have been so that we can put in place something worthwhile, not just something that can get a good headline. There is always a danger when a problem is identified that people will say that they have done something to

address it to get in the headlines and then wash their hands of it, end of story. We have got to get beyond that and be more mature.

The Minister of Enterprise, Trade and Investment and I will be asking what we can do to take effective action. The response may well impact on other Departments. That is the commitment that we give. Obviously, once all the evidence has been received, we will act on it. However, I hope that what I have outlined today shows that we will not be sitting on our hands, waiting for that evidence to be gathered. We are asking what can be done now. Where problems have been identified, we have sought, with students, households, community groups and residents' groups, to put things in motion to encourage people to think about the issue.

Mr Campbell: The debate was very comprehensive and emotive, as a result of the tragedy in Castlerock. A total of 17 Members contributed, and sympathies were offered by all of us to the Davidson and McFerran families on their loss. Every Member who spoke said that our thoughts are with the Gaw family, as that young man comes to terms with the loss of his friends.

In an exceptionally useful contribution, Mr McQuillan, who moved the motion, outlined some of the symptoms of those who succumb to carbon monoxide poisoning. Other Members did likewise. As a result of the tragedy, many retailers sold out of alarms. Because there was publicity and awareness, people purchased alarms and had them fitted. However, with the passage of time, knowledge and awareness diminish and, therefore, it is right and appropriate that the motion be debated today to remind people that installing alarms should continue.

Another recurring theme was the need for everyone with devices fitted to ensure that they are regularly maintained. That was raised by Mr Burns, Mr Ross and Mr McCann among others. Mr Robinson referred to the need for a joint campaign, and Mr Dallat referred to benefits that we could derive from the Irish Republic and elsewhere. Mr McClarty and the Minister referred to the importance of the tourism sector in this respect and, now that we are back into a new university year, awareness must be created there.

There were a number of very emotional responses because Members had family or friends directly affected. We heard from Mr Wells, Mr Kinahan and Mr Brady, all of whom

had immediate family or close friends die as a result of carbon monoxide poisoning.

Seventeen Members contributed to the debate, and that shows that this has had a considerable impact on the community. Unfortunately, it has taken a double tragedy to awaken that interest. Now that it has awakened, I am glad that the Minister responded as he did. If the building regulations scheme is only implemented in the 6,000 or 7,000 newbuild homes planned, that will be so many more homes fitted with carbon monoxide detectors than in the past. I hope that progress will be made. The Minister referred to the DETI campaign that will commence shortly and the Health and Safety Executive leaflet that will be issued.

I hope that, as a result of Members' contributions and the various departmental approaches, we can assist with coming to terms with this as a community, even though the families will never come to terms with their deep and heartfelt loss. However, we can, as a community, take steps that will make a repetition of this tragedy much less likely.

Question put and agreed to.

Resolved:

That this Assembly calls on the Executive to introduce legislation to compel builders to fit carbon monoxide alarms to all new homes; and further calls on the Executive to bring forward a strategy to raise awareness of this silent killer and to encourage people to fit carbon monoxide alarms.

Adjourned at 3.58 pm

Northern Ireland Assembly

Tuesday 21 September 2010

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

Members observed two minutes' silence.

Private Members' Business

Medical Negligence Cases

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

Mr O'Dowd: I beg to move

That this Assembly expresses its deep concern at the delay in resolving some medical negligence cases, with one case ongoing for 27 years, and a total of 55 cases lasting over 15 years; and calls on the Minister of Health, Social Services and Public Safety to commission a review of all medical negligence cases outstanding for 10 years or more, to ensure that they are being dealt with expeditiously, and to report on how cases, generally, can be handled in a more efficient, timely and compassionate manner.

Go raibh maith agat, a Cheann Comhairle. My colleagues and I tabled today's motion in response to a number of issues. First, when we deal with our constituents, a bigger picture often develops. I have been dealing with a family whose 18-year-old son was severely handicapped as a result of a medical procedure that took place 16 years ago. The family has reluctantly fought a legal case throughout that time, not for financial reward but to ensure that financial resources are available to their son so that he can be looked after and cared for after they depart. That case is only one example of the legal engagement that families have with the Health Service.

There is no doubt that the vast majority of medical procedures are carried out professionally and with due diligence and care. There is no question that our Health Service operates normally

in that field, but given the numbers involved — hundreds of thousands of procedures take place every year — we will run into negligence, lack of care and mistakes. Families and individuals have the right to come back to the boards and challenge them on their duty of care. The motion today is about how those challenges are being dealt with.

A large number of cases have been evolving for more than 10 years. Even though that is a quite lengthy period, I use it for a reason. An Audit Office report of 2002 suggested that no medical negligence case should last more than six years. It stated that medical negligence cases lasted longer in courts than any other negligence cases against public bodies. I use the period of 10 years because of a number of factors. It can take time for a medical injury to show its full extent and the effect that it will have on an individual's life, especially when a child is involved. Also, such claims can be very technical in nature, both medically and legally. As we all know, the law can move very slowly. Any case that has lasted more than 10 years should be reviewed from a legal perspective and a compassionate perspective as to whether it should continue to be fought.

We have to remember that we have placed an onus on the Department of Health, Social Services and Public Safety and the health boards to treat and care for people and to protect public funds. We are not suggesting that the Health Department, for any case over 10 years old, should put up its hands and pay out compensation. The Department is open to fraudulent negligence claims and claims from families and individuals who are clearly upset about how their medical treatment worked out, even though there may be no actual legal negligence. We are balanced in our approach to this issue.

I have concerns about how the Health Department has managed the process. This is not a new issue to arise before legislators. I have referred already to the Audit Office report of July 2002, which examined compensation payments for medical negligence. It will come as no surprise that I, as a former Chairperson of the Public Accounts Committee, give great weight to Audit Office reports because that body is tasked with and has a proven record of thorough investigation and making relevant and helpful recommendations to Departments.

The report of 2002 throws up a number of suggestions and observations. In paragraph 8 on page 8, it states that:

"The Department's guidance, issued in 1998, required each Trust to set up and maintain a database with information on all claims for litigation. The Department has advised us that it had taken steps to ensure that both Boards and Trusts hold comprehensive information on all outstanding claims."

Paragraph 9 of the report states that:

"The Department should ensure that it has access to basic information about claims for clinical negligence, so that it is able to inform itself and disseminate, in summary form, this information throughout the HPSS. The Department agrees with this recommendation and sees any future changes in HPSS structures as facilitating wider partnership."

Given that recommendation in 2002, with which the Health Department agreed, one would imagine that the Department would be able to provide to public representatives a full disclosure of the facts and figures around medical negligence cases. When I asked a question about those cases on 2 July 2010, I received a significant amount of information about the number of cases and the length of delay in each. However, I only received financial information for two years. I was told that, given the review of public administration in the health boards, trusts and the Health Department, the information that was provided previously by private legal services was unavailable. I find that surprising given that, in 2002, the Health Department put in place measures to collate that information.

I was provided with an information pack, as all Members are for these debates, on outstanding medical negligence cases. It contains yet another circular — Departments are very good at providing

and issuing those to their staff. There is no date on it, but, from reading through it, I believe that it is from 2008. It contains guidance to claims handling in Health Service care organisations.

It sets out in detail what any health facility should do once a medical negligence claim is made against it. It covers four crucial areas. It states that each board should identify a member:

"with clear responsibility for clinical and social care negligence issues ... The organisation's claims handling procedures are in compliance with all ... Court Service Protocols ... The organisation maintains a database of comprehensive, up-to-date information on all claims to support claims management".

How can they have an up-to-date claims management file if the Department of Health cannot tell me, as a public representative, in reply to a question in the Assembly, what the facts and figures are for the past 27 years? There must be a gap in the information somewhere or else I, as a public representative in the Assembly, and the public are not being given full information.

More crucially, the document refers to what we also call for in our motion:

"An annual review is carried out of all of the organisation's clinical and social care negligence cases with a view to ... avoiding record duplication"

— it appears that records are incomplete — and:

"considering closure of cases static for 3 or more years ... evaluating expected compensation, associated costs".

I am concerned that, although we have a circular that was issued in 2008 and Audit Office recommendations that were accepted by the Department in 2002 —

Mr Campbell: The Member referred to an annual review, yet the motion asks only for "a review": is he calling for the Minister to do this each and every year or is this a one-off, as the motion states?

Mr O'Dowd: I will clarify. Despite all the circulars and the Audit Office recommendations, my view is that reviews are either not taking place or are not comprehensive enough. I believe that the Department of Health, in the guise of the Minister, must bring in the 55 cases that range over a long time — more than 10 years — go through them one by one and set out an action

plan around each. As we have been told, any case lasting more than six years is seen to be extraordinarily long. We have cases that have lasted up to 27 years, although I hear on the grapevine that that case may have been settled.

The Department of Health and the Health Minister have a responsibility to start reining in such cases and not simply for cost reasons, although there is a cost associated with all those cases. I could not get the full costs, but over a two-year period they were in the region of £2 million. Compensation payouts over a five-year period amounted to £60 million. A rough sum is that legal costs usually amount to a third of the compensation, so around £20 million could have been paid out in legal fees in the past number of years.

Someone has to take responsibility. I am calling for a review, governed by the Minister, of all existing cases and for them then to carry out what they said they would in 2008: an annual review of each case.

Mr Easton: I too am concerned at the time taken to settle medical negligence cases. The time that it takes to conclude cases, particularly those highlighted in the press, only prolongs the suffering of victims, their families and the medical staff involved. I am also concerned about the cost, especially at this time of financial difficulty, when we are about to see significant cuts made in the Budget by a Conservative and Liberal Government across the spectrum.

Victims of clinical and medical negligence have a right to seek compensation when something goes wrong. However, it is clear that medical costs are spiralling out of control, and control must be retained and maintained by the Health Service. Between 1991 and 2001, £55 million was paid out in compensation. Information that I obtained in response to a question for written answer demonstrated that costs have continued to soar despite a report by the Northern Ireland Audit Office in 2002. Legal costs and compensation for the years 2007 and 2008 totalled £11 million, roughly £3 million of which was legal costs alone. Costs for the years 2008 and 2009 soared to nearly £20 million, a quarter of which was paid out in legal costs. Where does that stop? Although those figures represent a small proportion of the overall budget, the costs associated with claims are worrying, particularly when we will see cuts imposed by Westminster.

10.45 am

I welcome the Department's policy circular that was published in March this year. It provides guidance for health and social care organisations when handling claims. It appears to be comprehensive, but more must be done. I am aware that health professionals work in a very stressful and busy environment and that, like the rest of us, they are only human and are not immune from making mistakes. However, in order to limit the number of medical negligence claims, it is the Department's duty to ensure that all staff are trained carefully in medical procedures.

It is also important that the Department and the medical professionals who work in the Health Service be protected from claims made without foundation. Having looked into the subject, I found the legal process to be lengthy and complex, and it is probably responsible for the time that it takes for cases to be heard. It is said that, if a case goes to court, the time from the beginning of the legal process until a case is heard can be 10 years. Perhaps a new system needs to be set up to deal with medical negligence claims. However, it is up to the Health Minister, in conjunction with the Minister of Justice, to investigate that. We now have the powers to make changes for the benefit of all, and we should use them if we need to.

A Northern Ireland Audit Office report published in July 2002 highlighted the number of outstanding claims. Since March 1995, the number has risen. It is imperative that the Department do everything that it can to speed up the processing of those claims, for the benefit not only of those involved in the legal process but of the taxpayer. The longer a case goes on, the greater the legal costs. Indeed, I have raised the idea of addressing the cost of medical negligence claims as a way to save money, but, so far, I have been ignored. It is time to act, where possible, to reduce such incidents. No one is immune from making mistakes; however, £55 million over 10 years is a lot of money, so we need to try to reduce that figure.

Mr Kennedy: The motion is expedient at this time, and I welcome the opportunity to discuss it. Many of us will have been surprised to hear that several medical cases have lasted long beyond what could be deemed to be a satisfactory period. However, we must appreciate that there

is no quick, perfect-fit solution that the Minister can use to bring those cases to a conclusion.

I was also a little surprised when I read the motion, which calls on the Minister to provide details:

“on how cases, generally, can be handled in a more efficient, timely and compassionate manner.”

I can only assume that the Department's most recent guidance slipped the attention of the Members who tabled the motion. If the Minister were to adopt such an approach, he might be the one acting negligently and irresponsibly. The Department has a duty of care not only to the patients with whom it deals from day to day but to its staff.

Mr Easton: Will the Member give way?

Mr Kennedy: Sorry; no. I want to make progress.

Healthcare personnel often work in difficult circumstances and with significant risks. Therefore, when something regrettably goes wrong, we must ensure that there is not a knee-jerk reaction to hang people out to dry.

The motion calls on the Health Minister to:

“commission a review of all medical negligence cases outstanding for 10 years or more”.

I agree that it is regrettable that a number of cases have lasted that long. However, the sheer complexity of many of those legal actions may not be immediately obvious. By its nature, medical negligence litigation is incredibly complex and multifaceted, and, compared with other legal actions, inevitably it takes longer to reach a conclusion. We must also appreciate that, in the wider scheme of things, those cases represent only 0.6% of the total operating costs of health and social care bodies.

The Department obviously appreciates that there has been a problem with the system for dealing with negligence cases, although the current Health Minister has somewhat inherited the problem. However, since taking office, he has introduced various new guidance notes and procedures for dealing with such cases. Therefore, although the motion is undoubtedly pertinent, in that headline-grabbing figures are involved, we must appreciate that the Department of Health, Social Services and Public Safety is tackling, has been tackling and will continue to tackle the long-running legacy issue.

Mr Gallagher: I will preface my remarks by saying, as Danny Kennedy did, that there are genuine cases involving people who have been injured as a result of an experience while in the care of the Health Service. At the same time, we live in a society in which there is a growing claims culture. Health Service professionals are working under greater demand and increased pressure as a result of the growing number of claims. We need to be aware that there is a balance to be maintained in the background.

We have heard the figures relating to the cost of claims. That picture has been well illustrated. In the 2008-09 financial year, claims against the Health Service resulted in settlements totalling £14.6 million, and the legal costs of those claims amounted to around £5 million. Given the current financial difficulties that we face, that is a serious drain on the Health Service, and the Minister must consider that issue carefully. That is why I support the motion.

The current trend, in which some medical cases have taken 10 years to settle — with a small number of others having taken much longer than that — represents an unacceptable timescale. There are different ways in which the Department can intervene, the first of which is through early intervention. Preventative steps that can be taken to reduce claims against the Health Service may involve a review of current practices. Where accidents occur, measures must be in place to avoid any recurrence of such incidents.

As we know, the promotion of quality care and safety is always a high priority for the great majority of the people who work in the Health Service. However, incidents can occur that open the way for legitimate claims of negligence. Where appropriate, lessons need to be learned from such incidents, and patient safety must always be a top priority for every individual employed at every level in the Health Service.

It is worth reminding ourselves of some of the Department's claims-handling protocols in health and social care. For example, it aims to improve the initial communication between the disputing parties by establishing a timetable with recommendations for the exchange of relevant information and by setting standards for the content of correspondence. Those protocols help to reduce the time involved in the handling of medical negligence cases. Compliance with the protocol timetable should also help the

parties involved to make an informed judgement on the merits or otherwise of the case at an earlier stage. Compliance also provides an opportunity to improve communication between the disputing parties. That, in some cases, can lead to an early settlement of disputes.

I urge the Minister of Health, Social Services and Public Safety to examine all other possible methods, such as alternative dispute resolution, whereby cases are resolved through arbitration or mediation or, in some cases, through determination by an expert, which can help to reduce delays in those cases.

Health and care organisations should always manage claims proactively, including, where appropriate, through early settlement negotiations.

Mr Speaker: I ask the Member to bring his remarks to a close.

Mr Gallagher: That can lead to considerable savings that can be directed into front line services.

Mr McCarthy: I support the motion and hope that the Minister, whom I welcome to the Chamber, can help to overcome the problems that we are discussing. I thank the Research and Library Services for providing an excellent information pack. I assure Members that I will not go through it all this morning, but it is useful and welcome information that will help us to get our heads around what we are discussing.

As the Alliance Party health spokesperson, I express real concern that we have to spend money on compensation for medical or clinical negligence. I am sure that every effort is being made to eliminate it altogether or as far as possible and to ensure that patients get only the best from our Health Service. The motion outlines cases of negligence and, indeed, the time that it takes to settle. As other Members said, it must be a very harrowing time for the families involved. One case lasted some 27 years, and it is unbelievable that people had to endure the trauma for all those years. Other cases have lasted over 15 years. We all surely agree that that is unacceptable, and I am sure that our Health Minister is also most unhappy with lengthy and protracted cases.

The Audit Office's 2002 report on compensation payments for clinical negligence tells us that some £55 million was paid out over 10 years.

That is a great deal of money that could probably have been better spent on providing front line services. However, I hope that improvements have been made since that report was published and, indeed, that measures have been put in place to ensure that clinical negligence has been reduced and curtailed as much as possible. On behalf of the Alliance Party, I support the motion and look forward to real progress on this subject.

Mr Bell: We should preface our remarks by realising that the seriousness of the situation mandates us to look at the causes and at how people can receive a speedier, more adequate and efficient response. However, secondly, we must realise that compensation for medical negligence came to, I think, about 0.61% of the Budget in 2008-09. Therefore, we should deal with the problem in the right context, because we have a world-class Health Service, and, in many cases, the doctors, nurses and all the professionals who are allied to medicine work above and beyond the call of duty and beyond their allotted working hours. Their career is not about making money; it is a vocation. They deserve the full support of the House as they go about their day-to-day activity. We have a world-class National Health Service that is free at the point of use, and long may it continue. However, it is appropriate to rectify any failings in any service quickly.

I must express a concern that, at times, much of Europe is following America's example and developing a claim culture. I have sat on a number of boards, not necessarily medical boards, where information has come back that a legal claim has been made against us. The legal advice is that, given that we cannot get the money back because it is from the Crown, it will cost us more to fight the case than settle it. In a number of cases, I have been extremely frustrated because, although I thought that the case was not just, the legal advice was that the cost of fighting it would be greater than the cost of settling it. Therefore, on some occasions, justice went by default.

11.00 am

It is necessary to deal with that, because we do not operate in a free environment regarding costs. We should consider where we are today. Not my words but those of the Oxford report on economics stated that, two years from now, the United Kingdom will face a debt of £1.2

trillion. That is a comfortable figure, because none of us, nor the public, generally deal with such figures, so we do not understand them. However, to break it down: in 2012, every household in the United Kingdom will be in debt to the tune of £47,000, and, to break it down even further, in 2012, every person in the United Kingdom will carry a debt of £19,900. Those are the figures in the report from Oxford Economics and the Economic Research Institute of Northern Ireland.

There will be a contraction in public spending, and that debt will have to be serviced before we can provide any money for any public service. We cannot provide the money for health, education and everything else and then pay the debt. We have to deal with the debt to ensure that we do not get into a position similar to that of Greece, where the markets decide that cheques are being written that can no longer be paid, resulting in some form of spiral.

I know that there are lawyers in the Chamber. We need to ensure that cases that are brought before us are not abused by lawyers to generate income. Often in court cases, I have found that lawyers say that they need an adjournment to consider a report or a little fact, and, all of a sudden, the case spirals out through no fault of the Health Service but because of lawyers. Recent experience shows that lawyers become millionaires and the victims get a report. The important thing is that, in a case of medical negligence, an appropriate human rights framework is put in place and that there comes a speedy redress.

Mrs O'Neill: Go raibh maith agat, a Cheann Comhairle. I preface my remarks by recognising that the Health Service has an excellent workforce who do great work, often in difficult circumstances. A number of issues have been highlighted in the debate, including the need for appropriate compensation for victims of medical negligence and the cost of medical negligence. We need to look at the time taken to deal with cases and the reasons for delays, and, finally, the lessons that need to be learned.

When an individual finds themselves in a situation of medical negligence, the Health Service needs to have adequate, appropriate and responsive systems in place to deal with what will be a difficult situation for all the parties involved. It has to be asked whether the current system is providing that service,

and a number of cases have been highlighted where that does not appear to be the case. John O'Dowd highlighted a situation in which a family have been waiting for more than 16 years for compensation for their son, who was left severely disabled when medical treatment went wrong. Such compensation would enable that young man's family to support him in the best possible manner.

When we examine whether the system is responsive to the needs of those who find themselves in such a position, it appears not to be in some more complex cases. Consistent delays, cancelled court dates and the unavailability of documents are all contributory factors to why cases take so long. Any review would have to look into such detail.

When referring to the cost of medical negligence, we have to examine not only the financial costs but the human costs associated with something going wrong. When a patient of the Health Service has to take a claim, they should be appropriately compensated, and no one would disagree with that. However, the Health Service must also expedite a complex and legalistic process; it needs to act quickly and not be the reason for delays. Some Members referred to the costs that affect trusts.

The information pack indicates that, collectively, trusts spent 0.61% of their entire operating budget on medical negligence cases in the 2008-09 financial year, a time of obvious budget constraints. That warrants a serious review. If we are serious about learning lessons, the Minister needs to address the analysis of the types of cases being brought in each trust; hopefully, he will do that in his contribution to the debate. For example, how many of the 184 claims in the Belfast trust related to ear, nose and throat, maternity and so on? We need to see a breakdown of the specialities so that we can see that lessons are learned and mistakes are not repeated.

John O'Dowd referred to the Audit Office's 2002 report. Perhaps the Minister will tell us whether all of its recommendations have been implemented. Will he enlighten the House about where we are, eight years down the line, as regards all the issues that were highlighted in 2002? One of the worrying things that stood out to me when I read the briefing paper is that the overall cost to trusts' operating budgets was 0.38% in the 2007-08 financial year and 0.61%

in 2008-09. If the costs are going up, that does not point to improvements in the service. The only way forward is a review of current delayed cases and a report on how the Health Service can deal with them in a more efficient, timely and compassionate manner. I support the motion.

Mr McCallister: I thank the Members for tabling the motion. Rather than seeing it as a headline-grabbing issue, Members must appreciate the complexity of the issues raised in some of the cases. One would wonder whether the proposers have looked at what the Health Minister has done to deal with those cases in a more efficient, timely and compassionate manner. If they looked at what the Minister has done since taking office —

Mrs O'Neill: I recognise what the Minister has done. However, does the Member agree that, despite what the Minister has done and the guidance that has been sent to trusts, the operating cost to each trust has increased over the last couple of years?

Mr Speaker: The Member will have an extra minute added to his time.

Mr McCallister: I am grateful to the Member for her intervention. I accept that, and I will deal with that issue later.

Since the Minister took office, he has been very proactive on the issue, long before it was a headline-grabbing issue. It has received a lot of coverage, particularly in recent weeks, but the Health Minister has set up a programme of work over the last number of years to improve arrangements for handling claims against health and social care organisations. In 2008, the Department established a project group to look at the range of personnel in each of the health and social care trusts and other applicable bodies. I am sure that the Minister will provide details of that when he speaks later. The Department's guidance notes on handling claims in health and social care organisations were updated as recently as March. The updated guidance advises health and social care organisations of the procedures that they should follow in the management of all negligence and personal injury cases.

These cases involve large and complex issues, and all the Members who have spoken noted that they are not easy to deal with. Claims range from the deserving to the malicious, which have to be weeded out and responded to. Even Mr

Bell acknowledged that this can be a costly way of dealing with spurious claims. We have to find a system that deals with it better and more quickly. That is exactly what the Minister has been working to do over the last number of years: to get that fine line between the genuine cases and the spurious cases brought against health and social care trusts. Dealing with each of those is a matter for health and social care trusts directly.

However, one must look at the balance between dealing with legitimate and spurious claims and dealing with them in a timely fashion. As other Members have said, some claims have lasted for a number of years. That cannot be good for anyone. It cannot be good for the health trust or the patient pursuing the case, and it adds to an enormous legal bill. The issues are very complex, and I urge Members to take note of that and to note that the Department does not play an active role in the administration of cases or litigation. Those are totally the responsibility of each of the health and social care bodies.

Mr O'Dowd: That is the very point of the motion: the Department does not play an active role in the litigation. The Department must play an active role in resolving outstanding cases and in ensuring that the boards carry out the reviews that they are supposed to be carrying out. There is no evidence to suggest that those reviews are being carried out robustly.

Mr McCallister: I thank the Member for his point. The Department does not carry out a role in the litigation: however, it has a role in reviewing how trusts are doing. I suggest to Mr O'Dowd that that is the difference. It is right and proper that the trust, which the claimant is pursuing, should be involved in the litigation. The Department oversees the length of time it takes to deal with those cases. No quick fixes or blanket responses will resolve those cases. The complexity and sensitivity surrounding them will ensure that they last longer than the average compensation claim. There are issues that we must all be mindful of when dealing with the issue.

The Minister of Health, Social Services and Public Safety (Mr McGimpsey): I welcome the opportunity to address some of the issues and challenges that we face in dealing with medical negligence in health and social care; in particular, the time taken to resolve claims as referred to in the motion.

We need to start by putting this matter in context. Every year, there are approximately 2.5 million attendances at hospitals as inpatient admissions, outpatient appointments or accident and emergency cases. Doctors, nurses and other health and social care staff work together with great professionalism, in challenging and complex circumstances, to ensure that the right care is delivered at the right time, in the right way, and, most importantly, safely for every one of those attendances. I am happy to say that that is exactly what happens in the overwhelming majority of cases. However, things can go wrong occasionally. Regrettably, a very small number of patients can suffer harm that leads to claims of medical negligence.

Of the 2.5 million annual attendances at our hospitals, around 500 can result in a claim for medical negligence, which equates to one in every 5,000 cases. Furthermore, of those 500 claims, just over a quarter are successful, resulting in financial compensation being paid. Although the incidence is very low, I assure Members that, as far as I am concerned, every one of those medical cases is a case too many. We work hard to give staff the support that they require, including through investment, to allow them to discharge their jobs as they wish.

In such situations, it is only right that patients and their families are given a full explanation of what has happened, what has gone wrong, the likely consequences for themselves or their loved ones, an apology where appropriate, and an opportunity to have their questions answered. If the patient or family remains unsatisfied, they have the right to make a complaint to their trust or practice and, ultimately, a claim of negligence against that body. Where legal action is chosen, it is essential that that is expedited. I want to be clear that those cases concern events that were traumatic for all those involved; staff, as well as patients and their families. It is in no one's interest to prolong cases unnecessarily.

Everyone concerned seeks and needs a speedy resolution: the patient claiming harm or loss; the doctor or nurse wishing to safeguard their professional reputation; and the trust wishing to manage the financial costs and learn lessons to prevent future mistakes.

11.15 am

In the four years up to March 2010, 2,447 medical negligence cases were opened. In the same period, 1,878 cases were closed, and

damages were paid out in 523 of those cases. Evidence indicates that around 75% of cases are resolved within four years.

All claims are thoroughly investigated, and advice is provided by the health and social care service's own experienced medical negligence lawyers. In addition, all cases are subject to annual review. Early settlement is negotiated where that is an appropriate course of action, but, equally, claims without merit are robustly defended.

Undoubtedly, some claims take longer than others, and, in general, the lengthier cases often involve complex medical and legal issues that require significant clinical and other specialist advice. Many of the cases that have been outstanding for 10 or more years relate to birth injuries and are particularly complex and contentious. Allegations made must be thoroughly investigated and that involves the instruction of independent medical experts. However, Northern Ireland has only a small pool of medical experts who can be called on as independent expert witnesses, which often means that expert medical witnesses must be brought in from elsewhere.

A major cause of delay in the longest cases is often a failure on the part of solicitors acting for plaintiffs to progress matters after the initial letter of claim has been issued to the point where legal proceedings are issued. Once formal litigation begins, matters fall under the control of the courts, which have a duty to deal expeditiously with such cases. The courts will not tolerate unreasonable delays by a health and social care body or any other party to a claim. Tight deadlines are set by judges for the management of medical negligence claims once proceedings are issued. In fact, a pre-action protocol for clinical negligence cases was introduced by the Northern Ireland Court Service in April 2009 with the aim of dealing with cases in a more cost-effective, efficient and proactive manner. It seeks to improve communication between the parties to a claim by establishing a timetable for the exchange of relevant information and by setting standards for the exchange of correspondence relating to the claim. Compliance with that timetable can assist the parties to the claim in making an informed judgement on the merits of their case as early in the proceedings as possible.

My Department issued guidance to health and social care bodies in March of this year to ensure that their procedures for handling claims are in compliance with the Court Service protocol. That guidance requires them to have effective procedures in place to minimise delays and to provide annual assurance to my Department on the general management of claims. Trusts are also required to carry out an annual review of all their organisations' live medical negligence cases and to specifically consider whether cases in which there has been no activity for three or more years might be closed.

Today's motion seeks a review of cases lasting over 10 years, and I can tell Members that such a review was carried out and that it was completed last week. As a result, 23 cases have been closed and a further 12 have been settled pending agreement and payments.

Besides the obviously unsatisfactory nature of protracted delays for those involved in individual cases, we must consider the financial implications of such lengthy legal proceedings, particularly the amount of money that is paid out in legal fees. The costs associated with medical negligence cases, including the payment of legal fees, are all met from within the health budget, so money that is spent on those cases is money that must be diverted from direct patient care. Therefore, it is clearly in everyone's interest that such expenditure is kept to an absolute minimum. That is why I decided in 2008 that legal services to health and social care organisations should be provided in-house by the directorate of legal services. That decision has already realised substantial annual savings in the cost of the provision of legal services. Savings have also been realised by challenging third party legal costs and capping fees for legal counsels acting for trusts.

I should also make it clear that there is no direct correlation between the length of time that a case has been open and the legal fees that are incurred. On the contrary, and as I outlined earlier, in many of the longest running cases, there has been little activity for many years, and consequently, minimal legal costs have been incurred. My Department has taken a number of steps to try to reduce the number of claims of medical negligence that arise in the first place and thus drive down the costs. Those steps include driving up the quality of services and ensuring a focus on patient safety; developing

a new system for reporting and learning from adverse incidents, which will better enable analysis of reported adverse incidences that have occurred; and facilitating health and social care bodies in taking steps to learn from such events to ensure that they do not happen again. My Department has also established links with various national best practice and patient safety bodies to ensure that the health and social care service has access to the most up-to-date best practice guidance.

In summary, I emphasise that the incidence of medical negligence claims is thankfully very low — it is about one in 5,000 cases — due mainly to the diligence and professionalism of our health and social care staff. However, I have always been determined that claims are dealt with compassionately, efficiently and fairly. My Department issued guidance in March this year to all health and social care bodies to ensure that they comply with the Northern Ireland court protocol on the efficient handling of claims. All claims are reviewed annually, with particular attention being paid to those of more than three years' duration. A review of all cases of more than 10 years was started at the beginning of September and completed last week, with a number of cases being closed and some settled.

There have been a number of references to a 27-year-old case, and Mr O'Dowd referred to it. The director of legal services advised that no proceedings have ever been issued and that that file has now been closed. The case concerned an individual with a disability, meaning that action can be taken at any time during their life. No payments have been made in the case either in damages, legal fees or expert fees.

The other case that I referred to was 16 years old. Proceedings were not served by the family's solicitors until June 2006, which was 12 years after the initial letter of claim. The case was listed for hearing in June 2010. It was adjourned after the medical witness became seriously ill, and it has been re-listed for January 2011. There is no issue in that as far as the Department or the Health Service is concerned, and there is nothing to be gained by delaying proceedings. I will not allow that. None of the trusts will permit cases to be dragged on. If cases proceed, it may be that proceedings are held up by the plaintiff's solicitor for whatever reason, and there could be a number of reasons why that could be. However, I am satisfied that

our organisations are doing all in their powers to avoid any unnecessary delays in progressing cases to a conclusion and that they are working to ensure that appropriate compensation for individuals is paid in a fair and timely fashion. Members will have heard me say often that quality plus safety equal efficiency and outcome. That applies as much in this issue as it does throughout the Health Service. We must have the quality to get the safety, and that routinely means proper investment, which we are struggling for. That in turn makes us more efficient, and it ensures the best outcome for patients.

Ms S Ramsey: Go raibh maith agat, a Cheann Comhairle. Before I get into the bones of the debate, I want to take the opportunity, like other Members, to thank Research and Library Services for, once again, producing an excellent research document on the issue. I also take the opportunity to thank the Minister for attending today's debate.

I am delighted to be associated with the motion, because this is a real issue for some families. A number of Members who spoke in the debate said that it is not just a matter of statistics; it is about families. It seems to me that every day we are being told that millions of pounds from the public pot are, for whatever reason, being spent. This is at a time when we are in greatest need, when we could be facing dangerous cuts from the British Government next month, and when people are demanding change and are looking to the Assembly for that change. Once again, it seems that it is easier to spend public money than it is to spend one's own money. Whatever the outcome of the debate, we need to highlight that when public money is spent, it must be spent properly and wisely.

I take from the Minister's speech that he has accepted the motion; he indicated that the review started this month. I hope to get an idea of when that review will report. When moving the motion, John O'Dowd gave the background and the reasons why the debate has been brought to the Floor. For years, some families have been fighting and campaigning for justice — on their own, I might add.

John and many other Members, quite rightly, paid tribute to Health Service staff. The motion is not an attack on staff. It is not an attack on medical personnel. It is not an attack on the good work that Health Service staff do daily, sometimes with very little resources. However,

the fact is that there are problems in some cases. We need to highlight that.

The Department of Health, Social Services and Public Safety's report, published in July 2003, highlighted the fact that although there have been mistakes and there are ongoing claims, in the long term, lessons need to be learned from those mistakes, which will make healthcare safer and result in far fewer instances of serious harm to people while they are in medical care. Therefore, lessons can be learned daily. However, I am not sure that they are being learned. Some cases have lasted over 15 years; some for 27 years.

The Audit Office report recommended that there should be a database. It should not be a database to focus on one particular trust or another; it should be a database to focus on learning lessons from mistakes that can happen in the health sector, hospitals or, indeed, any other Department over which the Assembly has control. We must find out why those mistakes have happened and ensure that they do not happen in future.

Fifty cases have lasted over 15 years. That is wrong. It just does not make sense. Alex Easton, quite rightly, pointed out the fact that a sizeable portion of the money that has been spent in some of those cases — more than £55 million over 10 years — has been spent on legal fees. During the past number of months, the issue of legal fees has been raised in the media. The Assembly is here to make a difference. Let us try to make that difference and ensure that we spend public money properly and that we learn lessons from failures that occur on any issue.

Danny Kennedy talked about guidance. Officials must have found time to write that speech because Danny and John McCallister actually said the same things.

Mr Kennedy: Like your party members?

Ms S Ramsey: I write my own speeches, as you can see. Perhaps, you and John should have a yarn before you come into the Chamber.

I accept that there is guidance. However, there are still outstanding cases. Therefore, is the guidance working? I do not know: it does not seem to be working. It was pointed out that the Minister introduced that guidance. I am not here to attack the Minister; and I believe that

he knows me well enough to appreciate that. He highlighted the guidance in his speech. If he believes that it is working, will he send an urgent report to the Committee for Health, Social Services and Public Safety to give us an idea of why the cases are outstanding. The more information that we get, the less likely it is that we will attack the Minister on such issues. Let us work together. If the issue is a legal one, give us the information and we will see whether we can make the changes.

I am a wee bit confused about the Ulster Unionist Party's position on the matter, although it seems to be supporting the motion. I believe that the motion will receive all-party support.

Tommy Gallagher reminded us that the issue concerns families and human beings. It would be remiss of me not to declare an interest.

I have a family member whose case has been outstanding for a number of years, following the death of her child. Jonathan Bell mentioned the claims culture; I do not think that he meant that in general, but it is an issue. However, my family member has had to jump through hoops when all she wants are answers. She does not want money. It is not about money. She wants the answers; she wants to know why her child died. She wants and needs that closure. When we are talking about cases, do not automatically assume that it is about people getting money. It is not always about that, but I take on board the Member's point about the claims culture.

11.30 am

The Audit Office report states that the Health Service is losing several hundred million pounds in fees. That can be resolved by a more inclusive process, a discussion, an explanation and the showing of a caring face. There are ways of dealing with that. For the record, in fairness to the people who make claims, it is not always about the money.

I also take this opportunity to highlight the positive, proactive good work that the Patient and Client Council — formerly, the health and social care councils — has been carrying out. Without its support, families could have been destroyed. We should highlight that good work by health professionals.

Michelle O'Neill outlined some possible reasons why some cases take so long. If the Minister agrees to my earlier proposal to send a report

to the Health Committee, perhaps he could provide some information to show why it is taking so long and whether that is because of the trusts or because of legal issues. The Minister stated, rightly, that every case is a case too many. It is only right that families are given the full information on what happened and what went wrong but, sometimes, that does not happen. Sometimes, families do not even get to talk to the person who was directly involved in the case, and the only option left for them is to go down the legal route. Families want answers; they do not necessarily want money.

I thank everybody who took part in the debate. For want of a better word, I think that it was a mature debate. Everyone realises that we need to get to the end of this matter and that mistakes take place in all sectors of life. We need to give people the opportunity to take action that ensures that they get answers, and we need to ensure that we are not wasting or spending public money willy-nilly.

As I said at the outset of the debate, the Assembly is here to make a difference and bring about change. Let us ensure from today that the cases that have been outstanding for 15, 20, 25 or 27 years are no longer outstanding next week. Let us ensure that, when people have an issue, they can get it resolved as quickly as possible because, again, we are not talking about statistics; we are talking about mothers, fathers, sons and daughters. We are talking about human beings. It could be any one of our family members, and the sooner we get this matter resolved, the easier it will be for families to move on and get closure so that they can start healing and moving forward.

Question put and agreed to.

Resolved:

That this Assembly expresses its deep concern at the delay in resolving some medical negligence cases, with one case ongoing for 27 years, and a total of 55 cases lasting over 15 years; and calls on the Minister of Health, Social Services and Public Safety to commission a review of all medical negligence cases outstanding for 10 years or more, to ensure that they are being dealt with expeditiously, and to report on how cases, generally, can be handled in a more efficient, timely and compassionate manner.

Questions for Urgent Oral Answer

Justice

Mr Speaker: I have received notice of an urgent oral question to the Minister of Justice. Given the subject matter, I have agreed that a representative from each party will be given an opportunity to ask a supplementary question.

Lord Morrow asked the Minister of Justice, in light of his recent statement that indicated there were five clerical errors by the NI Courts and Tribunals Service in relation to the McDermott case including one in relation to the sexual offences prevention order which stated the duration was for five years rather than for life, if he can assure the Assembly that there are no further discrepancies or clerical errors by the Courts and Tribunals Service that could place the public at immediate risk; and if he can further assure the Assembly that every step possible is being taken to review urgently all sexual offences prevention orders and to ensure that this situation does not arise again.

The Minister of Justice (Mr Ford): First, I wish to take the opportunity in the Chamber to restate the apology that I have already made elsewhere to the survivors in the McDermott case. I deeply regret that the way in which that information came to light has added to their distress.

As Members will be aware, I have recently written to the Justice Committee to advise it of the outcome of the urgent review that I instructed the Northern Ireland Courts and Tribunals Service (NICTS) to undertake of its administrative processes in the McDermott case and a review of all supervision and treatment orders. That review identified that several errors were made in the McDermott case and that an error was made in the STO of a separate case. Details of those errors and the proposed remedial action are set out in a report that has been made available to the Justice Committee and that I have placed in the Assembly Library. The relevant court records are being corrected, and amended orders will be issued as soon as possible following the approval of the trial judge.

I emphasise, however, that, although it is clearly unacceptable that they occurred, those errors did not place the public at any immediate risk. The defendants in that case are subject to the

requirements of supervision and treatment orders and sexual offences prevention orders as imposed by the courts, together with the notification requirements under the Sexual Offences Act 2003. The terms of the orders were stated in the sentencing judgment issued by the judge and were made available to the prosecution, the defence and the trust's representatives. That was the order of the court, and the errors in the administrative processes had no material impact on the legal effect of the orders. It is accepted, however, that the orders issued by the court office were wrong and may have led to inaccurate case records being held by the relevant agencies.

I underestimate neither the impact that such errors have on public confidence nor the importance of other agencies being able to rely on the accuracy of documentation produced by the Courts and Tribunals Service. I have, therefore, instructed the NICTS to conduct an audit of all sexual offences prevention orders imposed by the courts in Northern Ireland since their introduction in May 2004. The results of that audit will be shared with the Justice Committee as soon as they are available, by mid-October. I have also instructed the Courts and Tribunals Service to initiate an urgent systems review of the arrangements for preparing, checking and issuing court orders in Northern Ireland. I expect an interim report by the end of this month. Its recommendations will be implemented as a matter of priority thereafter.

To provide further reassurance, the Lord Chief Justice has agreed that, in complex or unusual cases, such as the McDermott case, court orders will also be checked by the trial judge before issue. In addition, I have instructed that monitoring measures be strengthened to ensure that the remedial action that has been implemented is effective. As Members will be aware, I have also requested that Dr Michael Maguire, the chief inspector of criminal justice in Northern Ireland, conduct a detailed investigation. Although his statutory remit does not permit him to examine the detail of the McDermott case itself or, indeed, any individual case, he will undertake a detailed examination of the way in which sexual offence cases are dealt with by the justice system. I expect to have Dr Maguire's report by the end of October.

I am determined that the lessons learned in that case will lead to improvements in the administrative procedures in the courts in

order to ensure that all agencies in the justice system play their part in protecting children and vulnerable adults.

The Chairperson of the Committee for Justice

(Lord Morrow): I thank the Minister for making himself available today to deal with this very urgent matter. I welcome the fact that Dr Maguire will carry out a detailed investigation of how cases involving sexual offenders are managed by the justice system. Has the Minister had any discussions with the Health Minister about the potential for an investigation to be carried out jointly with the Department of Health, Social Services and Public Safety, given its close involvement in cases of that nature? If so, what was the outcome of those discussions? If he has not, will he undertake to do so at the earliest opportunity?

The Minister of Justice: I thank Lord Morrow for his supplementary question and for welcoming the chief inspector's involvement in ensuring that the investigations are robust and thorough. The Member specifically asked me whether I have discussed the issue with the Minister of Health, Social Services and Public Safety. At a meeting, I discussed it generally with the Minister, but I did not discuss the specific issue of a joint investigation.

The specific position at the moment is that the chief inspector of criminal justice is just that: he has a remit for the justice system. The issue that may develop from the meeting of the two Committees later this week is whether there is scope for any wider investigation involving some of the regulatory bodies operating in concert. That will need to be kept under review. My concern was to ensure that the criminal justice system review got under way as fast as possible to deal with the administrative errors that I have highlighted.

Mrs O'Neill: Go raibh maith agat, a Cheann Comhairle. The Minister referred to the distress of the victims in the McDermott case, which, I think all Members would agree, was heightened by the fact that a blame game was going on between the Department of Justice and the Department of Health. Given that the Minister has now clarified the court's position in respect of residency conditions, in answer to a question tabled by my colleague John O'Dowd, will he now give an undertaking to issue guidance for all agencies involved in supervision and treatment orders or sexual offences prevention orders

that involve residency clauses, so that there is absolute clarity in all relevant organisations as to their ability to influence, change or amend residency conditions?

The Minister of Justice: I thank Mrs O'Neill for that question. I must say that I do not accept that a blame game has been carrying on. I have sought, at all times, to make clear the responsibilities of the Department of Justice and its agencies and to be open and honest with the House, with Members and with the public. That is not a blame game. That is seeking to make the position absolutely clear: errors have been made, but those administrative errors have not affected the handling of the case.

Mrs O'Neill asked whether I would be issuing guidance to all agencies. That is something that may need to be looked at on a cross-departmental basis. I certainly do not claim any right to issue guidance on the interpretation of the law to agencies that are the responsibility of other Departments.

Mr Beggs: I thank the Minister for the information that he has provided so far. Will he confirm to the House whether victims are routinely kept informed in situations such as this? Will he consider introducing a protocol to ensure that the needs of victims are addressed, and will he ensure that that is included in the review process that he mentioned earlier?

The Minister of Justice: Mr Beggs raises a vital point. Yesterday morning, immediately after informing the Chairperson of the Justice Committee of the discoveries that had been made and formatted over the weekend, I ensured that the next two people to be informed were the two victims who represent the six victims of Donagh. I did that before I informed other Members of the House, other public agencies or the media, which came last. I believe that that was entirely appropriate.

There is a wider issue relating to the fact that we have recently published a guidebook for victims of crime and a specialist book for victims of bereavement by murder or manslaughter. I am determined that, as a whole, criminal justice agencies keep the needs of victims a priority in every aspect of their work. I assure Mr Beggs that, where I have been involved, that has been the case regarding the survivors of the abuse in Donagh.

Mr McDevitt: Given the serious systemic and material errors that have come to light in the past few weeks and that 37·5% of supervision and treatment orders were found to be erroneous and given the serious impact that that is having on public confidence in our Court Service, will the Minister tell the House whether he believes that the Court Service failed in its duty of safeguarding children and whether he has confidence in senior management at the Court Service?

The Minister of Justice: I know, without being flippant, that, when Mr McDevitt talks about 37·5%, he is referring to three errors in eight supervision and treatment orders altogether. However, we do need to get some sense of the overall problem. The fact that I have instituted the review that I have and given directions that all sexual offences orders put in place in Northern Ireland since they were introduced six years ago are to be examined to ensure that they are in order and the fact that I have invited in Dr Michael Maguire, chief inspector of Criminal Justice Inspection, is, I hope, an indication to the House and the wider community of how seriously I take the issue. I will look with great interest at the report that Dr Maguire produces to see what recommendations he makes as to how we address the problem in the future.

Ms Lo: There is a great deal of confusion about the case in the minds of the public and, indeed, MLAs. Will the Minister clarify the distinction between the decision of the court — the so-called legal loophole — and the administrative errors?

The Minister of Justice: I am not sure whether I should thank my friend for that question or not. There is indeed considerable confusion. Let me state the position because, in many cases, it has not been accurately reported that there are different strands. I apologise if I require longer than normal to answer questions that deal with the issue.

11.45 am

Mr Speaker: Order. Allow the Minister to continue.

The Minister of Justice: The decision of the court was quite clear. Judge McFarland made his direction on the disposal of the brother who was convicted and the two brothers who were unfit to plead. The orders that he made from the bench that day stood, regardless of what may

happen. He made his decision on the basis of expert witnesses and the evidence that was put before him. That decision, as we know, led to the decision that, initially, two of the McDermott brothers were returned to Donagh.

There are two separate issues about what we have been describing as a legal loophole. The court judgement is clear that, although two of the brothers had sufficiently diminished mental capacity that they were not fit to plead, they nonetheless did not have sufficiently diminished mental capacity to fall within the ambit of a hospital order. That was seen as something of a loophole. The second element that is being interpreted as a legal loophole is the fact that, in Scotland, supervision and treatment orders last for three years, whereas in Northern Ireland, as in England and Wales, they last for only two years.

The first issue will be dealt with in the mental capacity Bill, which the Department of Health, Social Services and Public Safety expects to introduce next year with the support of the Department of Justice. I hope that the second issue — the extension of supervision and treatment orders to three years — can be dealt with by secondary procedure within this calendar year in the House, subject to the approval of the Committee. Those are the legal loopholes.

The administrative errors that arose in the Courts and Tribunals Service, which I put down in a statement that is in the Assembly Library and which was given to the Committee for Justice yesterday, were simply that: administrative errors. They had no material consideration in any way on the McDermott case. Undoubtedly, the way in which they have been publicised has added to the confusion and distress of the survivors of the McDermott family. I deeply regret that, but they did not affect the outcome of the case.

Health, Social Services and Public Safety

Mr Speaker: I have received notice of a question for urgent oral answer to the Minister of Health, Social Services and Public Safety. For this question, I have agreed that party representatives with a constituency interest will be given an opportunity to ask a supplementary question.

Mr Wells asked the Minister of Health, Social Services and Public Safety what plans the Western Health and Social Care Trust has in

place should the McDermott brothers discharge themselves from Lakeview Hospital in the near future and attempt to return to Donagh, County Fermanagh; and whether the Department has attempted to have the supervision and treatment order amended to address this possible scenario.

The Minister of Health, Social Services and Public Safety (Mr McGimpsey): A supervision and treatment order and a sexual offences prevention order are in place. They work together to ensure the safety of children and the community and to ensure that the McDermott brothers receive appropriate treatment.

The sexual offences prevention order is the responsibility of the police and ensures the safety of children and the public. The supervision and treatment order was issued to the Western Health and Social Care Trust by the court. The responsibility of the supervising officer in accordance with that order is to approve or disapprove residency. Should the brothers decide to leave Lakeview and return to Donagh or go elsewhere, the supervising officer would discuss any change of circumstances with other relevant agencies and approve or disapprove whatever address they present, according to the evidence before the supervising officer at the time.

On legal advice, the trust has not applied for any variation to the supervision and treatment order, as the brothers are compliant with the terms of that order. Should that change, the trust will take appropriate action, in conjunction with the police and the responsibilities in relation to the sexual offences prevention order.

I have asked the Health and Social Care Board to undertake a case review. I expect that that review will present its interim report to me within a month and a full report shortly thereafter.

The Chairperson of the Committee for Health, Social Services and Public Safety (Mr Wells): I thank the Minister of Justice and the Minister of Health, Social Services and Public Safety for their willingness to come forward and answer questions for urgent oral answer. That has been very helpful.

It is quite clear that there is a distinct lack of clarity about how we deal with sex offenders in this situation. The two Departments need to get together and produce a document or guidelines so that the public know exactly the relevant

powers of each Department and understand exactly what would happen in certain circumstances if someone is convicted of a sex offence, is deemed unfit to stand trial or has served his or her sentence and been released back into the public domain. Will the Minister give me an assurance that that guidance will be issued so that everybody knows where they stand on this incredibly complex, confusing and difficult situation?

The Minister of Health, Social Services and Public Safety: I can assure the Member that I will treat his request extremely seriously. I am not clear on locus standi, but, like the Member and others in the House, I am very keen to see that type of issue resolved.

As far as the actual case is concerned, I understand the confusions that have arisen. The legal loophole refers to the competence to plead, which is something that I have said that I will address through my mental capacity legislation. That legislation will be moving through the House in due course, and we will look to address that issue jointly with the Department of Justice.

I am also looking for clarity and an explanation as we move forward, not least because of the huge amount of comment and coverage of the case in the press. Often, that coverage has taken things out of context and been inaccurate. As I said, the sexual offences prevention order is something that the police take the lead on. They can apply for residency orders within that, but the order is designed to safeguard the community. Failure to comply with its terms is a criminal offence.

Social services take the lead on the supervision and treatment orders, which last for two years and focus very much on treatment and care of the individuals concerned, their care plans and how we take them forward.

Mr Gallagher: Does the Minister accept that, when the issue of where the brothers would reside was under consideration in court, the supervising officer, who was an employee of the Western Trust, unambiguously approved the brothers' return to Donagh? Will the Minister investigate how the issue was handled by the Western Trust and whether the personnel who gave information to the court, in addition to the supervising officer, were acting in accordance with stated criteria?

The Minister of Health, Social Services and Public Safety: As I said, I have asked for a case review on the matter. That will be investigated as we go along. The social worker we are talking about was the case worker. She was an approved mental health social worker and was approved to work in the learning disability team. She was a qualified individual who was doing her absolute best. She was called as a prosecution witness and, as one would expect, gave her evidence properly. Social services did not make any recommendations about residency.

Lord Morrow: The last point that the Minister made has added confusion to the issue. I have a copy of a letter from the Lord Chief Justice, which he sent in an attempt to give some explanation on the issue. He states:

"The position is that the Supervising Officer must approve any address from the date of the making of the order".

If the letter is right — I believe that it is — and the supervising officer was in court and heard the deliberations, why would he or she not be totally aware of what was said in court that day? Was the appropriate action taken on foot of the ruling in the court? It was stated in the public arena that, had the contrary been done, that would have been a contravention of the judge's decision. Was the judge's decision implemented, and who are the experts in that field? I think that they are those in the trust.

The Minister of Health, Social Services and Public Safety: I listened to some of the comments that Lord Morrow made, and I understand his confusion. As far as the supervising officer is concerned, I will not have social workers hung out to dry when they are trying to do their best and are doing it professionally and properly, as they are asked to. Acting as prosecution witnesses in court, they did not make any recommendations about residency. The order that returned the two individuals to their family home was made by the court. The supervising officer had no legal ability whatsoever to challenge the court's decision. Had the individuals decided that they were not going to stay in the family home as ordered by the court, the supervising officer would have had a role. However, they have no role to challenge the judge in the judge's court. That is a matter for the judge.

Mrs Foster: In this highly unusual letter, which was written by the Lord Chief Justice to the

Justice Minister, the Lord Chief Justice says that direct evidence was given by a doctor at the hearing about:

"the [X] Road property, their home, their residence, as their residence."

He says that, when asked whether he could envisage another residence, the witness replied, 'No, your Honour'. Given that that is the case and that the trust gave that direct evidence, is the Minister satisfied with the fact that the trust gave that evidence to the court and that, therefore, what has happened ensued?

The Minister of Health, Social Services and Public Safety: As I have said, I will hold a case review and that will be able to clarify many of those points. As I understand it, the doctor to whom Mrs Foster refers was not an employee of the trust. He was there as an independent medical expert employed by the prosecution, not as a member of the trust, and he was not there acting for or speaking for the trust. The trust, the social worker and others were there providing the same type of expertise. I hope that the case review will clarify that. This is one of the points that I would like clarified. Because this individual has "Doctor" in front of his name, it is assumed that he works for the trust and, therefore, spoke on behalf of the trust, and everyone is attacking the social worker and the trust. However, that is not the situation as I understand it. That individual was an independent medical expert called by the prosecution service. He was not an employee of the trust.

Private Members' Business

Human Trafficking

Mr Speaker: At the outset of this debate, I caution all Members against referring to individual cases involving human trafficking that are currently the subject of legal proceedings. The Business Committee has agreed to allow up to one hour and 30 minutes for this debate. The proposer will have 10 minutes to propose the motion and 10 minutes to make a winding-up speech. One amendment has been selected and published on the Marshalled List. The proposer of the amendment will have 10 minutes to propose it and five minutes to make a winding-up speech. All other Members who wish to speak will have five minutes.

Mr McNarry: I beg to move

That this Assembly condemns human trafficking; notes with grave concern the growing prevalence of human trafficking for the sex trade, domestic servitude and labour exploitation in Northern Ireland; further notes that men, women and children are victims of human trafficking and that human trafficking exists because of local demand; and calls on the Minister of Justice and the Executive to raise awareness of human trafficking among the public in order to assist the authorities in securing prosecutions against those who carry out this modern form of slavery and to ensure that Northern Ireland is a hostile place for traffickers.

I note that the Minister to whom the motion refers is not in his place. That is a matter for him, but I hope that he will recognise the Assembly and find his way in to hear the debate because I am sure that there will be some points and questions to which Members would want to hear him respond. Having said that, I am glad to see that he has arrived and is taking his seat.

12.00 noon

The Ulster Unionist Party's intention in tabling the motion was to raise awareness of the serious issue of human trafficking. We intend to work with our colleagues in the House to ensure that human trafficking is a priority for the Assembly and Executive. Human trafficking is modern-day slavery, whereby human beings are treated as commodities by organised crime gangs who make a substantial profit through buying and selling them. Recent press coverage of trafficking that showed victims being rescued as part of a UK-wide operation reminded us that

such a heinous crime exists in Northern Ireland. Today, we seek an assurance from the Minister of Justice that he will put the issue high on his agenda.

The coalition Government have committed to tackling human trafficking as a priority, and we should note that an anti-human-trafficking co-ordinator is to be appointed in Wales. The new post will involve raising awareness, uncovering the extent of the problem and bringing more traffickers to justice. The proposed co-ordinator in Wales will also organise practical training for professionals in how to identify and intervene in cases. I ask the Minister of Justice to think about whether it would be possible for him to consider the employment of such a champion in the criminal justice system here in Northern Ireland.

The Welsh Assembly's strategy states that human trafficking is now the third most lucrative market, after drugs and firearms, for organised criminals in the United Kingdom. It is worth emphasising that the fight against the trafficking of human beings requires co-ordinated efforts with our counterparts in Great Britain, across Europe and globally. It is clear that human trafficking knows no borders, and the European Union has an important role to play in combating it. My colleague Jim Nicholson MEP has written to the Justice Minister and the Secretary of State for Justice, Ken Clarke. He asked for their assessments of the draft EU directive on human trafficking to ensure that the United Kingdom is doing all that it can to help the victims and to bring the perpetrators to justice.

The level of awareness of human trafficking needs considerable attention in Northern Ireland. A report published by the Northern Ireland Human Rights Commission and the Equality Commission in January 2010 indicated that human trafficking was an active but largely hidden problem in Northern Ireland. Human trafficking has been a major global issue, but it has only recently attracted public attention in Northern Ireland. The report revealed a picture of the abuse and exploitation of women, children and men from a range of ethnic backgrounds. The commissions have called for a co-ordinated response to human trafficking and for more support for its victims.

The information that was gathered during interviews for the report provides evidence of the trafficking of women and children for the

purposes of sexual exploitation and forced labour, including domestic servitude. Some information was also received on the trafficking of men for labour exploitation. However, there was, unfortunately, significantly less data on men and less knowledge among interviewees about that problem. The findings of the study highlighted significant gaps in the knowledge of the extent and nature of trafficking and showed that the system of data collection in Northern Ireland was virtually non-existent.

Of equal concern was the limited and ad hoc nature of the provision of services to victims of human trafficking here in Northern Ireland. Although those gaps might now be being filled by organisations such as Women's Aid and the Migrant Helpline, they should not have to do so alone, and the provision remains inadequate. The information that was provided during interviews indicated that such provision was largely made case by case. Often, it depended on the goodwill and dedication of those who provided support and services once a victim had been identified.

That report made six recommendations that were specific to Northern Ireland, and I ask the Minister to provide his assessment to the House on the matter. We all recognise the hard work of the PSNI and the valuable contribution that it makes to combating organised crime. We further understand that the PSNI is limited by today's economic pressures and constraints. We hope that the Minister will do all that he can to facilitate the PSNI's needs in combating the crime of human trafficking and that he will advise us today of any resource problems that affect its success in that field.

There is also the Anti-Trafficking Monitoring Group, which undertakes analysis to ensure that appropriate measures are being introduced to protect trafficked persons. In June 2010, the group made the following recommendations specifically for Northern Ireland: the establishment of an all-Northern Ireland human-trafficking group; the establishment of a localised national referral mechanism in Northern Ireland; the development of documents in different languages to assist victims of trafficking; for the Public Prosecution Service to provide guidance on human trafficking for all prosecutors in Northern Ireland; the establishment of information-sharing protocols across devolved and non-devolved Departments; and for the evaluation of

the impact of the Blue Blindfold campaign to be made public in 2011.

Again, it is prudent that thought be given to such recommendations and their implementation in order to combat the problem of human trafficking. What does the Minister intend to do about those six recommendations? We recognise that the implementation of such recommendations requires the co-ordination of the whole Executive.

The Anti-Trafficking Monitoring Group highlighted that responsibility for the co-ordination of services for victims of trafficking to and in Northern Ireland does not fall to the Department of Health, Social Services and Public Safety, but to the Department of Justice. On that issue, there is no ambiguity; it is clear. I am confident, having spoken to colleagues from all parties in the Assembly, that we and they are very much committed to combating human trafficking in all its forms. We need to bring together devolved and non-devolved Departments and all other relevant and non-statutory bodies to establish a coherent approach to combating human trafficking.

This is a live issue in our streets and communities. We know what is going on, and I do not think that our people are turning a blind eye to it. This is a small place, and most people know what is going on. The most shocking thing is not that it is happening but that people in our community are availing themselves of those services. They should be ashamed of themselves. They are not a reflection on the community that I work in, live in and represent. The House should condemn them and them alone. If they do not do business, there is no business.

I thank the House for its attention, and look forward to the Minister's response to the motion. I welcome the debate that we are about to have.

Mr A Maginness: I beg to move the following amendment: At end insert

“; and further calls on the Minister of Justice to work closely with the Irish Government and the European Union to ensure that Northern Ireland is part of an all-island, European wide response to this serious issue.”

I thank Mr McNarry and his colleagues for bringing the motion to the House. It is timely. We are quickly approaching 18 October, which has been designated anti-slavery day by the Prime Minister, Mr Cameron. It is appropriate that we consider carefully the whole issue of human trafficking in Northern Ireland.

Our amendment will enhance and expand the motion to introduce a North/South dimension as well as a European dimension. In dealing with human trafficking, it is important to realise that many of our borders are now very porous and that it is much easier to traffic in human beings. That is the reality of the situation. The international police services, and many reports, indicate the ease with which trafficking can take place. People use the various jurisdictions in order to evade detection by police services throughout Europe, the UK and Ireland. It is important that we recognise that there is not simply a Northern Ireland or UK dimension, but also an all-Ireland and a European dimension. We should not ignore that.

The Public Accounts Committee's report on organised crime in June 2010 focused partly on human trafficking. It noted that human trafficking was on the rise in Northern Ireland and that it must be combated robustly. I think that all Members will agree with that. In that report, Assistant Chief Constable Drew Harris indicated that the PSNI was very concerned about the steady increase in trafficking. Clearly, it is timely for the Assembly to take note of the issue and introduce specific measures to deal with it.

As Mr McNarry pointed out very rightly, some of our responses to human trafficking and some of the services provided were on an ad hoc basis. Data collection in relation to the issue is poor and can be improved. It is clear that we need to up our game in that regard. Mr McNarry also said that we are a small community and that people know what is going on. We are a small community, but many people coming from abroad who speak a foreign language and who are not conversant in English live in very tightly knit groups in our community, albeit that it is a small community. It is very difficult to penetrate certain ethnic groups because of language and all sorts of additional social factors that prevent a real interface between those groups and the wider community. There are difficulties in penetrating some of the trafficking because of the nature of the people involved and the ethnic group to which they belong. Therefore, it is very important that we try and develop ways and means of penetrating that.

Of course, human trafficking is organised crime. Organised criminals are very brutal, protective, secretive and ingenious in protecting their criminal operations, so there are difficulties. The report entitled 'Crossing Borders: preliminary research

on human trafficking in Northern Ireland', which was produced by Women's Aid, points out the geographic distinction of Northern Ireland. In some ways, we are a staging post for human trafficking. If criminal operations do not take place here, the criminals may use Northern Ireland as a staging post. Therefore, we must be very vigilant and proactive in preventing those criminal organisations operating in Northern Ireland.

The other issue that creates vulnerability and greater accessibility by human traffickers is the fact that we have increased our air links with Europe and other parts of the world. That makes it much easier for people to be trafficked into Northern Ireland and sent to the Republic, or vice versa, or to other parts of the UK. We must be much more proactive in dealing with those issues.

12.15 pm

I note with satisfaction that, in December 2008, the previous Government signed up to the Council of Europe's Convention on Action against Trafficking in Human Beings. That was a progressive step. However, a proposed European Union directive on trafficking has yet to be fully implemented here, and we in the Assembly should be pressing for that. It is important that it is implemented fully here in Northern Ireland, because it would assist us in co-operating with our European colleagues and with those in other states. It is also important that we apply at least some pressure to the British Government for an early implementation of that directive.

I endorse what the Member who moved the motion said. I very much agree with the detail of his speech, and I assure him of our support for his motion, which is timely and should be welcomed. I hope that Mr McNarry and his colleagues will accept the amendment.

Mr Bell: The motion has been well brought by my Strangford colleague Mr McNarry. The subject is a matter of the greatest outrage of our time: the trafficking of human beings. We must honestly try to move away from the sanitised version of the word "trafficking". This is not trafficking, this is not business: this is the forced sexual slavery, predominantly of women but also of men, into a life of servitude against their will, causing massive long-term physical, psychological and emotional consequences for the individuals involved.

The motion contains everything necessary. I believe that the amendment has probably been honourably proposed, and I hope that I do not suggest in any way that it is an attempt to play politics with the issue. However, we are dealing with not just a North/South body or a European issue. As far away as Asia, and in many other areas, the trafficking of human beings for sexual slavery is a fact, and it is a fact in Northern Ireland. The amendment is encompassed in the motion, and, in the interest of uniting Members in their support against sexual slavery, I think that it should be withdrawn.

Where does that leave sexual slavery? Any of us who have worked in the field of the psychology of victims of sexual crime will know about the self-harm, the self-cutting and the self-loathing. We know of the individuals who need to self-medicate to deal with the pain of what was perpetrated against them. They self-medicate with alcohol and drugs, including prescription drugs. The trauma of what they have experienced means that they take medication just to get to sleep, and yes, Mr Speaker, unfortunately, in many cases, victims of sexual slavery end up committing suicide.

I saw many such cases in my 21 years' experience in social work and while sitting on other professional bodies and arenas. Anyone who looks into the eyes of somebody that they genuinely believe has been trafficked from another country can see deadness and pain that have been caused by the reality of what has happened to them. I am concerned to learn that in our Northern Ireland, where we had a church on nearly every street corner, blessed with the gospel, dozens of people have been forcibly transported into our country against their will, subjected to violence and rape, to serve as sexual slaves. I am referring to not one person or two, but to dozens, Mr Speaker, and those are only the cases that we can prove. In many cases, any professional working in that field will say that many other cases slip under the radar or that there is not enough evidence to secure convictions.

In our Northern Ireland of the twenty-first century, where organised crime gangs spend £50,000 plus just to advertise the slaves that they have, we, as a society, should hang our heads in shame. Organised crime gangs spent £56,000 just on advertising the fact that they had slaves whom people could use and abuse. We are moving to a time when, as a society, we need to regain our moral compass. The House

needs to initiate and spark a campaign of the magnitude and ferocity of that fought by William Wilberforce against slavery. As has rightly been said, human trafficking is nothing short of sexual slavery.

Often, shame depresses action. Having spoken to the police at Chief Constable and Assistant Chief Constable level, I can tell criminals that time is running out for their organised crime gangs. They have brought shame on our population. They have brought people into our community for the purpose of sexual slavery, and, rather than being depressed out of action, we should acknowledge the problem and rise above it.

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

Mr Bell: We should go forward with a William Wilberforce-style campaign to return human dignity and to restore society's moral compass.

Ms M Anderson: Go raibh míle maith agat. Éirím le tacaíocht a thabhairt don mholadh seo.

I support the motion and the amendment, and I thank the proposers of both for the opportunity to speak. I am disappointed but not surprised by the suggestion from the Member who spoke previously that the amendment should be withdrawn. It would be shameful for the House to divide on such an emotive issue, which is of grave concern to everyone across our society.

Cois Tine is an organisation that promotes the integration of people from all communities and cultures in Ireland, and it defines human trafficking as:

"the recruitment, transportation, transfer, harbouring or receipt of people for the purpose of exploitation. This includes persons forced into prostitution or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs."

That is a shocking definition; however, unfortunately, it is accurate. As the motion suggests, trafficking is a modern-day slave trade, and the fact that it is growing in prevalence here, as the recent raids in Belfast have shown, is a cause of grave concern for everyone in the Chamber and the communities that we come from. None of us should be in any doubt that we could well be dealing with only the tip of the iceberg, which means that we need to enter into wider discussions and engagements after the debate.

In 2008, the US State Department's 'Trafficking in Persons Report' stated:

"Ireland is a destination country for women, men and children trafficked for the purposes of commercial sexual exploitation and forced labor."

It goes on to say that:

"Women from Eastern Europe, Nigeria, other parts of Africa, as well as smaller numbers from South America and Asia, have reportedly been trafficked to Ireland for forced prostitution."

In June, the Public Accounts Committee published its 'Report on Combating Organised Crime', which was referred to earlier, and it included evidence from senior police witnesses who warned of the growth of human trafficking here and the misery that it is causing in our midst. Last year, the PSNI identified 25 victims of human trafficking, and that figure has grown since then. Of course, the secret and hidden nature of the crime means that the real number of victims is likely to be much higher.

Although trafficking for the sex trade is the most common motive for the gangs involved, it should also be pointed out that other victims are reportedly found carrying out domestic labour and restaurant and agricultural work. Given the potential scale of the problem, it is clear that the Assembly must take action, and I support fully the motion's call for:

"the Minister of Justice and the Executive to raise awareness of human trafficking among the public in order to assist the authorities in securing prosecutions against those who carry out this modern form of slavery".

As the motion and the amendment suggest, there is a role for the Minister to engage both on an all-Ireland basis and with Europe to ensure that we get Ireland-wide and Europe-wide responses to such a serious issue. Those are the kinds of working relationships and initiatives that were reflected in the recommendations of a report on human trafficking that Women's Aid published in 2006. I ask other Members who spoke, especially those from the DUP, to reflect on that.

I am sure that the Minister of Justice will also take heed of the issues that were raised in the Women's Aid report and of its contention that a better legal framework is required to make perpetrators of violence and abuse accountable to the law. I welcome developments such as the launch last year of new support services for victims of human trafficking. As a member

of the Policing Board, I am aware that the PSNI, the Border Agency and the Garda National Immigration Bureau are already working closely together to combat human trafficking. Therefore, collaborative working on an all-Ireland basis could easily be maximised without any great difficulty.

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

Ms M Anderson: As a society we must take more cognisance of and be more aware of what is happening around us. We must ask ourselves whether we want a society that is based on equality and fairness or one that is based on exploitation and fear. Go raibh míle maith agat.

Ms Lo: As you are probably aware, Mr Speaker, I have a particular interest in this topic, given my experience in working with ethnic minority communities. I sincerely thank all Members who have spoken on this issue.

I support the motion and the amendment. Indeed, we should be thinking about a worldwide, collective response to human trafficking, because it is an internationally organised crime. As Mr McNarry said, it is the third most profitable crime after drugs and firearms smuggling. A report from the Immigrant Council of Ireland stated that a minimum of 1,000 women from 51 different nationalities are in indoor prostitution in Ireland at any one time. Up to 97% of those women are migrant workers.

The United Kingdom Human Trafficking Centre reported that, between April and December 2009, 527 potential victims of trafficking from 61 nationalities were referred to the National Referral Mechanism. We have seen the results of the UK-wide Pentameter 2 and the more recent Apsis police operations. It is essential that there is co-operation with the Republic of Ireland and the EU. Northern Ireland has been shown to be a transit route from Dublin to the rest of the UK and vice versa. I was aware of a case involving a young Chinese woman who was identified at the port at Stranraer as a trafficked person and who had an address in Drogheda.

However, we should look even further afield than that. There needs to be co-operation with countries of origin such as China, Nigeria, Thailand and Vietnam, where the majority of trafficked victims come from. There needs to be awareness-raising in those countries to avoid people being lured by bogus advertisements to the wealthy West. The Governments in those places need to crack down on the criminals

so that they do not make money out of human misery. They need to get tough on the criminals in their own countries.

We need more understanding here in Northern Ireland. Human trafficking is not just about sexual exploitation; it also takes the form of domestic servitude and forced labour, as we saw in the cannabis factories that were discovered in Northern Ireland and in other parts of the UK. It involves women, men and children. I helped to launch the Blue Blindfold campaign, but we need much more public awareness about the issue in order to help police make detections.

12.30 pm

The Anti-Trafficking Monitoring Group report is very critical of the UK Government's failure to address the entirety of the Convention on Action against Trafficking in Human Beings. Much more needs to be done on identification, protection, prosecution and prevention. We now have some protection for women, and the Women's Aid refuge gives women a 45-day reflection period.

I want to mention the increasing number of unaccompanied minors. Some children are told by gangsters at our ports and airports to tell people that they have been trafficked into the country. They are then scooped up by social services and put in a bed and breakfast, only to disappear immediately afterwards back into the hands of the criminals. We need a better system to protect those children. We need to put them in proper places, such as a children's home or into foster care, where there is proper protection, supervision and support.

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

Ms Lo: The crux of the matter is that a big demand for prostitution will be followed by supply. I call on the Minister to consider legislation to prosecute those who pay for sex with trafficked people as being a party to human trafficking. Furthermore, we should consider them liable for prosecution for rape.

Mr Speaker: The Business Committee has arranged to meet immediately on the lunchtime suspension today. I propose, therefore, by leave of the Assembly, to suspend the sitting until 2.00 pm. The first Member to speak after lunchtime will be Mr Sydney Anderson.

The sitting was suspended at 12.32 pm.

On resuming (Mr Deputy Speaker [Mr McClarty] in the Chair) —

2.00 pm

Mr Deputy Speaker: As this is the first occasion on which the Assembly will hear from Mr Sydney Anderson, I remind the House that it is the convention that a maiden speech be made without interruption.

Mr S Anderson: It is an honour to make my maiden speech as a DUP Member for Upper Bann, and I thank my party colleagues for choosing me for the role. When I was chosen to succeed my good friend David Simpson, I wondered how I could fill his shoes, because, as I am sure that Members will agree, he is a big man. David's track record speaks for itself. He served the House with distinction and continues his good work serving and representing the constituents of Upper Bann in the House of Commons. I hope to continue with that good work in the Assembly, and I wish David well for the future.

For my maiden speech, I could have chosen a much lighter subject. I could have waited for an opportunity to sing the praises of Upper Bann or to plead for more funding for its business, tourism, housing, education or health sectors. I have no doubt that those chances will come, and I will take every opportunity fully, but the issue of human trafficking is too important. It is an issue that affects the whole of Northern Ireland. I do not support the SDLP amendment, but I support the motion.

I have read of the history of slavery in our country and in places such as the USA. I have read of the heroic battles of those who ended it and set its victims free. My colleague Jonathan Bell mentioned William Wilberforce, an evangelical Protestant who was driven by a tremendous determination to overthrow the evil of slavery and to protect, defend and support those who were oppressed by it. Indeed, Wilberforce once said:

"If to be feelingly alive to the sufferings of my fellow-creatures is to be a fanatic, I am one of the most incurable fanatics ever permitted to be at large."

Is not slavery a thing of the past? We say that it does not happen today, and certainly not in the United Kingdom, but to do that is to bury our heads in the sand. Slavery, or human trafficking as it is now known, does happen and on a large

scale. It happens on our doorstep, and it is a shameful blight on our nation. Recently, Chief Superintendent Roy McComb rightly described it as “modern-day slavery” and “obscene”.

People from other countries are conned by evil people into believing that they will help them to obtain a better life here, but, once they are here, they are illegal immigrants without any rights and depend totally on those who brought them. They lose all freedom and are forced to obey the will of those who are in reality their owners, who are out only to make themselves rich on the back of their suffering. The victims, mostly young women but also men and, horrifyingly, young children, are tortured, abused and trapped and treated as little more than pieces of meat. They are moved around to keep them disorientated, and they have no one to whom to turn.

It is vital that, in this place, we speak up for those modern-day victims of this modern-day slave trade. We must not remain silent in the face of such grim realities. I urge the key enforcement agencies across the UK to do all in their power to improve the levels and flow of intelligence and information. That is vital. It has been alleged that there are significant gaps in knowledge about human trafficking in Northern Ireland. All the key players, including government, police and the Public Prosecution Service, must work together to deliver tangible results.

I am concerned that good police work does not always lead to successful prosecutions. However, I congratulate the PSNI on its contribution to the recent UK-wide Operation Apsis, which led to three arrests and some 15 victims being freed in Belfast. We need more such successes, not only in Belfast but in the rural areas of Northern Ireland and throughout our towns, and we look forward to more successful prosecutions.

Earlier, I quoted William Wilberforce, who confessed to being fanatical about opposing slavery. We must share Wilberforce's fanatical opposition to it and confront the great evil of human trafficking in our day and in our land.

Mr Leonard: Go raibh maith agat, a LeasCheann Comhairle. Through the centuries, there has always been trafficking of some kind, but one would expect that, at this time, the barbarity of the sex trade, slavery and exploitation would not be a growing concern.

We have got to look upon all human trafficking as twenty-first century slavery, call it what it is and take the actions that will deal with the problem. Although we can blame the recession for everything, it is a truism that the pressures of recessionary times will be exploited by people who will employ the exploitable for very poor wages or even none at all.

It is a problem EU-wide and beyond, which is why it is very strange that the DUP is speaking against the amendment. The amendment makes a common sense addition to the motion. It is a bit like looking on the North as the global village without the globe; there is obviously an all-Ireland issue with European-wide dimensions and issues therein. I make it clear that we support the motion and the commonsensical amendment.

A better legal framework is needed. One would think, given all the resources of the Dáil, the Assemblies and the Parliaments, that these islands could be better served in the work against human trafficking. There are many local issues, and we have to pose questions and challenges not only to agencies and Ministers but to ourselves as Members. The Human Rights Commission report referred to the ad hoc approach. That is not good enough, and we need to be better.

The Women's Aid report referred to worries about police attitudes, their failure to investigate and a lack of willingness to be proactive in investigating the prostitution aspect of our human trafficking problem. Some agencies do not ask whether victims have been trafficked, and there seems to be a reticence to pursue the issue to see whether that is the problem on the ground. The national referral mechanism has a GB slant but does not appreciate the structures in the North. Is there enough of a meaningful, working on-the-ground relationship between the PSNI, the Department of Health, trusts and the Department of Justice? It is OK to talk about protocols and strategies, but in dealing with this problem we will be judged by what happens on the ground.

The NIO has an overarching role, but is there enough of a working relationship with all the devolved agencies and those in Dublin? Has there been a real, common sense linkage with the Dublin Administration? It is extremely simple to arrive at any port in Ireland and move to any area of Ireland. That is happening, and,

therefore, it is ridiculous to exclude the Dublin influence that the amendment outlines. There must be a close working relationship with the Dublin Administration. People who have been given permission in the South have been trafficked to the North to work. That hold is put on people so that they do not report anything in their hours, days and weeks of predicament.

We have a dreadful situation of twenty-first century slavery. We have to go beyond talking the talk and take meaningful, co-ordinated and firm action. Too many people are affected, and too many organisations that work with those affected say that co-ordination is not in place. We, as an Assembly, and the Minister, must play our role in ensuring that we work to achieve those aims and deal with this slavery problem.

Lord Morrow: The last Member who spoke referred to our reluctance to support the amendment. It is with some regret that we cannot support the amendment. Indeed, had the amendment been a wee bit more explicit and direct, there would have been no reason why we on these Benches would not have supported it. I ask the House to take cognisance of the fact that the SDLP's amendment makes no mention whatsoever of the United Kingdom Government. It is, however, very specific in stating that the Minister of Justice should work closely with:

"the Irish Government and the European Union to ensure that Northern Ireland is part of an all-island, European wide response to this serious issue."

Had the SDLP stopped and thought its way forward and sought to unite the House around an amendment, I have no doubt that that would have happened. I appeal to the SDLP, even at this late stage, to think again on the amendment and support the motion tabled by Tom Elliott, David McNarry and Mr Kinahan. In the main, the House agrees with the motion. If we continue to try to politicise every issue in Northern Ireland, whether it comes from one side or the other, we will lose sight of the real issues, and that would be regrettable, given the gravity of this matter.

The previous Member to speak said something that is very true: we will be judged on how the situation works out on the ground. That is exactly how we will be judged. We will not be judged on the fine words or the fine politicking that was brought in either to confuse or score a couple of silly, cheap, political points over political opponents.

The briefing paper said that trafficking happens mainly in Belfast, and that is probably true, but it goes on to say that places such as Londonderry and Newry are also noted for having the problem. However, the problem goes much further: it goes into our provincial towns.

I work closely with the PSNI in my town, and I congratulate them on the fine work that they have done, albeit it very slowly. Nevertheless, eventually we got a satisfactory result. It was patently obvious that trafficking was going on in houses of ill repute, which is the only way that I can put it. However, through the tedious, hard work of the local PSNI, we were able to bring that to a conclusion. Many neighbours who had made representation to me and, I suspect, to others, were in despair at times due to the length of time it took to close down those establishments.

I ask the House to support the motion, as it is an honest attempt to get to the heart of the problem. Human trafficking is a totally distasteful business — there is no other word that I would want to put on it — that feeds criminal activity and destroys the lives of the individuals who are subject to the illegal trades. Human trafficking exists because of greed and power. However, I understand the sentiment expressed in the motion, because without a demand for prostitution and drugs, there would be no trade.

The majority of those trafficked to Northern Ireland are forced into a dark world of prostitution; they are often kept captive by threats of blackmail, or worse, should they try to escape. It is a grotesque, vicious trade, often aided by an ample supply of heavy drugs on which victims become dependent. Yet again, that is another example of power.

Those who coerce individuals into believing that a new and plush life awaits them if they agree to travel to Northern Ireland are exercising power over susceptible people who fall prey to the assurance of a new life. As we saw in the media, the results are far from glamorous. Terrified illegal immigrants who dare not open their mouths to protest —

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

Lord Morrow: I will close now, Mr Deputy Speaker. As the gang leaders hold the trump cards, those people cannot obtain legitimate

work as they have no visas or permits and are entirely bound by their captives. I strongly commend the motion to the House.

Mr Elliott: I thank my colleagues for bringing forward this important motion. In February 2010, the Northern Ireland Office announced that 18 men, women and children had been rescued in recent years in Northern Ireland. I am concerned by the fact that if 18 people were rescued, how many more go unnoticed? How many more of those crimes go unpunished? That is the real issue.

After a successful UK-wide operation just two weeks ago, which included the Police Service of Northern Ireland and raids across Northern Ireland, another 15 victims were rescued. I welcome that.

2.15 pm

Human trafficking is growing in prominence throughout the Province and occurs in urban and rural areas. I note Lord Morrow's comments that many believe that it occurs only in larger towns or cities or in regional towns. It is actually prevalent in smaller towns and villages throughout Northern Ireland, and, although we think of it as a crime that affects only urban areas, it is more widespread than that.

Human trafficking is barbaric. It is the slavery of modern times, and human beings — men, women and children — are treated as commodities and are bought and sold as slaves. I am deeply alarmed that adults and children are trafficked for domestic servitude and for labour and sexual exploitation in the heart of Northern Ireland. It would appear that those criminals who used to move around drugs and other smuggled goods are now moving human beings.

I have read some case studies and know that victims' personal experiences are deeply upsetting. There is no place in a civilised society for those who take people's liberty, freedom and individual choice and coerce them to work in horrific conditions in which they are subject to extreme intimidation, oppression and sexual violence. Many victims have been conned by fake advertisements for jobs as nannies, hairdressers or domestic workers. They are vulnerable people from around the world, from areas such as China, Africa and Europe, who are unwittingly thrust into the underground sex trade or other forms of servitude. Human trafficking is undoubtedly one of today's most depraved

crimes. It is utterly destructive to its victims and to society as a whole.

Detective Chief Superintendent Roy McComb of the PSNI has said:

"Human trafficking and prostitution is no longer gender specific. Men and women are being tricked or forced into prostitution in major towns and cities."

An international report also commented that the border between Northern Ireland and the Republic is an attractive getaway for child traffickers. Co-operation should improve that situation.

It has been said that the issue should not be publicised and that people should keep quiet about it because it creates a bad public perception of small towns or villages. I am of the opposite view and feel that the issue must be publicly highlighted and put into the media. We are public representatives and, together with members of the community, must ensure that human trafficking is stopped by helping the agencies that are trying to stop it. I work with various agencies in my constituency and know that much of that work goes unheard of. The more that we highlight the issue of human trafficking, the more people will realise the seriousness of the issue.

I ask that Members do not allow the issue to be kept underground. Let us and the public highlight it.

Mr Durkan: I support the motion and the amendment, which supplements the motion in a useful and significant way. All Members who spoke during the debate referred to the scourge of human trafficking as a modern form of slavery. However, many of the victims of that trafficking do not experience much that is modern in the life and conditions that they suffer. They effectively live as the bonded property of those who control them, and they are controlled in various ways such as having their passports removed, being made to live in fear and not having the freedom to escape their situation.

All of us are rightly shocked and appalled at that and will want to unite in condemnation and action against it. The motion and the amendment are helpful because they give us some important pointers, and they set a real benchmark for the Assembly. However, we have to ensure that as well as asking the Minister of Justice to take forward certain issues, as the motion does, and

asking for things to be dealt with on a North/South and European level, as the amendment does, we must look seriously at what other laws and policies in many ways enable the existing degree of trafficking. We must question whether some of the moves and changes in immigration are just creating a greater fear factor that is exploited by those who are in the business of trafficking and are allowing people to control a larger underworld in ethnic communities than would otherwise be the case.

The motion rightly refers to the fact that human trafficking exists because of local demand, but we do not go much further than acknowledging that. As Anna Lo indicated in her remarks, more needs to be done in law to recognise the end-user of those victims as part of the chain of abuse and exploitation. Therefore, paying for sex with people who have been trafficked should be a specific criminal offence. We need to address the chain of abuse the whole way to its end. There is no point in condemning the invisible traffickers if we do not condemn those who exploit and use people who are in utter misery. As long as we hold back on that, we are sending an ambiguous signal. That is a challenge not just to this legislature but to all legislatures on these islands.

I note what some DUP Members said about the amendment, and I specifically acknowledge Sydney Anderson's very compelling maiden speech. Those Members spoke against the amendment as though it is somehow untoward, but it is a practical and useful supplement to the motion. We are not saying that trafficking and trans-jurisdictional issues occur only across the border between the North and the South. We recognise that those issues apply throughout these islands. That is why we welcomed Operation Apsis and Pentameter 2.

In the House of Commons, I serve as honorary treasurer of the all-party group on human trafficking, and we continually talk to police and other agencies in various parts of the UK about this issue. Therefore, we have no fear about action at that level. However, we need to see real action throughout these islands, including on the island of Ireland, which is what the amendment points to. We also fully support action at a British-Irish level and want to see the matter addressed at the British-Irish Council and at the British-Irish Parliamentary Assembly. We will take our own steps in that regard, along with others. Therefore, I appeal to Members

to support the amendment, which does not contradict or detract in any way from the very important motion that has been tabled by Mr Elliott, Mr McNarry and Mr Kinahan. Let us demonstrate a strong united view in the House to show that we take the issue seriously. Maybe then our views will be taken seriously.

Mr A Maskey: Go raibh maith agat, a LeasCheann Comhairle. I apologise for not being in the Chamber at the outset of the debate, but I was on other Assembly business. Thank you for your indulgence in calling me to speak this afternoon. I have, of course, heard some of the debate, and I have been very impressed. I thank all the Members who brought forward the motion and the amendment, and I want to add my voice of support to the motion as amended. The amendment is a logical follow-on. Mark Durkan made the point adequately that it is just a logical extension to the work that is advocated in the motion.

A number of PSNI officers travelled to Brussels to speak to the European Commission and Members of the European Parliament about this matter. Indeed, my colleague Bairbre de Brún, who is an MEP, and I met a number of officers to discuss what might be done by way of engagement with Brussels. That speaks for itself. Obviously, the officers represent the PSNI, which is charged with trying to eradicate the trade. They are anxious that we work to address the problem of human trafficking and exploitation, not exclusively in the North, but on a cross-border and, indeed, a transnational basis. Therefore, I support the amendment strongly.

It is important to point out that no more than a couple of years ago, prior to Operation Pentameter, the PSNI said publicly, and privately to Policing Board members, that it did not consider that there was any discernable human-trafficking problem. That is interesting. Thankfully, the PSNI has been proactive in addressing the problem that exists. I want to put on record that I welcome its recent activities to track down those who are responsible for human trafficking. As has already been pointed out by Members in the Chamber, a number of men, women and children have been rescued from that dreaded trade. It is important to acknowledge that work is ongoing. Clearly, human trafficking has been exposed as an iniquitous trade that is being practiced on our very doorsteps. It is a public scandal that, in this day and age, that type of activity is happening in our cities, towns and villages.

Tom Elliott is correct: it is important that the practice is exposed rather than brushed under the carpet or somehow kept hidden. It is crucial that, as the motion states, awareness of human trafficking is raised among the public. All those who are deemed to be involved in that trade must be brought to book. It is important to acknowledge the good work that is being done to support people who are rescued from that trade, although much more is needed. Some work is already under way to help them to overcome that trauma, pick up the pieces of their lives, and deal with the consequences. We understand that many of those people face stark and difficult choices, not least because they must deal with threats to their families in other countries.

Therefore, I support the motion and the amendment. I appeal to Members to do likewise despite whatever minor technical issues might be drawn to their attention. The essence of the issue is that a shocking trade is going on under our noses in our towns and villages, and all around us. It is simply unthinkable that that type of trade is being practised and people are being trafficked and victimised in that manner in 2010.

We must do everything we can to bring the matter to public attention and raise awareness. In particular, the message must reach people who want to avail themselves of those so-called services, whom Mark Durkan described as “end-users”. Clearly, there is a great deal of responsibility on their shoulders. If they are aware, in any way, that people are being coerced into certain roles, they are guilty of serious crimes. Undoubtedly, they must also be brought to book.

I commend all people who are anxious to bring that trade to public attention and, more importantly, to tackle it and to rescue people from trafficking. The full rigours of the law must be brought to bear on all who are engaged in such nefarious activity.

Mr Deputy Speaker: As Question Time commences at 2.30 pm, I ask Members to take their ease until that time. The debate will continue after Question Time, when the next Member to speak will be the Minister of Justice.

The debate stood suspended.

2.30 pm

Oral Answers to Questions

Health, Social Services and Public Safety

NHS: Republic of Ireland Patients

1. **Mr Irwin** asked the Minister of Health, Social Services and Public Safety what is the estimated annual cost to the Health Service of treating patients from the Republic of Ireland. (AQO 89/11)

The Minister of Health, Social Services and Public Safety (Mr McGimpsey): Free health entitlement here for a person from the Republic of Ireland or any other member state depends on the nature of their stay; for example, whether it is temporary or long-term. Persons from the Republic of Ireland on a temporary visit can avail themselves of free immediately necessary treatment under the European health insurance card scheme. Cross-border workers are automatically entitled to access free health services here, similar to Northern Ireland residents. Information is not available on the cost of treating such patients.

Mr Irwin: I thank the Minister for his response. I am surprised that he has no idea of the cost involved. I would have thought that a cost would automatically be relevant, especially in the difficult financial climate in which we find ourselves. Does the Minister also have no idea how that cost compares with the cost of treating people from Northern Ireland in the Irish Republic? Does he have no idea of the costs either way?

The Minister of Health, Social Services and Public Safety: I like the way that Mr Irwin said that I have “no idea”. I can certainly give an estimate, but he asked for a specific figure, and I said that the information is not retained. We are talking about very small numbers of people. For example, there is information showing that there are around 1,000 inpatient episodes, but I have not broken down the costs. We are certainly not talking about large sums of money.

People going from here to the Irish Republic can also avail themselves of free immediately

necessary treatment under the European health insurance card scheme, just as they can if they go to Spain on holiday. It is a general arrangement within the European Community under the European social security regulations. Because we are part of Europe, we pay attention to that arrangement and benefit from it. I suggest to the Member that more people from Northern Ireland are likely to be cross-border workers in the Irish Republic than the other way round. I would be amazed if the arrangement were not at least cost-neutral, or perhaps we gain, but, as I said, those are estimates.

Mr Brady: Go raibh maith agat, a LeasCheann Comhairle. Given that we live on a small island and that there are huge inefficiencies in running back-to-back health services, does the Minister not agree that more co-operation with the South is logical?

The Minister of Health, Social Services and Public Safety: I do not agree that there are huge inefficiencies in running back-to-back health services. Let me remind the Member that we operate a health service that is free at the point of delivery: a British health service. That is what I am fighting to hold on to in the face of all the cuts that I have been receiving in the House and the cuts still to come from London. In the Irish Republic, when people go to the GP, they pay for it. If they go to A&E, they pay for it. If they spend a night in hospital, they pay for it. If they get a prescription, they pay for it. If they get drugs on prescription, they pay for them. The Member is not comparing like with like. Yes, payment exemptions are available in the Irish Republic, but roughly one third of the population are entitled to those exemptions while two thirds pay very large sums of money. The services are not back to back. We are not comparing like with like, and in no way would I suggest that we are running two inefficient health services.

Mr Gallagher: I note the Minister's comment that we have much more to gain by working together across the island, particularly on health issues. Will the Minister join me in welcoming the commitment from the Government in the Republic of Ireland to financially support the development of a radiotherapy centre at Altnagelvin? It will treat people throughout the entire north-west, indeed throughout most of the island, and will be of benefit to all.

The Minister of Health, Social Services and Public Safety: My position on the satellite

cancer centre at Altnagelvin Hospital is well known, and I have repeated it on number of occasions. I am in favour of working with the Irish Republic when we can see that there are benefits from doing so for the population in Northern Ireland. The Member will be aware that I am working on a number of proposals, one of which is the satellite cancer centre at Altnagelvin. That is at business case level at the minute. I am very much in favour of the centre, but it will depend on the eventual Budget settlement.

Mr K Robinson: I thank the Minister for his earlier commercial on behalf of the Irish Republic. Will he comment on the investment from the Republic of Ireland's Government in the satellite radiotherapy unit at Altnagelvin Hospital that he just referred to? What will be the potential benefits of that project?

The Minister of Health, Social Services and Public Safety: The potential benefits include increased capacity. We anticipate that the centre at the Belfast City Hospital will be at capacity by 2015, so we need to expand. This is a geographical issue as much as anything else. It will save patients in the north-west, particularly those who travel to the cancer centre one, two or even three times a week, a lot of unnecessary travel time.

As regards the support from the Government in the Irish Republic, Donegal is outside their easy-to-access circle, so they will put in money for capital and revenue and will pay costs on a pro rata basis. That will help us and will lead to our service being more sustainable, because we will end up with a centre that is larger and more robust.

Tobacco Advertising

2. **Mr Wells** asked the Minister of Health, Social Services and Public Safety if and when he will introduce measures to control the point-of-sale advertising of tobacco products. (AQO 90/11)

The Minister of Health, Social Services and Public Safety: I sought approval from Executive colleagues in December 2009 to issue for public consultation draft regulations banning the point-of-sale display of tobacco products. All Ministers, with the exception of the First Minister, have given their approval for that consultation. My primary aim in introducing that new legislation is to prevent children and young people from taking up the smoking habit.

The earlier those measures are introduced, the more people we will save from a premature death caused by smoking. Given that nine months have elapsed since initial Executive approval was sought, I have recently instructed my Department to proceed with a 12-week consultation on the draft regulations.

Mr Wells: Does the Minister accept that smoking is the most frequent avoidable cause of death in Northern Ireland, that 2,500 people died last year as a direct result of smoking and that the argument put forward by retailers about the rapid implementation of the point-of-display ban is no longer relevant because they have now had sufficient warning about the need to change their displays as a result of the delays outlined?

Mr Deputy Speaker: I call Mrs Michelle O'Neill — I am sorry, Minister.

The Minister of Health, Social Services and Public Safety: Mr Deputy Speaker, when you said “Minister”, I noticed that Mrs O'Neill could not wait to get up. *[Laughter.]*

I completely agree with the Chairperson of the Health Committee's remarks. Lung cancer caused by smoking is the single biggest avoidable cause of death, and around 2,500 people die from it each year. In Northern Ireland, almost 9% of children aged between 11 and 16 smoke regularly. Most smokers pick up the habit when they are in that age group. We are looking at that legislation because surveys have shown that children are particularly susceptible to point-of-sale displays. I remind the House that vending machines will also be included in the ban because they are another ready source of cigarettes for youngsters. We are now going ahead with the consultation. Consultations have now been completed in England, Scotland and Wales. The ban is already law in the Irish Republic, Canada and some other countries. There have been very high compliance rates with that, and it has been shown that that is having an effect on that cohort of children.

Mr McCarthy: Will the Minister comment on the scare stories being put out by certain people that prohibiting point-of-sale displays of tobacco products will substantially increase the illegal practice of smuggling those products?

The Minister of Health, Social Services and Public Safety: We are prohibiting the advertising of the display itself. I am not suggesting at this point that we ban the sale of cigarettes.

However, we are banning displays. Any shop or retailer that sells cigarettes always has a huge display at the till advertising cigarettes, and children are particularly susceptible to that type of suggestive advertising.

Mrs O'Neill: Go raibh maith agat, a LeasCheann Comhairle. The Minister addressed my original question. However, is he aware that, in the Twenty-six Counties, the Government brought in a ban on point-of-sale advertising in July 2009? I read recently that preliminary findings suggest that the effect of that ban on retailers has not been as bad as originally predicted. Has the Minister had any negotiations with the Twenty-six County Government on that?

The Minister of Health, Social Services and Public Safety: I have had discussions on the subject with Mary Harney in the margins of North/South meetings. The Irish Republic introduced a ban in the summer of 2009. It has had a very high compliance rate and is reporting a very good effect, in that fewer children are taking up smoking.

There are many measures that we need to take. As Jim Wells said, around 2,500 people die from lung cancer each year in Northern Ireland as a result of smoking. Lung cancer is the single biggest avoidable cause of death, and, therefore, the ban on displays is crucial. Although there have been scare stories about how much money it will cost retailers to get rid of displays, the cost will, in fact, be very small.

DHSSPS: Budget

3. **Mr McNarry** asked the Minister of Health, Social Services and Public Safety for an assessment of his Department's budgetary position. (AQO 91/11)

The Minister of Health, Social Services and Public Safety: My Department faces the worst financial environment since the creation of the Health Service in 1948. The Executive's decision to impose £113 million cuts on my in-year budget has had a clear impact on waiting times. I am deeply concerned that, without additional funding from the centre, I may have to make cuts to front line services to manage my budget this year.

Looking ahead, I can see that my budget will face even worse times. Using the Executive's planning figures and our best assessment of the costs that we will face in the next four years,

I have calculated that the financial challenge during the next CSR period will be around £1.5 billion against an existing budget of £4.3 billion. That is twice the scale of the efficiencies that I have delivered during the current CSR period. In my view, that is simply an unrealistic budget.

Mr McNarry: Thinking ahead to the comprehensive spending review of 20 October 2010, if the services in Northern Ireland that are in the Health Minister's remit are not protected, as those in England and Wales will be, what does he predict will happen to standards of service delivery in the Northern Ireland Health Service?

The Minister of Health, Social Services and Public Safety: The Health Service here is clearly already under great stress, with demand continuing to rise against a flat budget. Although we are making great strides and gains in efficiencies, the reality is that, if we do not get the ring-fencing that is happening in England, Scotland and Wales, there will no longer be a British health service in Northern Ireland, because we will have broken the link with the rest of the United Kingdom. As a result, we would see major deterioration in our ability to service the health and social care needs of our population, and our Health Service would not be on a par with those in England, Scotland and Wales.

Mr Campbell: Obviously, the Minister will vigorously defend his Department's position, and, of course, we all should endeavour to oppose cuts where possible. However, on the realistic basis that reductions of some kind are inevitable, if the Minister determines that he is to be exempt from cuts, has he, around the Executive table, examined where those cuts may fall?

The Minister of Health, Social Services and Public Safety: If Mr Campbell cares to look at the latest Treasury figures, which were produced in July 2010, he would see a comparison of Northern Ireland with other Administrations in the United Kingdom. On an index of 100, Northern Ireland's Health Service is the worst-funded health service in the whole of the United Kingdom, receiving less funding than those in England and Wales and falling a long way behind funding in Scotland. The reality is that the Health Service is underfunded before we even start.

2.45 pm

Remember, I am the only Minister who has delivered RPA and the efficiencies that went

with that, including £700 million of so-called efficiencies this year — *[Interruption.]* I am sorry that Mr Campbell cannot listen and feels obliged to talk from a sedentary position. Most people in Northern Ireland have heard what I have to say and the case that I have been making over and over. You would need to be deaf not to have noticed. These matters have been discussed at the Executive, and I continue to make that case. However, the Executive and the House have to make certain decisions, because a number of other Departments, it could be argued, on a head-to-head basis with the rest of the UK are overfunded.

Mr O'Loan: Will the Minister explain the rationale for an in-year reduction in the budget allocation to GPs? Does he believe that GPs can stand that budget reallocation without any reduction in front line service?

The Minister of Health, Social Services and Public Safety: As far as GPs are concerned, I regret having to make any such reductions. However, we are faced with cuts laid on to us by the Executive. For example, cuts from swine flu: I asked for £42 million and got £5 million, so there is a cut. In addition, my pro rata share of the so-called black hole is £113 million. That all adds up to a need to make reductions.

I took the view that GPs have an administrative tail and, if we are making reductions in administration right across the board, they cannot be exempt. While some have complained, most have simply got on with it and continue to do an excellent job.

Ms Anderson: Go raibh míle maith agat. When making an assessment of the departmental budget, did the Minister take account of the £54 million that was paid out in bonuses to health consultants?

The Minister of Health, Social Services and Public Safety: We do not pay bonuses. However, there are merit awards for consultants who make exemplary advances in their particular work area. That is a UK-wide settlement. Scotland, Wales and Northern Ireland considered that we should go forward with a review. The previous Government did not agree with us. This Government do, and a review is under way. Of course, all moneys are taken into account.

Downe Hospital: Maternity Unit

4. **Mr Lunn** asked the Minister of Health, Social Services and Public Safety to outline the extent of usage of the midwifery-led maternity unit at the Downe Hospital since it opened.
(AQO 92/11)

The Minister of Health, Social Services and Public Safety: The midwife-led unit at Downe Hospital officially opened on 22 March 2010. Even before that date, a wide range of antenatal and post-natal care was available at the site, including consultant-led and midwife-led clinics, with over 4,000 attendances during 2009-2010. Since the official opening of the midwife-led unit there have been 23 births, and another 83 are booked to the end of March 2011, putting the unit well ahead of the hoped-for 50 births during the first year of operation.

Mr Lunn: I thank the Minister for his answer. If he says that it is well ahead of expectation, I have to accept that, but it does seem like a very low figure. A similar unit is planned for Lagan Valley Hospital in two or three years' time. Has he any concerns about the effect on surrounding hospitals if that unit is similarly underused and not recommended by local professionals?

The Minister of Health, Social Services and Public Safety: Maybe Mr Lunn did not hear what I said to him, which is that the unit is well ahead of the hoped-for 50 births during the first year of operation, and we consider that that will continue to increase. I am very pleased at the way the Downe Hospital midwife-led unit has come forward, and we expect over 300 births annually at Downe within the next three years.

The Member is wrong also to say that a similar unit is planned for Lagan Valley Hospital in the next few years; there is one planned for Lagan Valley Hospital that will open in February. We are working on the refurbishment of the unit now. It will be a midwife-led unit. I also have plans, subject to capital availability, for a newbuild development on the Lagan Valley site, because I believe that there is a big future there for maternity.

Ms Ritchie: There is absolutely no doubt that the midwifery-led unit at the new Downe Hospital is a success story, and the number of births that have already taken place and those projected clearly highlight that. However, I want to ask a question that centres on other services at the Downe Hospital. Will the Minister, along

with the South Eastern Health and Social Care Trust, ensure that all steps are taken to ensure that existing services are sustained and new services are provided so that the principle of local accessibility at the point of delivery is adhered to?

The Minister of Health, Social Services and Public Safety: Ms Ritchie has made a number of points. She is well aware that there is a consultation ongoing on the Downe Hospital, and it would be wrong for me to comment before that consultation is completed and recommendations have come forward. The consultation refers to acute psychiatric beds and the 24-hour, consultant-led emergency department being changed to a minor injuries unit. That is what the consultation is about. There are also plans for a number of services that are not currently available to be made available.

The Downe Hospital is a designated local hospital and has a strong future. Around 70% of the hospital needs of the area will be provided by the hospital. It is brand new and cost £64 million. I am just sorry that, the day I went down to open it, Ms Ritchie decided to lead a protest outside. It is a long time since I was protested at, but I have never been protested at for spending £64 million.

Mr Givan: The Lagan Valley obstetric-led unit caters for somewhere in the region of 1,000 births. It is anticipated that the midwifery-led unit will cater for 500 births. Will the Minister give an assurance that the safety of mothers will be paramount in the arrangements being taken forward, that the mothers who have to give birth in hospitals outside their local area will be accommodated and that the capacity exists for those births to take place?

The Minister of Health, Social Services and Public Safety: Had he been a Member for some time, the Member would know that I continually say that quality plus safety equals outcome plus efficiency. Quality and safety are always paramount in our minds.

There is a strong future for the maternity unit in Lagan Valley, and I look forward to that development. The reality is that an obstetric-led unit on such low numbers cannot sustain the type of expertise that we require. Therefore, the recurrent theme is to ensure that we have the proper cover for our patients. As I said, quality plus safety equals outcome plus efficiency.

Mr Deputy Speaker: Mr Weir is not in his place to ask question 5.

Sexual Abuse Counselling

6. **Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety for his assessment of sexual abuse counselling services within the Health Service. (AQO 94/11)

The Minister of Health, Social Services and Public Safety: All health and social care trusts provide counselling services for survivors of sexual abuse. Those services are provided either directly by health and social care trust staff or through contracts with the Nexus Institute regionally and other local voluntary service providers.

Sexual abuse can be disclosed by children, young people and adults in the course of many Health Service interventions. Therefore, support can be an integral part of child and family services, mental health services and psychological services. As part of the sexual violence strategy, work has been undertaken to improve access to counselling services and to reduce waiting times, which are variable across the Province.

Mr Deputy Speaker: Order. There should be only one Member on his or her feet.

Ms S Ramsey: Go raibh maith agat. I thank the Minister for his response. Given the recent revelations about the McDermott brothers and other cases over the past number of months, it is important that services are delivered for both victims and survivors. I know that the Minister will agree with that.

I asked for an assessment of abuse counselling across the North, but I did not get that. Does the Minister believe that the sexual abuse counselling services are adequate? I am not saying that one case is more important than another, but, when there are revelations about a case like the one in Donagh, are money and resources available to let the system kick in when it is needed?

The Minister of Health, Social Services and Public Safety: Of course I would like to do more, and, if I had more money, I would spend more. The task is to juggle various priorities. We have the sexual abuse strategy. We have reviewed how we operate that strategy, which has led to a major advance: we have gone from 80%

not attending to 20% not attending. That is a dramatic change in a very sensitive area.

One of the other areas that I am looking at is flexibility of spend; in other words, the regional commissioning that will allow the Nexus Institute to move moneys around the Province. That will be another major support to the Nexus Institute. That organisation had more than 5,000 enquiries last year, and it delivered 9,500 counselling services. That sounds a lot, but the problem is bigger, and if I had the resources I would devote more to it. However, I am trying to manage as efficiently as we can the resources that we are devoting to it.

Mr Bell: Will the Minister join me in paying tribute to the members of my former profession who provide that counselling? Will he ensure that they themselves get the appropriate supervision and care, so that we care for the carers to allow them to do one of the most difficult jobs in family and childcare: the counselling of children traumatised by sexual exploitation?

The Minister of Health, Social Services and Public Safety: I readily join Mr Bell and support the comments he has made. Social workers have a very difficult task to perform. They do it professionally and well, and they are often the subject of unfair criticism. I have nothing but admiration for them, and I give them whatever support I can.

Mr Beggs: Does the Minister accept that the voluntary sector is often well placed to reach out to victims and survivors? It can also provide value for money and, in many instances, be more accessible to those who have suffered abuse.

The Minister of Health, Social Services and Public Safety: I completely agree with Mr Beggs. The voluntary and community sector has a crucial role to play, and we see it not simply in sexual violence strategy but also in areas such as suicide prevention and the 'Protect Life' strategy. It has an absolutely crucial role right across the board in many activities of the Health Service.

Mrs M Bradley: The counselling service is most welcome, and it does an excellent job for those who need it. Can the Minister tell me whether there have been any reviews of the delivery of those services recently? When was the last review carried out?

The Minister of Health, Social Services and Public Safety: In 2008, we reviewed the position on counselling services as part of developing the sexual violence strategy. As I indicated to Ms Ramsey, one of the results was an increase in the number of people keeping their appointments — a dramatic change from 80% of people not attending to 20% not attending. Also, we are going forward with regional commissioning to allow the money to be used flexibly right across the Province. That, too, will be a major gain for counselling services.

Health: North/South Feasibility Study

7. **Mr Durkan** asked the Minister of Health, Social Services and Public Safety if and when he will make a statement on the report on the North/South feasibility study on health issues. (AQO 95/11)

The Minister of Health, Social Services and Public Safety: As I advised the Assembly during my statement on 14 September regarding the NSMC meeting in health and food safety sectoral format held in June, Minister Harney and I are agreed that the flexibility study should not be published and that our Departments should continue to work together, as they have done throughout my time in office, on projects which will deliver tangible benefits for people in each jurisdiction.

Mr Durkan: I welcome what the Minister said earlier about endorsing the rationale for radiotherapy services to serve the greater north-west in the future. Does the Minister not recognise that this study is in the public interest and should not be treated as the private property of himself and the Minister from the South? It should be published so that we can see what investments can be made together at this time of great challenge for the public purses both North and South, so that we can plan services for the future together, achieve economies of scale and provide a real platform for commitment to quality and safety into the future.

The Minister of Health, Social Services and Public Safety: Publication of the report would require me to get the agreement of Ms Harney and of the Executive. The report has been leaked, and it is on the Internet. Andy Pollak has it on his website. I assume that the Department of Foreign Affairs in Dublin leaked it — that is my assumption, and it is an educated assumption.

I do not need the extra bureaucracy to do what is required, which is, as I pointed out, where there are tangible benefits for people in each jurisdiction, to proceed on a case-by-case basis. When the Member looks up the website, he will see the priorities that he mentioned: child protection; radiotherapy at Altnagelvin Area Hospital; suicide prevention; the flu pandemic; cancer research and the Cancer Consortium; GP out-of-hours services; and paediatric and congenital cardiac services. All those are familiar, because that is the work that I do. I do not need an all-Ireland survey to help me to do that. I work on a case-by-case basis.

3.00 pm

Justice

PSNI: Hearing Loss Claims

1. **Mrs McGill** asked the Minister of Justice what resources his Department has to deal with ongoing claims against the PSNI for hearing loss. (AQO 104/11)

The Minister of Justice (Mr Ford): Under the terms of the financial package for the devolution of policing and justice powers that was negotiated with the then Prime Minister by the First Minister and the deputy First Minister, the Treasury agreed to meet sums required for claims above £12 million each year through access to the reserve on the basis of agreement on the litigation strategy. I am in discussion with the Department of Finance and Personnel about the first £12 million of costs this year. When the Chancellor of the Exchequer announced the Budget on 22 June, he confirmed that the financial package was protected.

Mrs McGill: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answer. Given the financial constraints and budgetary difficulties, will he assure the House today that the processes will be robust and the awards justified?

The Minister of Justice: I thank the Member for her supplementary question. I assure her that the process is and will continue to be robust. Each claim is individually assessed to ensure appropriate treatment for the claimant and the best protection for the public purse.

Mr McNarry: To date, has the Minister had discussions with his Executive colleague on hearing loss? If so, do they agree on the valuation methodology that is outlined in the Hillsborough agreement?

The Minister of Justice: No, I have not had discussions with my Executive colleagues. I can only assume that, as the First Minister and the deputy First Minister were involved in the negotiations for the package, it would achieve broad agreement in the Executive.

Mr Givan: It is an important issue, but I have studied the figures, and the Minister forecasts that, next year, in the region of £32 million will be paid out. Almost half of that will be spent on legal and professional fees. Should that not be taken into account and consideration given to whether that amount can be trimmed back?

The Minister of Justice: I understand the Member's concern about so much of the money being spent on legal and various other professional fees that are associated with the claims. I was advised that that process was adopted to ensure that the claims were treated robustly, properly and on merit. It is a significant sum of money, but the alternative might have been something like a class action, which would have resulted in a significantly higher cost to the public purse.

Dissident Republicans

2. **Mr S Anderson** asked the Minister of Justice what meetings he has had in the last two months in relation to dissident republican activity. (AQO 105/11)

The Minister of Justice: Over the period in question, I have held discussions on all elements of the security situation, republican and loyalist, with NIO Ministers, the Chief Constable and the security services. I have also reviewed east-west and North/South security co-operation with Theresa May and Dermot Ahern respectively. In all those discussions, I was struck by the range, extent and co-ordination of the measures being taken across agencies to counter the current threat.

Terrorist activity from whichever quarter aims to undermine the work of the Assembly; to divide the police from the community; to damage the economy; and to seek control through fear and intimidation. I am determined to do all that I can to ensure that the police have the necessary

resources to deal with the threat posed by terrorists, republican and loyalist alike. However, it is important to recognise that there is a wider response beyond that which policing can offer. We must continue to make progress on behalf of all the people of Northern Ireland through the work of the Executive and the Assembly to promote a shared future, to tackle the problems that our communities face and to maximise the impact of our programmes.

I have also held a number of discussions with groups and individuals who have taken an interest in the arrangements for the separated republican prisoners in Maghaberry prison.

Mr S Anderson: I thank the Minister for his response. As we all know, dissident republican activity takes many forms: one is the flouting of the laws on legal parades and protests, and the requirements to give proper notification, etc. Can I ask the Minister about the current situation, which means that members of residents' groups can one day refuse to engage in dialogue, yet be rewarded by the current Parades Commission, and, very soon after, openly participate in illegal protests or events with no repercussions —

Mr Deputy Speaker: Order. The subject of the question does not seem to be dissident republicans; it is another issue. Are we coming to the point, Mr Anderson?

Mr S Anderson: Yes, Mr Deputy Speaker. I ask whether the Minister agrees that illegal dissident parades and events must be brought under the same rule of law as every other such event.

The Minister of Justice: I am sure that Members, even those who have just arrived in the House, will not be surprised to hear that I believe in the rule of law, regardless of who may be seeking to disturb it, who may be creating difficulties and who may be fomenting problems. That rule, as far as I am concerned, is absolute. The detail of managing parading and protests is subject to potential legislation that is being promoted by OFMDFM.

Mr K Robinson: Will the Minister of Justice give his comprehensive assessment of the recent Independent Monitoring Commission (IMC) report, especially in the light of the ongoing and as yet unchecked dissident campaign?

The Minister of Justice: By the recent IMC report, I take it that the Member is referring to

the specific report on the murder by UVF members of Bobby Moffett on the Shankill Road. There is no doubt that there is a link with dissident activity on both sides of the divide. Similarly, there is absolutely no doubt that it is important that we in the institution representing the people of this region, the population of Northern Ireland, and all the institutions of the state need to co-operate in building the kind of society that will show the dissidents that progress is being made. We must ensure that we continue to make the progress that has been made in this place since 1998 and that we can move forward together. How those matters are handled is an issue not just for the police, but for the whole of society to work towards together.

Mr Durkan: I welcome the Minister's earlier reply that set out the number of meetings that he has had on loyalist and so-called republican activity. I am conscious that he said that one of the motives is to create division between the police and the community. In the course of his meetings with the police, has he assured them of the support that they have across this Chamber in the challenge that they face? Will he also ask them to ensure that they do not add unnecessarily to any of the disruption that is orchestrated and engineered by those people?

The Minister of Justice: I welcome that statement of support for the police and the work that they are doing, which I know is on behalf of us all. When I visit police in different parts of Northern Ireland, it is always a pleasure to see that work is being done on what I call community policing — what the Chief Constable calls personal policing — despite the threats that many officers are under. Engagement is happening in areas that would have been perceived as difficult for the police to operate in during recent years. That is a very positive sign of good work being done by the Police Service. It is absolutely clear that the PSNI understands its role in helping to move this society forward. The question is whether all elements of society are prepared to work with the police.

UK Border Agency: Stranraer

3. **Mr Hamilton** asked the Minister of Justice what discussions he has had with his counterpart in the Scottish Government regarding the possible impact on illegal immigration and smuggling as a result of the withdrawal of funding by the UK Border Agency for three police officers based at the Port of Stranraer. (AQO 106/11)

The Minister of Justice: Although I have not yet had a discussion with Kenny MacAskill, the Scottish Cabinet Secretary, on that matter, I discussed it with the UK Border Agency (UKBA) at the most recent meeting of the Organised Crime Task Force last week. It explained that the removal of three police officers who were seconded to UKBA is part of the agency's longer term strategy to transfer investigative skills from police officers to the UKBA staff, to become less reliant on them, and to be able to work in partnership with other law enforcement agencies. The three officers at Stranraer were dealing with immigration offenders and related criminality.

The identification of immigration crime using the Galloway ports will move to Northern Ireland using UK Border Agency staff. That will replicate the work that they already do at the airports in this region. I am assured that the change will not adversely affect the oversight that is given to immigration matters between Scotland and Northern Ireland.

Mr Hamilton: I thank the Minister for his reply. I am sure that the House is assured that there is still work that concentrates on Northern Ireland. However, does he share my concerns, which were outlined by his party colleague Anna Lo in the human trafficking debate when she highlighted that people were being trafficked through Stranraer and criminals were being caught there, that while we watch the front door here in Northern Ireland, the back door in Scotland is being left wide open?

The Minister of Justice: It is clear from Mr Hamilton's question and the concerns about trafficking that have been expressed recently, including in the discussions on my statement last week on North/South co-operation, that this is a serious issue. The seconded police officers are part of UK Border Agency capacity to investigate organised crime, including trafficking. However, the fact that the strategy is transferring to the police services in Scotland and here will not counter that. It will, perhaps, allow for greater integration between the police services and other agencies, which will help them to recognise the work that needs to be done on that basis. Operation Apsis, which is the most recent work that was done, was conducted entirely by police services across the UK. It was led by the PSNI without direct involvement from the Border Agency.

Mr A Maginness: I thank the Minister for his answer. Wider issues of human trafficking between the UK and Ireland and between North and South are involved. Has the Minister made any contact with his counterpart in the South to discuss bringing about measures that could effectively curb human trafficking between North and South and with Europe?

The Minister of Justice: As I said last week in response to a number of questions, the issue of human trafficking was not a key feature of the agenda of the IGA meeting that I had with Dermot Ahern in the early part of the summer. It is, however, an issue that is dealt with by a working group of the Serious Organised Crime Agency. There is full participation on a cross-border basis in recognition of the role that the gardaí and other agencies in the South have to carry out. That shows co-operation at the highest operational level, where it is needed most. That is a sign that the agencies on both sides of the border take trafficking seriously. It is absolutely clear from the mood of Members in every part of the House that it is something that I will need to keep re-emphasising.

Mr Kinahan: I thank the Minister because he has answered my question already. Perhaps he will answer another: are there any more changes in funding that may affect the borders and how we tackle organised crime and people trafficking?

The Minister of Justice: I would be extremely unwise to suggest that there will be no changes in funding. I simply assure the Member that, at this point, there are no proposed changes in funding that would affect the fight against trafficking. I will certainly do my best to ensure that, given the priority that the House has given the issue, it continues to be regarded as a priority in financial terms.

McDermott Case: Supervision and Treatment Order

4. **Mr Gallagher** asked the Minister of Justice when it became known that an incorrect special treatment order was issued for the McDermott brothers, how long it took to correct the error and reissue the order and what steps are being taken to investigate the circumstances of the error. (AQO 107/11)

The Minister of Justice: The Department of Justice knew on 17 August 2010 that there was

a discrepancy between the supervision and treatment orders (STOs) that were issued in respect of the two McDermott brothers and the judgement of the court. The Department of Justice notified the Northern Ireland Courts and Tribunals Service on 18 August. Following consultation with the Office of the Lord Chief Justice and the trial judge, amended orders were issued on 20 August. On 3 September, I advised the Chairperson of the Committee for Justice that the Courts and Tribunals Service had initiated a review of all current supervision and treatment orders, including those in the McDermott case. That review has now been completed.

As I advised Members earlier today, I have since written to the Chairperson of the Committee for Justice to advise that, in view of the issues that were raised by the review of STOs, I instructed the Courts and Tribunals Service to undertake a detailed examination of all its administrative processes in the case of the McDermott brothers. I have also asked the service to undertake an urgent review of all sexual offences prevention orders that have been issued in Northern Ireland to ensure that they accurately reflect the decision of the judge in individual cases. I expect the review report by mid-October.

To ensure that such errors do not recur, I have instructed the director of the Courts and Tribunals Service to initiate an urgent review of procedures for the preparation, checking and issuing of court orders in the Crown Court to identify how those arrangements can be strengthened.

Pending the outcome of that review, court staff will be retrained, and more robust monitoring procedures will be implemented. In addition, more complex or novel orders will be referred to the trial judge for confirmation before being issued, as agreed with the Lord Chief Justice. I have also requested Dr Michael Maguire, the Chief Inspector of Criminal Justice in Northern Ireland, to carry out a detailed investigation of how sexual offence cases are dealt with by the justice system.

3.15 pm

Mr Gallagher: I thank the Minister for his answer and welcome some of the steps that he has taken on the additional role of the judiciary. He said that there was an error in the supervision and treatment order. There were mistakes in the SOPO and to the notification of

the brothers. Does he agree that all of those amount to a failure to apply the law? Therefore, if we leave everything at that point, does he understand the anguish that that caused? I notice that he has apologised, but does he realise the worry that those mistakes caused, not only in Fermanagh but everywhere, for people who support the law and want it to be upheld? Therefore, will he take this opportunity to reassure the House that there will be a thorough examination that will not stop at the judiciary but will involve all staff in the justice system to ensure that they never again fail to apply the law?

The Minister of Justice: I thank Mr Gallagher for his supplementary question. He said that there was a failure to implement the law. He is right on one level but inaccurate on another. In the McDermott case, the law was upheld in that the court's judgement was carried through. He is correct to state that there were administrative errors in the Courts and Tribunals Service that led to some confusion and certainly added to the suffering of victims and survivors in this case and, perhaps, in others as well.

I hope that the measures that I outlined and explained to Members in full detail earlier — a copy of which is in the Assembly Library — will fully reassure Members that the issue is taken as seriously as it could be in the Department of Justice. The fact that we have not only the internal investigations in the Courts and Tribunals Service and the work being done, for example, to improve staff training and procedures but also the external, detailed examination by the Chief Inspector of Criminal Justice indicates to the House that I take the matter seriously and will ensure that those problems do not recur.

Mr Elliott: I thank the Minister for all of that; however, a key issue in all this is the victims. Will the Minister indicate how the protocol works to keep victims informed of the situation? Does he plan any additional measures to keep victims informed of the process and how it is progressing?

The Minister of Justice: Mr Elliott raises a significant point that I covered earlier. As a matter of practice, the Courts and Tribunals Service does not issue copies of court orders to victims. However, on this occasion, records were shared with the Public Prosecution Service, the PSNI and the various bodies directly involved

in the case. Earlier this year, joint working produced a victim and witness handbook, which I launched shortly after taking up office, with the aim of providing victims with clear information on the services that they can expect. The Department's intention is to ensure that victims are provided with proper services.

The way in which staff in the Department of Justice ensured that survivors of the McDermott case were kept informed yesterday, in advance of public representatives, indicates that we have done what we can to alleviate their concerns about the way in which this information has come out. However, I recognise that very little can be done to prevent some measure of hurt.

Mr O'Dowd: Go raibh maith agat, a LeasCheann Comhairle. In a recent answer to a question that I submitted for written answer, the Minister of Justice confirmed that the requirement for an approved address or approval for an address can be removed if circumstances change.

Does the Minister agree that circumstances in Donagh clearly changed when the brothers returned, and the understandable community concern was raised that that was a justifiable reason for approval to be removed for that address?

The Minister of Justice: I appreciate the Member's question, but he is removing me from the responsibilities of the justice system in order to ensure that the judgement was carried through to the issue of how it is managed by those responsible for the management of the supervision and treatment order. That does not relate directly to the justice system, and it is not something about which I can give him a specific answer.

Mr Bell: We accept that there is confusion among the public about this case. As a result of that confusion, victims and survivors want to ensure that they are protected against any future recidivism to paedophile activity. When will the Minister be able to give the House clear direction that those procedures are in place, so that the public can be satisfied that they are being adequately protected?

The Minister of Justice: As I said in my statement, urgent work is under way, and I expect the Courts and Tribunals Service's report on the checking of sexual offences prevention orders to be completed by the middle of October. In addition, I have requested that

Dr Maguire, the chief inspector of criminal justice, give me his interim report into his external examination of procedures by the end of October. I shall ensure that the Justice Committee is made fully aware of the contents of those reports at the earliest possible opportunity, and any recommendations will be put in place as fast as can be.

Maghaberry Prison: Remand Prisoners

5. **Mrs D Kelly** asked the Minister of Justice how many prisoners in Maghaberry prison are currently on remand awaiting trial and what percentage this represents of the total number of prisoners. (AQO 108/11)

The Minister of Justice: There are currently 471 prisoners on remand in Maghaberry, including those on remand and those awaiting trial. That equates to 58.2% of the total prison population in Maghaberry. Given that the courts do not sit over the summer, the figure is seasonally elevated. The pre-summer percentage remand figure for Maghaberry was 48.2%. It is difficult to show the length of time that an individual prisoner spends on remand; however, in the past 12 months, the overall average was 34.6 days. Of course, the figure can vary significantly between individuals. The problem is not new. As we all know, it well pre-dates devolution. Speeding up criminal justice remains a key priority for me, and a refreshed programme of work to tackle avoidable delay is being taken forward by the criminal justice board.

Mrs D Kelly: Those are shocking figures. Will the Minister outline exactly how he will take forward work to improve those statistics? Given that more than 50% of prisoners are on remand and, presumably, have not yet been found guilty, does he agree that it is a significant management issue for the prison board?

The Minister of Justice: Mrs Kelly is absolutely right; it clearly is a significant issue. As I highlighted, at the end of the summer holidays, the average is at its annual high point. If the courts were to sit more during the summer — perhaps it is not appropriate to suggest that in the Assembly — that might keep the average down. Nevertheless, delays in the system are clearly a huge issue, and, since taking office, I have highlighted the fact that it needs to be addressed. At the moment, a refreshed programme of work on speeding up justice, which will cut across the criminal

justice programme, is being taken forward by the criminal justice board and should provoke a positive impact on the effectiveness and expediency of all aspects of the system.

There are four specific work strands, which I should explain. First, in case preparation, the focus is on reducing bureaucracy and improving timelines, especially on procedures involving the police/PPS interface. Secondly, in case management, better ways will be developed to improve the conduct of criminal cases through the courts process. Thirdly, a specific effort will be made to identify and look at how to tackle the causes of delay in youth cases, because we are particularly keen to deal with the acute problem of young people who have to wait too long in the system. Fourthly, a strand will deal with government's accountability for overseeing the overall programme and will ensure that the criminal justice delivery group functions as it should.

Mr Campbell: The number of people convicted and on remand is reaching an all-time high. With that in mind, in the next 12 months, will the Minister be able to report significant progress on the construction of the new jail at Magilligan?

The Minister of Justice: I should, perhaps, suggest to the Member that when he smiles and asks that question, he should look to see whether the Minister of Finance and Personnel is in the House.

Clearly, there are serious issues with delays that need to be addressed. This society must also address how we treat custodial sentences, as opposed to the alternatives, so that we ensure the best possible public protection outcomes. The Member should also bear in mind that, although numbers are at a high at the moment, I do not think that they are at an all-time high. The numbers of people in prison in Northern Ireland are significantly lower than those in all three other jurisdictions in these islands. Therefore, the Member must look at the overall picture rather than at the short-term trend.

Mr Leonard: Go raibh maith agat, a LeasCheann Comhairle. Will the Minister take into account the CJI report on avoidable delay? What targets has he set himself for processing cases so that they are dealt with quickly? How will he ensure that people spend less time on remand and that legal cases are not drawn out, with the result that the stress that that causes is lessened?

The Minister of Justice: Mr Leonard asked about targets that I have set myself. It is not as much about that as about ensuring that there is a joined-up process. It is easy, at times, for different elements of the criminal justice system to look merely at their own timeliness. It seems to me that the only timeline that concerns the great majority of the population is that between an offence being committed and the offender being dealt with in court. It does not really matter whether delays occur at any one of three or four intermediate stages. Through the work of the Criminal Justice Board, we must ensure that we get joined-up working, that we deal with excessive bureaucracy, that we ensure that procedures work in a timely way, and that justice is not only done but is seen to be done and done swiftly.

Department of Justice: Ministerial Meetings

6. **Mr Neeson** asked the Minister of Justice to outline the issues discussed at his recent meetings with the Home Secretary and the Justice Secretary. (AQO 109/11)

The Minister of Justice: I held separate meetings with the Home Secretary and the Justice Secretary in London on 8 September 2010. In the discussion with Theresa May, we considered her future legislative plans in areas that have a read-across for Northern Ireland. Those areas include DNA retention and the vetting and barring scheme; her proposals for reviewing police terms and conditions and creating the so-called national crime agency; the current situation in Northern Ireland; and the importance of securing an adequate funding settlement for policing.

In my discussion with Ken Clarke, we addressed issues to do with the judiciary in Northern Ireland; UK-wide tribunals; European matters; public spending; and my proposals for legal aid and publicly funded legal services.

In both cases, the meetings provided an important opportunity to ensure that Whitehall Ministers recognised the impact that new policy proposals could have on Northern Ireland. They also provided an opportunity to build a relationship in which the devolution settlement is recognised but where arrangements for good co-operation across jurisdictions are put in place.

Mr Neeson: Can the Minister assure the House that the Home Secretary and the Justice Secretary are fully aware of the particular pressures that the Department of Justice in Northern Ireland faces, given the threat of terrorism and the policing of parades? Will they take account of those and other local factors when considering UK-wide initiatives and budgets?

The Minister of Justice: It might be said that, in recent years, Whitehall Departments have not always entirely appreciated Northern Ireland's particular circumstances. Both Cabinet Ministers whom I met listened to what my accompanying officials and I said to them. Indeed, my officials gave detailed work updates to their counterparts. There is no doubt that, following the meeting, both Cabinet Ministers were fully aware that there are real issues in Northern Ireland that do not apply, particularly for the Home Secretary, to other police services across the UK. It is vital that this Assembly recognises that, whatever general budgetary cuts we face, we must provide an adequate budget for the particular aspects of policing that need to be treated differently to policing as it is seen by police services in other parts of the UK.

Mr Spratt: Did the Minister have any discussions about the national security budget? Other police services throughout the United Kingdom have access to that budget, but the PSNI does not. The dissident threat affects the whole of the United Kingdom. If he did not discuss the national security budget with the Home Secretary or the Justice Secretary, and given the dissident threat, will he discuss that budget so that it can be sorted out in favour of the PSNI?

3.30 pm

The Minister of Justice: The national security budget did not particularly feature in my discussions with the Home Secretary. However, since that meeting, I have discussed the issue with the Secretary of State for Northern Ireland, and he has discussed it with the Home Secretary and the Treasury. Therefore, the point is being well made, although it was not a particular focus of the London meeting.

Private Members' Business

Human Trafficking

Debate resumed on amendment to motion:

That this Assembly condemns human trafficking; notes with grave concern the growing prevalence of human trafficking for the sex trade, domestic servitude and labour exploitation in Northern Ireland; further notes that men, women and children are victims of human trafficking and that human trafficking exists because of local demand; and calls on the Minister of Justice and the Executive to raise awareness of human trafficking among the public in order to assist the authorities in securing prosecutions against those who carry out this modern form of slavery and to ensure that Northern Ireland is a hostile place for traffickers.
— [Mr McNarry.]

Which amendment was:

At end insert

“; and further calls on the Minister of Justice to work closely with the Irish Government and the European Union to ensure that Northern Ireland is part of an all-island, European-wide response to this serious issue.” — [Mr A Maginness.]

The Minister of Justice (Mr Ford): I welcome the opportunity to contribute to today's debate on human trafficking, and I am grateful to the Members who brought the matter to our attention. I support the motion and want to put on record that human trafficking is one of the vilest and most wicked crimes imaginable. The degree of brutality, misery and suffering involved is difficult to grasp.

Mr McNarry made a number of serious points, and, although I missed the first 20 seconds of his speech, he has missed the first 40 seconds of mine. He made a number of points that we will look at in detail. If I do not respond to every point that was made during the debate, I will certainly ensure that Members are written to. I also state my support for the amendment. Not all amendments in this place are necessarily helpful, but this amendment usefully complements the original motion. I am happy to accept the motion and the amendment.

It will be helpful to explain what human trafficking is and what it is not. Human trafficking is the coercion, often using extreme violence or the threat of violence, of men, women and children into activities in which they would not choose to participate. It involves work

for little or no financial gain, the loss of liberty and the lack of the basic right of an individual to choose the course of his or her life. In simple terms, it is slavery, a rather nasty form of slavery that is sometimes described as modern slavery. That point was made most particularly by Mr Sydney Anderson in his maiden speech and was echoed in different parts of the Chamber at different times.

Human trafficking may happen for a number of purposes, most usually for sexual exploitation, labour exploitation or domestic servitude. Examples of all those forms have been discovered in Northern Ireland. Trafficking for the purposes of organ donation is also a reality but has not, I am glad to say, been evidenced so far in Northern Ireland. Although it is absolutely clear that trafficking for sexual exploitation is the highest-profile form of trafficking here, it is not the sole form, and we should not focus simply on that aspect.

Trafficking may involve transporting victims across the globe. Again, that has been the case with some victims who have been recovered in Northern Ireland. However, it need not be, and victims can be and are trafficked within their own jurisdiction. Internal trafficking, as it is known, has happened in Northern Ireland, most recently as discovered by Operation Apsis, which we will discuss later. People smuggling, although still illegal, is not trafficking. The difference is that, with people smuggling, the people involved are consenting, as they have willingly paid a smuggler to bring them into another country to live as illegal immigrants somewhere where they have no right to live or work. However, that is not the same as trafficking, to which no consent is given. In some cases, people who have consented to being smuggled have, on arrival, been trafficked.

I also want to make it clear that those who have been trafficked for sexual exploitation are not prostitutes in the normal sense of the word. Although they may appear to be part of the same industry, they are absolutely not prostitutes. They are exploited victims who have been forced to take part in something that is not their choice. Furthermore, although trafficking victims may be forced to take part in illegal activities, they are not and should not be treated as criminals. They have been forced into illegality, and we must recognise that and treat them as the victims that, sadly, they are.

Anna Lo raised specific concerns about the treatment of children. That issue merits attention. Human trafficking, as we have all said, is human slavery — nothing more and nothing less. It is becoming a well-used phrase, but only because it is true. Part of the result of that slavery was highlighted by Jonathan Bell's contribution, when he raised the issue of self-harm and mentioned how that sometimes goes as far as suicide among the victims of trafficking.

The motion focuses on the need for greater awareness and calls on me and my Executive colleagues to raise awareness among the public to assist in securing prosecutions. I agree that greater awareness is required, and I want to mention what has been done so far and tell the House about the Department's future plans.

We can debate when the issue of human trafficking came to our attention, but it is fair to say that, even five years ago, there was little hard evidence of it. Even two or three years ago, there was, perhaps, little evidence, as was cited by Alex Maskey in reference to the discussions on the Policing Board. That has most certainly changed.

A number of Members, initially Lord Morrow, talked about trafficking for sexual exploitation, even in country towns across Northern Ireland. Tom Elliott said that those who had previously smuggled drugs now smuggled people, and, clearly, there are major links to organised crime, which we are seeking to address on a broad front.

Last year, 25 potential victims of human trafficking were recovered in Northern Ireland. So far this year, seven have been recovered. Police advice and other evidence now suggests that this is a growing problem that includes an organised global network, not just in these islands and Europe but literally global. Trafficking is clearly a feature worldwide, into and out of a number of different countries. When Alban Maginness referred to Northern Ireland potentially being a staging post, he was right in many senses, although Northern Ireland is also, in some cases, a terminus. However, there is no doubt that Northern Ireland is a staging post between Scotland and the Republic and, sometimes, places wider afield.

The Blue Blindfold campaign is the national campaign to raise awareness for which the motion asks. It was launched in Northern Ireland in February 2010 by means of advertisements on buses across Northern Ireland, Internet

advertising and posters and leaflets that were sent to health centres and GP surgeries and distributed recently through the community safety partnership network. I urge Members who have not done so to look at the Blue Blindfold website, which gives a valuable insight into the problem, including the views of victims.

My Department also hosted an awareness seminar, when front line staff from health and social services, education, law enforcement and legal, religious and voluntary and community organisations received presentations from keynote speakers to raise awareness of human trafficking, including, most particularly, the needs of victims. We have also developed a multilingual leaflet and poster that are aimed at the victims and point them towards the help that is available. That information will soon be displayed at ports of entry to Northern Ireland, main railway stations and other venues where victims may be contacted, such as GP surgeries.

Of course, one of the tragedies around trafficking is that, even if we put posters at ports and airports, some of those who arrive will not realise that they are victims of trafficking as they pass the posters. There is a real issue of needing to ensure that people are given the opportunity to follow those points up. Therefore, I am pleased to announce that I plan to reinforce the initial Blue Blindfold campaign by running a second and larger wave of advertising to raise awareness among the general public of the existence of human trafficking and what they can do to help. I also want to undertake some evaluation of our efforts so far to raise awareness to help us target our resources most effectively. The aim is indeed, as the motion says, to make Northern Ireland a hostile place for the traffickers.

Mark Durkan highlighted his concerns that immigration laws may help to create a culture of fear among victims. Victims of trafficking may fear that, because of strict immigration laws across the UK, they may end up being treated as criminals when they are, in fact, the victims of trafficking. There is no doubt that we need to ensure that agencies work in a way that detracts from that erroneous thought, and we need a united community effort to assist in that.

I congratulate the PSNI on its work against the traffickers. The recent Operation Apsis, which a number of Members have referred to, was led by the PSNI. It involved searches in Northern

Ireland, Scotland and Wales and saw the recovery of 15 potential victims in different parts of the UK and the arrest of four traffickers, who have since been charged in Belfast. That is a sign that the PSNI takes the issue seriously, and there is no question of resources restricting that. However, it is clear that public concern needs to be carried forward into public action to support the police in taking action against traffickers.

I also want to put on record the first-class support that is available for victims from Women's Aid and from the Migrant Helpline, who are contracted by my Department to provide victim-centred support to victims of human trafficking who are recovered here. I will correct Mr McNarry's point slightly: those agencies do not do that on their own. Those voluntary groups work with the full support of the Department in supporting the victims of trafficking.

We also need more police operations to rescue victims and prosecute traffickers. However, it is a clandestine crime, and the police need the support of the public. The key action that members of the public can take is to report suspicions to the police. The second action is to cut off the demand for human trafficking. In particular, men who use brothels must be made aware of the possibility that they are funding the trade in human trafficking and that, if they have sex with someone who, they suspect, is working under duress, they may be charged and prosecuted under new legislation. Anna Lo said earlier that that should be the case. I am happy to tell her that the Policing and Crime Act 2009 was brought into operation and formally commenced earlier this year. It is now the position across the UK that anyone who engages in sex with someone who, they suspect, is a victim of trafficking is committing a criminal offence. It is as simple and as bald as that. It is the demand for brothels and sexual services that is leading to the increase in human trafficking for sexual exploitation and all the misery and brutality that go with it. Men, in particular, must become more aware of the effects that their actions have on others. The public also need to become vigilant about the possibility of trafficking for the exploitation of labour and domestic servitude. I urge the public to be vigilant and to report any suspicions to the police.

Make no mistake: we are not talking about brothels in seedy back rooms in insalubrious parts of town. We are talking, sometimes, about brothels in modern apartment blocks and good

areas of town that have been rented for a short time to accommodate trafficking victims who are moved around the country, these islands and Europe at the whim of their pimps and traffickers. Therefore, landlords should become aware and be suspicious if, for example, they are offered cash for short-term rent.

Trafficking is undoubtedly making vast sums of money for criminal gangs. I want those gangs to be prosecuted and to see their criminal assets recovered. There is also no doubt that the Organised Crime Task Force is taking the matter seriously. As I mentioned during Question Time a few minutes ago, a subgroup ensures full co-operation between the different agencies in an attempt to deal with and combat trafficking. It is not about having co-operation protocols; it is about having real, direct and serious co-operation between the different agencies. As I said earlier, that extends to cross-border co-operation. Members will be aware of the ongoing Operation Apsis. I understand that Strathclyde Police believe that the gang involved in Operation Apsis could have generated £20,000 of income a day. Strathclyde Police are seeking to have £2.3 million of criminal assets frozen, which is a measure of the scale of this crime: £2 million worth of human misery. That is why we must treat the issue seriously and ensure that full action is taken.

Awareness of the problem is the key. I am committed to doing more in the coming months to harness the support of Northern Ireland's general public and to work in partnership with others in the South and Great Britain. The amendment outlines the need to work closely with parties across these islands and Europe. There are excellent working relationships between law enforcement agencies on both sides of the border, both at overall and operational level. That point was raised by Martina Anderson. As I said, members of law enforcement agencies in the Republic are recognised on the Organised Crime Task Force subgroup concerning human trafficking and immigration.

I know that this is a real issue, as today's debate and the questions asked last week and earlier today at Question Time demonstrate. I will ensure that the meeting on the intergovernmental agreement shows that the issue is taken seriously across both jurisdictions. There is also good co-operation within the UK, as shown by Operation Apsis, which was led by the PSNI and involved cross-border working. Other operations

also involved cross-border co-operation. We are compliant with existing Council of Europe conventions. We will comply with any future EU directives on human trafficking and ensure that we are not seen to be lagging behind in any sense. Anna Lo's reference to a Chinese woman with an address in Drogheda being picked up in Stranraer shows that we should not be anything but fully alert to what is happening.

Human trafficking is a foul crime, possibly second only to murder. I welcome the opportunity to contribute to the debate. I also welcome the House's unanimity, at least in respect of the motion, if not the amendment. Members have referred to an increase in trafficking, and the police and other agencies are taking serious action on that. My Department and its agencies will do all that can be done to combat this crime. We ask for the support of the general public in that process.

3.45 pm

Mr McDevitt: A good place to start is to welcome Minister Ford's clarification that the Policing and Crime Act 2009 is now in place across the United Kingdom, making it illegal to procure the services of a prostitute who has been trafficked. We all welcome that, and that theme emerged across the House during the debate.

As I prepared for the debate, it struck me that more women were trafficked in the 1980s from Asia than during the entire 400 years of slavery from Africa. That puts the scale of the human trafficking crisis into a modern context.

I join colleagues in welcoming Mr Anderson to the House. In his maiden speech he, along with many of his DUP colleagues, invoked William Wilberforce, who campaigned long and hard. I believe that it took him 40 years to collect 15 million signatures. My figures could be wrong, but that is something like the scale of time and the amount of support that he ended up with in his campaign to abolish slavery in the then United Kingdom. We could do the same today in two days. We could collect 50 million indications of support through social media, and they would come from across the world. It is interesting that in the same way as the scale of slavery has increased exponentially into a new modern slavery — human trafficking — our capacity to fight it and to raise awareness about it has increased exponentially. That theme was reflected in Lord Morrow and Mr Bell's contributions.

The SDLP Benchches welcome the support for the amendment. To pick up on some of the points raised by colleagues on the other side of the House, we do not see the amendment as being exclusivist in any way; it does not seek to deny the United Kingdom Government's involvement. I argue that it concedes it. The only way that we could develop a European Union dimension to a regional response to human trafficking would be through the member state of which we are a member. I call on the Minister to play as active a role as possible as a regional Minister in the workings of the European Council. It is through the aegis of the United Kingdom representation in Brussels that the opinions of this part of Ireland can be made strong and we can seek consensus among other regions and other member states on how to tackle the problem, which, ironically, although a borderless issue, requires borders to survive.

The SDLP recognises the renewed investment in the Blue Blindfold campaign, as we all acknowledge that it makes a positive contribution to raising awareness of this terrible issue. However, there is an important point of policy that we should coalesce around in the House: the United Kingdom Government continued to opt out of the European Union directive on human trafficking. I would like us, through today's debate, to send a powerful signal to the United Kingdom Government to opt into that directive, as do Governments of other member states across the European Union and, indeed, the Southern Government. It is by opting into that directive and becoming part of a European framework that we can tackle the issue seriously. Whether we are a transit port or a destination, trafficking does not stop either in our region, on this island or even in these islands. The European Union is probably the best unit of government through which to address the crisis of human trafficking.

In the brief time available to me, I thank colleagues in Sinn Féin, the Alliance Party and the Ulster Unionist Party for their support for the amendment; it is much appreciated.

Mr Ford rightly made the distinction between smuggled people and trafficked people. Among us we have a community of people who, in my opinion, are arriving because they are smuggled, and they are the Roma community. It is important for us to reflect on today's debate and on whether it applies to some of

the circumstances that surround that new community among us.

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

Mr McDevitt: Through today's debate, the Assembly and the Executive should resolve, in a concerted way, to understand the needs of that community. It is statusless, and its members have been smuggled and potentially trafficked.

Mr Kinahan: I thank the Minister and all Members who took part in today's debate. I support the motion tabled by my party and the amendment. As many Members said, human trafficking is a transnational problem, and the amendment suggests a practical way to work with our neighbours. It is a point well made, and, on an issue as serious as this, we should take it on board and accept the amendment.

The motion calls on the Minister of Justice and the Executive to make Northern Ireland:

"a hostile place for human traffickers."

I hope that all Members, through their actions, will help to make it so. The motion also asks us to raise awareness of human trafficking, which is repugnant, despicable, inhuman, abhorrent, and there are many other words that describe how ghastly and unacceptable it is. We must confront what appears to be local demand for trafficked people. We have heard that adults and children are victims and that trafficking is no longer gender-specific. I hope that the Minister of Justice will commit to keeping the Executive and the Assembly abreast of the measures that he hopes to introduce to tackle the rising incidence of this type of crime and to secure prosecutions; I am sure that he will. The situation is complex because of the acute vulnerability of the victims.

The Ulster Unionist Party tabled the motion with the intention of raising awareness of the serious issue of human trafficking. The party intends to work with its colleagues in the House to ensure that it is a top priority for the Assembly and the Executive.

The debate has clarified the fact that human trafficking is modern-day slavery. Slavery was abolished in 1834, although it is sad to note that it was abolished in Niger only in 2003.

I will digress slightly. I am sure that many Members have watched films such as 'Slumdog

Millionaire' and 'Taken' and enjoyed the entertainment. However, today Members will realise that we are close to seeing the ghastly stories behind those films here in Northern Ireland. Men, women and children are being brought into the country illegally, and some vulnerable victims, particularly children, are trafficked internally within the United Kingdom. They are then coerced into servitude in its many forms: in the home, in the workplace and in brothels.

In today's newspapers, we read details of Operation Apsis and learned about the phenomenal sums of money involved in buying and selling human beings. Gangs earned £20,000 each day and amassed over £2 million in assets, which is utterly deplorable and has no place in a civilised country. We should also consider how the law deals with landlords who know what is going on in their accommodation.

I thank all Members who took part in the debate. Many points were made, and I will not be able to touch on all of them in the time that I have left.

Like many Members, Alban Maginness highlighted the European dimension and told the House that we must implement the European Union directive on human trafficking. Martina Anderson told the House that discoveries that were made during the recent raids represented just the tip of the iceberg, and, although I hope that it is a small iceberg underneath, I know what she means. She also made the point that the debate will make everyone more aware of the issue.

I am sure that all Members congratulate Anna Lo for all her work, particularly on this issue. In her contribution, she mentioned that 1,000 people from 51 nationalities have been brought here to become prostitutes, and 527 potential victims of trafficking from 61 nationalities were referred to the National Referral Mechanism. She also raised the point about awareness. I would also like to re-emphasise the point that she made about unaccompanied minors who are coming into this country in increasing numbers, going to bed and breakfasts and then disappearing. That is one issue that we must tackle.

I thank and congratulate Sydney Anderson on his maiden speech. I, too, did that not long ago, and I know exactly how he feels. It was a very good, compelling maiden speech, and one of his

key points was that we must all work together and congratulate the police.

I liked Billy Leonard's terminology of twenty-first century slavery. That is an appalling idea for all of us, and it is something that should have gone 200 years ago.

I was intrigued by Lord Morrow, who criticised my party for politicising the point and then did the very same thing, which, of course, I, too, am now doing. Nevertheless, I take the point that trafficking is prevalent in our towns and, as someone else said, in smaller areas.

My colleague Tom Elliott gave us some more figures. He told us that 18 people were rescued, followed by a further 15. I hope that we rescue many more people in time. He also made the point that there is no place for trafficking in a civilised society, that we must highlight it and get it known throughout the whole of Northern Ireland.

Mark Durkan highlighted the immigration issue, which is absolutely key to ensuring that in dealing with the matter through immigration we do not add to the fear of the victims. Alex Maskey said that it was a shocking trade and a scandal; we all join him in that view. He also said that we must make the public more aware.

We thank the Minister for the many points that he put forward. We welcome the fact that the Blue Blindfold website will continue and that the Minister will look at how we can improve all the other ways of dealing with the matter, particularly in evaluating all that has gone before. We join with him in congratulating Women's Aid and the Migrant Helpline. At the beginning, the Minister's definitions were absolutely key, because many of us might not have been aware of them.

Finally, in making his winding-up speech on the amendment, Conall McDevitt, and others, said that people arriving here are being smuggled and then trafficked. If we have learnt anything today it is that we want to make everybody aware of that, and we need everyone to help, because it is a global problem.

I will close by reiterating my praise for the work of the police in combating human trafficking and dismantling crime gangs. Of particular note is the excellent work of Women's Aid and the Migrant Helpline.

I support the motion, but I will finish in the same way as my colleague: those behind the trafficking of people must be abhorred by society.

Question put, That the amendment be made.

The Assembly divided: Ayes 51; Noes 32.

AYES

Ms Anderson, Mr Attwood, Mr Beggs, Mr Boylan, Mrs M Bradley, Mr P J Bradley, Mr Brady, Mr Burns, Mr Butler, Mr Cobain, Rev Dr Robert Coulter, Mr Cree, Mr Dallat, Mr Durkan, Mr Elliott, Mr Ford, Mr Gallagher, Mrs D Kelly, Mr G Kelly, Mr Kennedy, Mr Kinahan, Mr Leonard, Ms Lo, Mr Lunn, Mr Chris Lyttle, Mr A Maginness, Mr A Maskey, Mr P Maskey, Mr F McCann, Mr McCarthy, Mr McDevitt, Dr McDonnell, Mrs McGill, Mr McGimpsey, Mr McGlone, Mr M McGuinness, Mr McKay, Mr McLaughlin, Mr McNarry, Mr Molloy, Mr Murphy, Mr Neeson, Mr O'Dowd, Mr O'Loan, Mrs O'Neill, Ms Purvis, Mr P Ramsey, Ms S Ramsey, Ms Ritchie, Ms Ruane, Mr B Wilson.

Tellers for the Ayes: Mr A Maginness and Mr McDevitt.

NOES

Mr S Anderson, Lord Bannside, Mr Bell, Mr Bresland, Lord Browne, Mr Buchanan, Mr Campbell, Mr T Clarke, Mr Craig, Mr Easton, Mrs Foster, Mr Frew, Mr Simpson Gibson, Mr Givan, Mr Hamilton, Mr Irwin, Mr I McCrea, Miss McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr S Wilson.

Tellers for the Noes: Miss McIlveen and Mr Ross.

Question accordingly agreed to.

Main Question, as amended, put and agreed to.

Resolved:

That this Assembly condemns human trafficking; notes with grave concern the growing prevalence of human trafficking for the sex trade, domestic servitude and labour exploitation in Northern Ireland; further notes that men, women and children are victims of human trafficking and that human trafficking exists because of local demand; and calls on the Minister of Justice and the Executive to raise awareness of human trafficking among the public in order to assist the authorities in securing prosecutions against those who carry out this modern form of slavery and to ensure that

Northern Ireland is a hostile place for traffickers; and further calls on the Minister of Justice to work closely with the Irish Government and the European Union to ensure that Northern Ireland is part of an all-island, European-wide response to this serious issue.

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

Motion made:

That the Assembly do now adjourn. — [Mr Deputy Speaker.]

Adjournment

Lagan Valley Hospital Accident and Emergency Unit

Mr Deputy Speaker: The proposer of the topic for debate will have 15 minutes to speak. All other Members who wish to speak will have approximately five minutes. I call Mr Paul Girvan.

Mr Givan: Mr Deputy Speaker, it is Mr Paul Givan.

Today, I am raising the issue of Lagan Valley Hospital accident and emergency unit. The Minister will know that the issues pertaining to that unit are reflected in the 2002 document ‘Developing Better Services: Modernising Hospitals and Reforming Structures’. That document was launched by the then direct rule Minister. Now that a devolved Minister is responsible for that, I hope that the issue will be given serious consideration and that that document will be fundamentally reviewed.

I asked the Minister whether he was going to review that document, and he replied that he did not have any intention of carrying out a review at this time. However, in light of his decision about maternity services at Lagan Valley Hospital — he agreed to a midwifery-led unit despite that running contrary to the 2002 ‘Developing Better Services’ document — I hold out some hope that he will make the right decision when it comes to the accident and emergency facility.

I wish to outline a number of reasons why I believe that the current acute facility providing 24-hour access to the local community should be retained. Members will know that Lisburn has the second largest population outside Belfast. It has a growing population, and, according to a regional development plan, its population is forecast to reach some 130,000 residents by 2015. Belfast, on the other hand, has a declining population. The point needs to be made that local services should be provided in areas where the local community is growing and thriving,

where it is appropriate to do so and where that meets the interests of those affected.

I do not hold the view that every hospital in Northern Ireland should cater for every service. Clearly, if someone is going for a hip replacement or a type of surgery that can be planned, it makes sense for that to be centralised and to take place where there is excellence in the provision of such procedures.

No service should be more localised in communities than accident and emergency facilities. However, in light of reductions in, and closures of, A&E acute care in other hospitals, I am fearful that the Lagan Valley Hospital accident and emergency unit could, very suddenly, be faced with closure. I hope that that is not going to be the case.

4.15 pm

The accident and emergency unit examines approximately 35,000 people a year and has, undoubtedly, saved countless lives. The question that should be answered is this: if the 2002 document on developing better services is to be fulfilled, where is the capacity to absorb the 30,000-plus individuals who have been going to the A&E facility at the Lagan Valley Hospital, given the demands and pressures already on other accident and emergency facilities?

Back in 2002, the Eastern Health and Social Services Board said that:

"the emergency medical system throughout the Eastern area is under pressure on an all year round basis and we do not envisage a situation where sufficient capacity and resource will be devoted to provision of emergency medical services or alternatives in a way which would allow capacity by the Lagan Valley to be removed."

Through my dealings with the trust and hearing the pressures that it has highlighted to me, I know that that statement remains the case in 2010.

I am concerned that without the accident and emergency unit residents in the Lisburn city area would have difficulty in accessing emergency services within the designated 45 minutes, particularly those people living in rural areas. The Lisburn area covers not just the urban population in the central Lisburn city area but reaches as far as Dromara and the rural hinterlands within the city boundaries. The Lagan Valley Hospital area goes further afield to Dromore, and the accident and emergency unit

caters for residents from as far as Banbridge, Saintfield and Carryduff. Therefore, when looking at the issue, we have to consider the wider geographical area and beyond, and we cannot look at it just from the basis of the Lisburn city population.

The accident and emergency unit is vital to a number of key stakeholders that depend on the facility being there and being accessible. For example, around 3,000 businesses are registered in the city area; there is a large rural farming community; there are more than 50 schools in the city area; and we are home to the regional headquarters of the British Army at Thiepval Barracks. It is important that those individuals and stakeholders have access to the accident and emergency unit. Local, fast, safe and easily accessible emergency services are paramount for children, teachers, students, farmers, business people, the elderly, the disabled and the services' organisations. The facilities at the accident and emergency unit are vital to the local community.

At the time of the 2002 report, the then Down Lisburn Trust said that it believed that the accident and emergency unit could continue. I believe that it should continue to provide acute 24-hour provision.

The Minister needs to clarify his position on the review of urgent care that is taking place. I asked him a question about the Lagan Valley Hospital accident and emergency unit. In his response, on 8 July 2010, he said:

"The delivery of services at Lagan Valley is a matter for the South Eastern Health and Social Care Trust as the service provider. The Trust has advised that it is currently undertaking a consultation in respect of urgent care services across the Trust area, including the Lagan Valley Hospital Emergency Department."

The Minister was clearly putting the onus and responsibility for carrying out that work on the trust.

I then received a letter dated 23 April 2010. Members should bear in mind that the Minister's response to my question was on 8 July 2010. The letter, dated 23 April 2010, which was from the Minister, signed in his name, with his signature, and addressed "To colleagues", concerned a meeting that took place in February at the Clady Villa. The Minister was thanking the people involved for taking the time.

I will not read out the full letter but, in it, the Minister states:

"I also recognise the potential for modernisation within acute services, and would like to see early engagement to identify opportunities for change."

However, on 8 July, I received a response from the Minister stating that it is a matter for the trust. My reading of the Minister's internal letter to his colleagues in the professional services is that he has asked them to bring forward changes for modernisation, particularly in acute primary care. The Minister needs to clarify his role, who is carrying out the review, and under whose instructions. Then we can provide assurances to the community about where we stand.

Mr Poots: Does the Member not find it somewhat unfair that the pressure appears constantly to be on Lagan Valley Hospital, first with pressure on maternity services, and now pressure on the accident and emergency service? Despite the growing area that that hospital serves, services continue to diminish, while there are two hospitals in Belfast, the Mater and the Royal Victoria, where maternity and accident and emergency services are still provided, despite them being only one mile from each other.

Does he agree that the Minister is allowing the people of Lagan Valley to be categorised as second-class citizens when it comes to health care compared with Belfast citizens, and that the loud and clear message from Lagan Valley about the consultation process is that the proposals are unacceptable? Will the Member support me in making clear to the Minister that such proposals are unacceptable to that community?

Mr Givan: The Member made important points, and I agree with him. At meetings that I held, and at public meetings that I attended, the point was made that Lisburn people believe that they are being treated as second-class citizens compared with Belfast, where, as I said, there is a declining population. There are big and difficult decisions to be taken about the services that are provided for that city. However, it is not fair that the people of Lisburn should be penalised because of the declining population in the Belfast area. When it comes to the accident and emergency facility, we, as public representatives, will champion the people's voices. We do not find it acceptable that we should be stripped of acute care at Lagan Valley Hospital.

The Minister has a responsibility to ensure that staff levels are adequately catered for, because we have seen other facilities suddenly having to close for clinical reasons because of safety concerns. We cannot allow key medical staff to be removed or not replaced, or allow a lack of active engagement by the Department. We must ensure that people are recruited to carry out the required work and provide the necessary clinical expertise and coverage so that we do not have a scenario in which Lagan Valley Hospital is deprived of its services.

We will fight for Lagan Valley Hospital to retain its current services. The Minister is part of a devolved Administration, but the document was produced under direct rule. He needs to ensure that the people of Lisburn are treated fairly, and that their interests are put first in all considerations.

Mr Butler: Go raibh maith agat, a LeasCheann Comhairle. I thank my fellow MLA from Lagan Valley Paul Givan — I know his name, being a member of Lisburn council — for bringing this issue before the Assembly. I broadly welcome what he said. I agree that, considering the growing population in Lisburn over the years, and the catchment area for Lagan Valley Hospital, no accident and emergency facility should be downgraded.

We saw the furore about the Mid-Ulster Hospital, and what happened there. I hope that the Minister will take on board what the elected representatives from Lagan Valley and Lisburn are saying about this issue, and look at the matter again. I know that he will tell us about cuts to his budget, but there is a strong case for Lisburn retaining its accident and emergency services.

We have had debates in the Chamber about maternity services, and progress will hopefully be made on the establishment of the new midwife-led unit. Those of us who, over the years, have been elected either to this House or to Lisburn City Council have been concerned about the future of Lagan Valley Hospital for some time. Over the years, there have even been concerns over whether its future as a hospital would be safeguarded.

Removing any services, particularly accident and emergency services, would be unhelpful. I support Paul Givan's call to retain a full accident and emergency service at Lagan Valley. I hope

that the Minister takes on board what we are saying today.

Mr Burns: I am glad of the opportunity to speak in the Adjournment debate, and I thank Paul Givan for securing it.

I am not a member of the Lagan Valley constituency. However, downgrading the accident and emergency unit at the Lagan Valley hospital would affect my South Antrim constituency, because people from the Glenavy area may use the accident and emergency unit at Antrim Area Hospital.

The Glenavy people always considered themselves to be part of Lagan Valley and would have used the Lagan Valley Hospital and its accident and emergency unit. If that unit is downgraded and an ambulance is picking people up in Glenavy, where will it bring them? Will it bring them to Antrim Area Hospital, which is probably closest, or to a Belfast hospital?

I appreciate that such operational decisions are matters for the South Eastern Health and Social Care Trust. I am sure that the Minister of Health, Social Services and Public Safety will take what I have to say on board, because I know that he is committed to providing patients with the best possible care, even though he may not have the resources that he would like.

If another accident and emergency facility in our vicinity is downgraded, similar to what happened at Whiteabbey Hospital and the Mid-Ulster Hospital recently, and its services are transferred to Antrim Area Hospital, that hospital will be put under tremendous stress and strain. We do not want accident and emergency services at Antrim Area Hospital to collapse due to additional pressures being put on them without any extra resources.

I have read plenty of official reports, statements and answers to written questions that have been tabled by various Members, all of which say that we are committed to providing better accident and emergency care. However, that is not what the doctors and nurses are telling us, and it is certainly not what is being reported in the media.

Staff say that they are totally stretched from dealing with new patients from the Mid-Ulster and Whiteabbey hospitals. If staff have to deal with a further influx of patients from Glenavy, they will be pushed to breaking point. There

have been long waits and instances of patients having to lie on trolleys, which is not the image that we want for our Health Service.

In conclusion, I want to ask the Minister who will pick up the slack if the accident and emergency unit at the Lagan Valley Hospital is downgraded. Will Antrim Area Hospital have to deal with patients from Glenavy? If so, how will it cope? Will the Minister provide more money, doctors and nurses for Antrim Area Hospital? If so, where will those resources come from? Those are simple questions that will be very difficult to answer.

Mr Lunn: I support the subject of the Adjournment debate. I do not intend to repeat all the points that Paul Givan made. As far as I know, there is cross-party agreement on the issue, and if any of the Ulster Unionist representatives who sit on Lisburn City Council were here, they would say the same things that we are saying.

The pending decision about A&E is totally unwelcome in Lisburn and, though it is a wee bit down the track yet, we hope that on the basis of arguments made today the Minister might reconsider. Frankly, a minor injuries unit on limited hours in a place as big as Lisburn will not suffice for the needs of a population that size, and the population, as we have all said, is increasing. Lisburn is not totally urban; much of it is widespread. As Mr Givan said, it stretches to Dromara. I could mention Ballinderry, and as Thomas Burns said, it includes Glenavy. We are talking about 110,000 people who will not have ready access to an accident and emergency unit on a 24-hour basis.

Allow me to digress slightly. I have been a member of Lisburn City Council for 10 years and there has hardly been a month when it has not discussed the future of the Lagan Valley Hospital. There has been constant concern among politicians and the population about where Lagan Valley Hospital is headed. Everything seems to be a downgrade, rather than an upgrade.

I sympathise with the Minister in some ways. He has difficult decisions to make in the broader scale of things. I welcome the new operating theatre which we will now have in Lagan Valley Hospital as the major elective surgery unit progresses. However, concerns are still widely voiced across Lagan Valley about the future of the whole operation, particularly if we do not

have A&E. I have to mention maternity services again, even though I got a bit of an earful earlier when I asked about it. The problem with both those units is that these things can become self-fulfilling. If we have a maternity unit that is not used — which is our concern — some review in the future may decide that we do not need it at all.

The same goes for A&E. The minor injuries unit is not the most useful thing in the world to begin with; if it is not used fully, a future review might decide to remove it. Where does this end? The large population of Lisburn/Lagan Valley will end up without proper facilities at all. I do not imagine that that is in the Minister's mind at the moment, but who knows what will happen 10 years down the line? Twenty years ago, we would have thought that none of these things were possible. We thought that there would always be a maternity unit and an accident and emergency unit in Lisburn. Now, evidently, one is going; the other, in some opinions, is under threat through lack of use, but we will see about that.

I look forward to what the Minister has to say about this. The unanimous view across Lisburn is that he should reconsider this decision, even in these times when his budgets are hard pressed and he is trying to spread services across the country as best he can. As I said, I have sympathy for him in that endeavour. However, I think the Department has got this one wrong, and I look forward to what the Minister has to say about it.

4.30 pm

Mr Craig: I welcome the opportunity to speak on this issue yet again, and I thank my colleague Mr Givan for bringing this issue to the House.

As Mr Lunn said, this issue is constantly raised not only by politicians, but also by those on the doorsteps of Lagan Valley. Whether or not it is founded in reality, people have a fear that, one day, accident and emergency services will be removed from the Lagan Valley.

An invaluable resource resides in Lagan Valley Hospital, and it would be wrong of me not to give the Minister some of the figures. No doubt his Department has already given them to him. Lagan Valley Hospital's emergency care department saw 33,627 people in attendance last year. The majority of them, 89%, were new attendees, not people returning for additional care.

In comparison with the Royal Victoria Hospital, for example, it has about half the number of attendees. The Royal dealt with more than 71,000 attendees and Belfast City Hospital with 45,000. There is extensive use of the accident and emergency service in the Lagan Valley Hospital. The comparison with Belfast City Hospital is significant and gives rise to a major problem. If the services in Lagan Valley Hospital are to be run down, where, as my South Antrim colleague asked, will those 33,000 individuals go?

The vast majority of people from Lagan Valley would probably go to the Royal; fewer would attend the Ulster Hospital. As was mentioned, Craigavon Area Hospital and Antrim Area Hospital would end up dealing with many of those people. That aspect of winding down the accident and emergency service at Lagan Valley Hospital causes a major issue. We all read stories in the press about waiting times at the Royal. Some are measured in hours, and, at times, when that hospital is stretched to the limit, people have to wait for a considerable time in its accident and emergency department.

Of the 33,000 people who attend Lagan Valley at present, none have sustained major injuries. Already, the instruction is that anyone with a serious injury should bypass Lagan Valley Hospital and be taken to, for example, the Royal, where major intervention can take place. Last night, unfortunately, there was one such example, when a young child was knocked down and received extremely serious head injuries. I pay tribute to all the emergency services, including those in the Royal, where staff dealt with the case. Their care of the individual was exceptional and possibly saved his life.

However, if those 33,000 people who now attend Lagan Valley Hospital were no longer able to do so, what impact would that have on resources in the major acute hospitals in Belfast? The bulk of that number would start to attend hospitals in Belfast, which would overstretch their already limited resources. Would that result in putting someone's life in jeopardy? As I am not a medical expert, I do not know. I simply crunch numbers in my head, and it makes little sense to me. I fear that the change would stretch to the limit resources that are already under pressure in, for example, the Royal.

Over recent days, Lagan Valley Hospital has had a major issue with staff cover in its accident and emergency unit. I understand that the hospital

found it extremely difficult to get doctors to cover. On several occasions, I have had to intervene and speak to the South Eastern Trust about that issue. The trust had been using locums to provide emergency cover. It seems that there is a shortage of doctors in the system as a whole.

The continual draw to centralisation in Belfast cannot continue. As a Government, we do not have the resources or the funds to double the capacity of the Royal and similar hospitals. For that reason alone, common sense dictates that the Minister should make every attempt to keep open the existing accident and emergency provision at Lagan Valley Hospital.

The Minister of Health, Social Services and Public Safety (Mr McGimpsey): I add my appreciation of the staff of the hospital and the South Eastern Health and Social Care Trust, who are committed to providing high quality health and social care to people in their community. I know that Lagan Valley Hospital is greatly valued by the people of Lisburn and the surrounding area. No one in the House should be unclear about my commitment to that hospital.

Just last week, I visited the hospital for the handover of two new operating theatres, at an investment of £3.6 million, in which people will be treated from next month. Around 4,500 to 5,000 operations are carried out in the hospital each year, and the new theatres will offer a gold standard in operating rooms. The theatres also signal my determination that Lagan Valley Hospital should be equipped to fulfil one of the roles envisaged for it in the Developing Better Services (DBS) strategy as a protected elective centre for greater Belfast.

The DBS strategy also indicated that Lagan Valley would become a local hospital with a minor injuries unit and a rehabilitation role for older people in particular. The hospital will continue to provide a wide range of services to its local community, including elective surgery, outpatient clinics and endoscopy, diagnostic and rehabilitation services. The strategy also envisaged that the hospital would no longer provide consultant-led obstetrics but would have a midwife-led unit. I announced last year that consultant-led maternity services would be transferred away from Lagan Valley Hospital but would be replaced by that midwife-led maternity unit. The trust is developing plans to establish that, and it will commence in February 2011.

The strategy also set out the broad direction of change for hospital services across Northern Ireland. Everyone needs to understand that things cannot and will not stay the same: we do not want them to stay the same. Services constantly change because of advances in medicine, technology and procedures, and because of need and demand. A simple method of measurement is to look at life expectancy figures and the rates of cancer detection, for example. Far more cancer cases are being detected each year, yet the mortality rate for cancer is falling all the time. That demonstrates that what the Health Service is about is working. It is also demonstrated by the way in which life expectancy has been rising over the past 30 years.

In the past 20 years, there has been a dramatic rise in life expectancy. That demonstrates that, by evolving, the Health Service is working and continues to work for the population. That is despite the fact that our Health Service is the most badly funded Health Service in the UK. That funding was voted through by the DUP and its colleagues in Sinn Féin, supported by their colleagues in the Alliance Party. That is where the money is. The DUP, Sinn Féin and the Alliance Party voted through cuts: £700 million of so-called efficiency savings. They voted through a Budget with cuts and set the Health Service huge challenges, including that of a £120 million cut made recently as a result of the so-called black hole. That was voted through by the DUP, Sinn Féin and the Alliance Party. To me, that does not demonstrate a genuine commitment to the Health Service.

Members talked about Belfast versus Lisburn. We are not dealing with John Lewis here. We are dealing with a Health Service that provides for the whole of Northern Ireland. It is about regional provision. We are not about equity of geography but about equity of outcome. This is about ensuring that the entire population gets equity of treatment and outcome.

Mr Craig spoke of medical expertise. An accident and emergency unit is not just a room with doctors and nurses. It is what is outside the back door that counts. The British Association for Emergency Medicine (BAEM) states that the support necessary for an emergency department or an accident and emergency unit is on-site acute medicine; a critical care unit; imaging, including 24-hour CT scanning; laboratory services, or pathology; paediatrics; surgery; and orthopaedics. To

guarantee safety, a unit must have on-site acute medicine, a fully staffed critical care unit, imaging, including 24-hour CT scanning, and pathology as an absolute minimum. Those are not available in Lagan Valley Hospital, and they have not been available since I got involved; they have not been available for some time.

4.45 pm

Earlier, we debated medical negligence claims. That was about acknowledging that some patients experience bad outcomes, but they are, thankfully, a tiny minority that we seek to ensure gets smaller. What we cannot do is endanger the population through unsafe practice. All of the medical experts — including the British Association for Emergency Medicine, the Royal colleges, consultants, nurses and health professionals — have the same message and say the same thing about quality and safety. Paul Givan talked about “local”, “fast” and “safe”. The service has got to be safe: that is the key requirement.

The other matter that he neglected to mention was that we also have an Ambulance Service that has been transformed in the past 20 years. In effect, we ensure that we can take the A&E to the patient, which is what happens now with the very high quality Ambulance Service. It is not about going out, ringing a bell and scooping people up to take them back to the nearest hospital, it is about getting that emergency care out through the Ambulance Service and stabilising the patient before going to the appropriate hospital. Indeed, a number of protocols about Lagan Valley Hospital now operate because it is routinely bypassed.

Mr Givan also talked about the reading of a letter at Clady Villa, taking it totally out of context and misrepresenting it. He started to talk a little about money and got closer to the subject when he did, because he, and his colleagues in Sinn Féin, backed by the Alliance, will not support the Health Service. If he is serious about the accident and emergency unit in Lagan Valley Hospital and had he listened to the debate this morning, he would understand that, for safety purposes, we require investment in Lagan Valley Hospital. The investment needed includes the development of on-site acute medicine; a fully staffed critical care unit; and imaging, including 24-hour CT scanning and pathology. Accident and emergency staff are very hard to recruit, and not all of the A&E units

are managing to get all of the consultants that they require; it is an effort. Even if we could get those staff, there would be a very large price tag. It is a different argument if the DUP Members and their colleagues in Sinn Féin and in the Alliance Party are telling me that they will vote that money through. As things stand, the funds are simply not there.

On another point, I do not know what sort of discussion goes on in Lisburn, but it must be dire indeed if years have been spent talking about this issue. There are no specific plans in the consultation document for the Lagan Valley Hospital emergency department: nothing is about to happen, anyhow. There has been a consultation, which will provide an opportunity to discuss any concerns with the trust. The business of saying that this is a done deal and all the rest of it, saying “Oh, woe is me” and then carrying on scaremongering, is about politics. It is playing politics: just tell the people of Lisburn that the Lagan Valley Hospital accident and emergency unit will be closed and give them an opportunity to vote for the hospital's defenders. It is a bit of a scare. The DUP used to scare people about Sinn Féin; now they are their colleagues —

Mr Givan: Will the Minister give way?

The Minister of Health, Social Services and Public Safety: No, I am not giving way. You had your opportunity. You used to scare about Sinn Féin. Now they are your colleagues, so you are scaring about Lagan Valley Hospital, and that is unfair. It is about — *[Interruption.]*

Mr Deputy Speaker?

Mr Deputy Speaker: Order, please. Minister, take your seat.

The Minister of Health, Social Services and Public Safety: Thank you.

Mr Deputy Speaker: I remind all Members that remarks are made through the Chair and not across the Floor of the House. Continue, Minister.

The Minister of Health, Social Services and Public Safety: Thank you, Mr Deputy Speaker. I understand that he is a new Member and that we are indulgent.

As far as the Lagan Valley situation is concerned, playing politics with health is the worst thing

one can do. I am absolutely disgusted when people start playing politics with health.

Mr Givan: Hear, hear.

The Minister of Health, Social Services and Public Safety: I heard that remark made from a sedentary position quite clearly.

The Lagan Valley Hospital has a very robust future. It will deliver the overwhelming majority of hospital needs for the population in Lisburn and the surrounding area. However, the reality is that someone with cancer will not want to go to Lagan Valley Hospital; they will want to go to a specialist acute service such as that in the Belfast City Hospital.

I am sorry that that is in Belfast and not in Lisburn. If you have major trauma, you will go to the Royal. If a child requires specialist children's medicine, he or she will go to the children's hospital in the Royal. Someone with a specialist maternity need will go to the maternity hospital in the Royal or to another one of the maternity services, of which there are a number. The way that things are evolving, the services that we provide are getting safer, but they are getting safer through specialisms. As Mr Craig said, this is about medical expertise. I do not make those decisions.

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

The Minister of Health, Social Services and Public Safety: It is about the advice that is coming from the Royal colleges and the professions, and it would be a shame on us if we were not to heed that advice.

Adjourned at 4.51 pm.

Northern Ireland Assembly

Monday 27 September 2010

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

Members observed two minutes' silence.

Assembly Business

Mrs Foster: On a point of order, Mr Speaker. I understand that, despite the fact that the Minister of Health, Social Services and Public Safety indicated that he was coming to the House today to apologise for his inaccuracy last Tuesday, he is not in fact coming. Not only did he indicate generally that he was coming to the House, but he told the joint Health and Justice Committee last week that he had spoken to the Speaker and would make a personal statement to the House on Monday.

I must say, Mr Speaker, that, after the belligerent and sarcastic way in which he addressed me in the House, I would have thought that he would want to come to the House as quickly as possible. However, I have a sneaking suspicion that the Health Minister is aware that I will be out of the jurisdiction tomorrow, so, if he comes to the House tomorrow, I will not be in a position to respond. Mr Speaker, I ask you to rule on the fact that the Minister indicated that he was coming to the House today but is not now coming.

Mr Speaker: Order. I have some sympathy for the Member on the issue. However, I met the Health Minister this morning and he told me that, for a number of reasons, he is unable to come to the House today. He intends to come tomorrow to make a personal statement. No doubt the Whips will be notified of the arrangements.

I do not have the power to force Ministers to come to the House. Nevertheless, I met the Health Minister last Thursday and this morning, and all that I can do, in the strongest possible way, is to encourage Ministers to come to the House, especially when information that a particular Minister has given is incorrect. The way to address that is to come to the House as soon as possible and correct the information.

As I said, I spoke to the Health Minister this morning. He told me that, for a number of reasons, he cannot make the statement today but intends to do so tomorrow morning. It is unfortunate that Mrs Foster will not be in the House tomorrow when the Minister intends to make his personal statement. That is what I have been informed by the Minister, and my understanding is that he intends to come tomorrow morning to make the personal statement.

Mr Weir: Further to that point of order, Mr Speaker, is it not the case that the Minister is required to make his personal statement at the earliest possible opportunity? Is today not the first opportunity? Is he not in breach of that requirement by refusing to answer until tomorrow? Furthermore, is it appropriate for a Minister who has to make an apology to a Member to select a time for that apology when he knows that the Member will not be in the House?

Mr Speaker: As I said, I have had two meetings with the Minister, and I am not prepared to get into the private nature of those meetings. Let me be clear on that issue. I have always encouraged Ministers to come to the House as soon as possible to correct statements. The Minister has indicated to me that he intends to come to the House tomorrow, and that is where the discussion should be left. As I said, it is unfortunate that Mrs Foster will not be here tomorrow, but my duty is, first and foremost, to correct the inaccuracy that was made in the House and to get that on the record.

Lord Morrow: On a point of order —

Mr Speaker: Order. I am very reluctant to take any further points of order on the issue. We have aired the issue long enough. As Speaker, I can only do so much to try to get Ministers into the House as soon as possible.

Mrs Foster: This sets an extremely dangerous precedent whereby Ministers can pick and choose when they come to the House. Not only was the inaccuracy uttered in the House, but the Minister then said at the joint Committee that he would come to the House on Monday to correct the inaccuracy. He has not only misled the House but the Committees as well. That is hugely disappointing and sets a hugely dangerous precedent for the House.

Mr Speaker: I say to the whole House that I always encourage —

Mr Kennedy: On a point of order —

Mr Speaker: Order. Allow me to finish. I encourage Ministers, especially when they give incorrect information to the House, to come to the House as soon as possible to correct that information, especially when it is totally and absolutely incorrect. I also say to the whole House that, if Members want to follow the matter through, there are avenues open to them to try to resolve the issue. They can put down motions in the House and ask questions in the House. However, for me, the key issue is to correct the inaccuracy that was made in the House and to get that on the record.

Lord Morrow: On that point —

Mr Speaker: I will take a further point of order from Mr Kennedy, and then we will move on.

Lord Morrow: Surely the primacy of the House is all-important. In your capacity as Speaker of the House, can you not deal with the matter in another way? You have told us that you do not have the power to force a Minister to come to the House. Are you prepared to look at the situation with the Chairperson of the Committee on Procedures to consider any future situations that may arise where, on one day, a Minister says, in writing, that he will come to the House and then, when Members come to hear what he has to say, they are told that he is not coming?

Mr Speaker: Yes, very much so. If the Committee on Procedures wants to look at that issue, that is maybe the appropriate place. However, once again, I say to the entire Assembly that, in speaking to Ministers, I can only do so much to get them to come to the House. Maybe the issue sits, as Lord Morrow said, with the Committee on Procedures. I will take Danny Kennedy, and then we will move on.

Mr Kennedy: Are you in a position to indicate to the House that, from your discussions with the Health Minister about the personal statement that he was expected to make and had hoped to make today, the matter has been complicated by a series of further developments that make it impossible, in his view, to make a personal statement today? Are you in a position to at least confirm any of those conversations?
[Interruption.]

Mr Speaker: Order, please. A meeting in my office remains private, and I expect all other Members who come through my door not to try to relate on the Floor or to any other Member the private nature of those discussions. We really should move on to the next item of business.

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

Mr Speaker: I am very reluctant, Mr Wells, to take any further points of order. The matter has been well aired. If your point of order is on a separate issue that we have not fully discussed, you may raise it. I know that the Member can sometimes be unique in how he might do that.

Mr Wells: I confirm that I was the Chairperson of the meeting at which the Minister of Health, Social Services and Public Safety made his undertaking in writing and orally. Not only do we expect him to come to the House and apologise for the mistake, but we expect him to come before the House to apologise to the honourable Member for Fermanagh and South Tyrone for the way in which he tried to belittle her during his response, when, in fact, it was he who did not have a grasp of his brief and did not know what he was talking about.

Mr Speaker: Mrs Foster has put that firmly on the record, along with the other comments that have been made this afternoon. Let us move on.

Ministerial Statement

Single Farm Payments

Mr Speaker: I have received notice from the Minister of Agriculture and Rural Development that she wishes to make a statement.

The Minister of Agriculture and Rural Development (Ms Gildernew): Go raibh míle maith agat, a Cheann Comhairle. With your permission, I wish to make a statement on the financial correction made by the European Commission concerning expenditure by the Department of Agriculture and Rural Development from the European agricultural funds. The purpose of my statement is to outline to the Assembly, as simply as possible, the origins of the complex problem that has arisen in relation to disallowance, to explain the actions that my Department is taking to address the problem and to clear up any misconceptions that have arisen about disallowance.

It is important to make it clear from the outset that my Department is a paying agency of the European Commission for the purposes of distributing European moneys in the North of Ireland. That role allows the Department to distribute in the region of €300 million per annum across the agricultural community, but it also means that we sign up to a body of EU rules governing that expenditure. Those rules place onerous requirements on farmers and on the Department as a paying agency. I will return to that point later.

The single farm payment was introduced in 2005. That represented a massive shift in policy on the part of the European Union away from a system where funding was linked to production to a system where funding is linked to the land farmed by the claimant. I am sure that the House will recall the years of butter mountains and milk lakes, when financial support was linked to production. I raise the move to a land-based scheme in 2005 because that had major implications for the way in which the European Commission assured itself that there was proper control of funding. A consequence was that a single scheme replaced a large number of smaller schemes. The former schemes were audited individually, whereas now there is one audit. The former schemes had individual budgets, and now there is one very large budget.

Since 2005, the Commission and, in one case, the European Court of Auditors, have carried out no fewer than six audits on the Department as a paying agency. The first audit, in July 2006, covered area aid payments for the scheme years 2004, 2005 and 2006. The second and third audits, in September 2006 and March 2008, concerned single farm payment entitlements, the basis on which funding is allocated to individual farm businesses. The fourth audit, in the summer of 2008, was, as was the first, about area aids. It covered 2007 and 2008. Those two area aid audits were highly significant in terms of the level of exposure to disallowance. Thereafter, there were two further audits by the Commission, one on area aids in November 2009 and one on agrienvironment issues in June 2010.

I wish to make some important points about the findings of those audits. First, it would not have been appropriate for the Department to have accepted and responded immediately to every audit finding without challenge. The fact remains that I have significant concerns that the Commission is being heavy-handed and is overestimating the risk to public funds. I know that I am not alone in that concern among member states. Since April 2005, over €4 billion has been disallowed across the EU, and I know that many member states are complaining about the clearance of accounts procedure and are pushing for a more proportionate system to be introduced.

12.15 pm

A second point is that not all the issues that were raised in the audits can be resolved quickly. Many relate to complex systems that cannot be overhauled overnight. The introduction of a new mapping system or the recalculation of all entitlements from 2005 has to be done carefully over a period of time while maintaining the ongoing business of the paying agency. In each year, there is often a knock-on impact that affects multiple farm businesses, and that includes circumstances where farmers may be deceased, may have traded their entitlements or may have had a host of other changes in circumstance.

Thirdly, the Department has a statutory obligation to make its single farm payments in a timely way to ensure that approximately 95% of the payments are made by June of the following year. Some of the audit recommendations that

impact on payment systems have the potential to cause significant delay to future payments, and I would not be happy to resolve one disallowance in a manner that resulted in us incurring a potentially even larger one.

A disallowance decision can take a long time to be confirmed. The first audit that I mentioned is illustrative of that, and Members may find it helpful if I briefly outline its timeline, which was primarily driven by the Commission. The findings of the July 2006 audit were initially communicated to the Department at the end of October 2006. There then followed correspondence between the Department and the Commission through which the Department presented arguments to the Commission. That culminated in a bilateral meeting in April 2007, and there was further correspondence between July and December of that year. The final letter from the Commission that set out the proposed financial correction was received in October 2008. That was the first correspondence that signalled that a large disallowance was a distinct possibility, but, even at that point, the Commission was at pains to point out that that was only a proposal and there was a conciliation process.

The Department brought the case through the Commission-approved conciliation process and presented it to the conciliation body in April 2009. The conciliation body reported back to the Commission on 14 April 2009, and the Commission wrote to the Department in January 2010 with its proposed final financial correction. That was formally adopted by the Commission in its decision of 15 July 2010. Therefore, it took a total of four years for that outcome to be reached.

On 15 July 2010, the European Commission published a list of financial corrections and summaries of the reasons for those corrections for several member states over several years. That included a sum of €33.7 million for the DARD paying agency for the years 2004 to 2006, most of which was attributed to the single farm payment scheme, the agrienvironment scheme and the less-favoured areas compensatory allowances scheme for 2005 and 2006. The financial correction will be deducted from a subsequent claim by the UK co-ordination body.

Two other notifications were given in 2010. On 4 January 2010, the Department was notified

about a proposed second financial correction for the scheme years 2007 and 2008 for €34.45 million. The Department has participated in bilateral meetings and in conciliation on that issue in recent months.

The Commission advised that those financial corrections were being applied to the Department due to weaknesses in mapping systems, in procedures used by inspectors, which did not ensure that ineligible land was excluded, and in processes for recovering overpayments. That was also the case in instances when two farmers claimed for one parcel of land, such as when one farmer claimed single farm payment and another claimed less-favoured areas compensatory allowance, as can occur under the conacre system. For completeness, the Department received notice on 2 January 2010 of a proposed smaller financial correction of approximately £795,000 for 2005 plus €2.7 million for 2006 and 2007 for the allocation of entitlements in 2005.

The DARD accounting officer has advised me that, in the absence of new, compelling evidence, the Commission is unlikely to reduce the proposed financial reductions. As a consequence and in giving transparency to the House, I should say that the Department has included a liability in its 2009-2010 resource accounts for the full extent of the 2004 to 2008 scheme year financial corrections that were imposed and proposed. The total amount is approximately €72 million or £64 million.

We have resolved the financial implications of the matter mainly from underspends in my Department and elsewhere. Those resources would not otherwise have been spent, and the spending power would have been lost to the Executive.

The Department cannot rule out further corrections in respect of 2009 and later years, although our current work should militate against that. At this stage, the Commission has neither proposed a disallowance nor quantified, in financial terms, what any disallowance might be. We do not expect any Commission decision on disallowance until 2011. Of course, we will seek to minimise it, both by bringing in new measures quickly and through negotiation. However, to cover contingencies prudently, given the magnitude of the sums that could be involved, we seek budget provision for up to a further £40 million.

The Commission determines corrections on the basis of what are called “flat rates” when it cannot quantify financial corrections or estimate them from extrapolations. The Commission does not have to prove that those flat rates are correct. Rather, the onus is on the member state to persuade the Commission that the rates are incorrect. As the Commission had identified concerns about the Department’s two key controls, namely the mapping system and the inspection system, it can be seen, in retrospect, that it was most difficult for the Department to furnish data that would allow the Commission to change its mind about the flat rate to be applied.

The choice of the rate — 2%, 5%, 10%, 25% or even 100% — depends on the seriousness of the deficiency in the management and control system or the individual breach and the financial implications of the irregularity. The Commission guidelines state that:

“When all the key elements of the system function, but not with the consistency, frequency, or depth required by the regulations, then a correction of 5 is justified”.

That was the Commission’s conclusion in our case.

Before turning to the critical issue of what the Department is doing to address the disallowance problem, I want to take the opportunity to respond to concerns about responsibility for what has gone wrong. It would be too simplistic to lay all the responsibility for what has happened at any one door, whether that is farm businesses, the Department or, indeed, the Commission.

Some have argued, simplistically, that the farming community is to blame. Of course, a small number of farmers are not blameless, but it is absolutely wrong to blame the majority. It is also wrong to simplistically state that the Department is to blame, although it is true to say that, after the first audit, the Department probably underestimated how difficult it would be to demonstrate to the Commission’s satisfaction that a 5% disallowance is too high. A mapping system that had proved largely satisfactory for the purposes of production-based schemes turned out to be unsatisfactory for the purposes of single farm payment. In turn, the scale of funding in a single scheme meant that the level of disallowance was particularly high.

It is also wrong to simplistically blame the Commission. As I have said, the Commission injects in the region of €300 million a year into farming in the North of Ireland, which places an onus on the Commission to ensure tight controls. Those controls are necessary not just here but throughout the EU. However, it seems to me that those controls are excessive at times when, for example, a quarter-of-an-acre field in County Fermanagh is treated in the same way as a 200-acre crop parcel in East Anglia. The Department has a much closer understanding of how farming works here than the Commission, understandably, could ever have. In parallel with putting our systems right, it is important that we continue to challenge, for example, what appears to be a shift in Commission thinking about what constitutes eligible forage. In summary, there has to be shared responsibility for sorting the issue out, and my Department is playing a leading role in that regard.

The Department’s actions to address the disallowance problem are in three main areas: challenge, compliance and enforcement. First, I can assure the Assembly that the Department will continue to challenge the Commission and argue its case when appropriate. The Department has had some success already. For example, we persuaded the Commission to re-examine the scope of the financial correction and exclude certain types of area aid that were unlikely to be affected by issues such as scrub encroachment. The Commission agreed and reduced the financial correction. There is enormous benefit in ongoing engagement with the Commission in bilaterals and conciliation, and that will continue.

I am most grateful to the First Minister and deputy First Minister, our MEPs, the Committee for Agriculture and Rural Development and other colleagues for assisting in making the case for a more balanced approach to those issues by the Commission. There is also challenge on the legal front, and I can confirm that the Department is taking the necessary steps today to take a case to the European Court of Justice and that it has the support of the Executive in the matter. The action will be taken by the Department, with appropriate legal advice from the member state and from the Attorney General. Members will understand that this is a matter that will take some years to progress, and there is no guarantee of success. However, our advice is that there is a reasonable prospect of success, and I am sure that Members will

agree that the sums of money involved make for a compelling case for that approach to the European Court.

I will now turn to my second area for action, which is the need for greater compliance with the Commission's requirements. There is a whole range of areas where I am taking action, but my top priorities relate to the fact that the Commission's audits have criticised the Department's key controls, which are the mapping and inspection systems. I must focus on those areas, because they are central to reducing the risk to the fund as perceived by the Commission and, in turn, to significantly reducing the disallowance.

During questions for oral answer at the end of June, I told Members about the action that my Department and I had taken to challenge the disallowance and to militate against any future disallowance. I told Members about the improvements in the on-farm inspections as a result of better training for inspectors, the introduction of mobile mapping and the investment in orthophotography since 2007, which has supported all inspections in 2009 and 2010. Orthophotography is also available to farm businesses that use DARD online. In addition, I have increased the resources available for inspection and have issued new guidance to inspectors to ensure closer compliance with Commission requirements.

The most recent action that I have taken to address the Commission's criticism is to commission the remapping of all farms in the land parcel identification system (LPIS). We are pleased to have Land and Property Services, which is the mapping authority in the North of Ireland, as our partners in that. Together we will systematically review and, where necessary, amend every field in the Department's mapping system. That involves almost 750,000 separate fields. Additional resources are being brought on-stream, including the redeployment of 60 planners to assist in the work. It represents a huge task, but it builds on a great deal of work that is already completed to ensure that we understand how to map features such as scrub, which may not be eligible to support a claim. Scrub does not have a definitive boundary. It has different densities, is not easily recognised from aerial photographs and can extend across several farmers' fields.

A pilot project is already under way and will be completed shortly, followed by two main phases of work. As well as informing the main LPIS improvement project, the pilot may be used to undertake a risk assessment exercise to provide the Commission with a further estimation of the actual risk to the fund. The first main phase of work commencing in October will amend the maps to remove any areas that the Commission considers to be ineligible. The second stage will deal with other mapping issues that are currently of less concern to the Commission. We do not expect that second phase to be completed until early 2013.

The aim is to get as many maps as possible improved over the next year. We have to make sure that the verification of the new maps and any changes that the farmers want to make do not have a negative impact on the processing of claims in future years, otherwise a risk arises of not meeting the payment targets stipulated in EU legislation and, therefore, incurring further disallowance. I am grateful to the Executive's invest to save fund for the resources for the work, and I am bidding for further funds for the remainder of the work. There is no doubt that investment in high-quality mapping and IT can bring enormous returns in a scheme of this size.

I will now turn to the issue of enforcement. The Commission is clear that there is an onus on farm businesses to ensure that their maps are correct and that they are claiming only on the parts of their fields that are eligible. Just as the culture of the Department has had to change from a production-based approach to a land area-based approach, so, too, farm businesses have to understand that the correctness of the farm map and the careful maintenance of eligible areas are at the core of their business in the way that counting cattle or sheep was central to the issue before 2005.

Let me be clear: although the Department supplies maps, it is the responsibility of farm businesses to ensure that they are correct. It is also their responsibility to ensure that claims are not made for land that contains, for example, scrub, whins, lane-ways or, indeed, bungalows.

12.30 pm

My message to farmers is that the Department has an extensive network of farm advisers and other support staff. If a farmer approaches the Department, adjustments to maps and

claims can be made less severely than if the Department approaches the farmer in the form of an inspection, which can result in severe penalties.

I want to end my statement on a positive note. I am committed to working closely with those farmers who are as committed as I am to resolving the disallowance issue. To that end, I have ensured that resources are in place throughout the North of Ireland. I am also committed to working closely with the Commission to ensure that we each learn from past mistakes. Specifically, I am committed to satisfying the Commission about the quality of the mapping system by 2012 and to working closely with the UFU and NIAPA to ensure that maps are issued to farmers in an orderly way.

I am grateful for the active involvement and critical support of colleagues in the Executive and Members of the Assembly, particularly the Committee for Agriculture and Rural Development. Together, we can resolve critical issues to bring down that disproportionate disallowance.

The Chairperson of the Committee for Agriculture and Rural Development (Mr Moutray): I can confirm that the Committee for Agriculture and Rural Development has met the Agriculture Commissioner and her office on two occasions. The Committee argued that those disallowances are disproportionate, especially when the actual risk to the region is around £1.5 million, which has been reclaimed by farmers. My Committee remains of that view. However, I am shocked that it could end up costing the region £109 million, which would significantly reduce the Executive's spending ability.

I want to ask the Minister about responsibility. Why, when the Department was aware since October 2006 that there were significant weaknesses to its key controls, was nothing done to rectify its processes? Why, when subsequent audits that were carried out in 2006, 2008, 2009 and 2010 highlighted those weaknesses, did the Department not act? Why, in a statement of some six A4 pages, does the Minister not accept that we would not face those fines if the Department had acted to negate the weaknesses that were identified sooner, instead of rolling up those massive fines?

The Minister of Agriculture and Rural Development: First, I am pleased to state that that expenditure has not been lost from

other areas, such as schools and hospitals, in the North. I hope that Members will forgive me because I have to use some accountancy terminology to explain why that is the case. Ultimately, money that was used to deal with that was underspend. I accept that it is lost to the Treasury. However, it does not result in a lack of spending power to the Executive.

The adjustment in the Department's 2009-2010 accounts between the provisional and final out-turn will lead to DARD incurring overspend. However, it is fully expected that that overspend will be offset by the level of underspend that is incurred overall by the Administration. There is always a downside in some form. I understand that that will reduce the end-year flexibility that is available. However, again, that was not available to the Executive. As a result of our handling of the issue, it will not impact on in-year resources from DARD to the Executive.

To say that my Department has done nothing is untrue. We had expected disallowance. As some Members are aware, disallowance is not new. However, in the years prior to the introduction of the single farm payment, DEFRA covered the cost for England, Scotland, Wales and the North. From 2005, when it was decided that all regions would cover their own disallowance, DEFRA apportioned the remaining disallowance money. The North's share amounted to £11 million. That money was used to offset our use, and it reduced the cost of disallowance from £64 million to about £53 million.

I accept that it is an ongoing problem. I accept that it is complex, voluminous and technical in nature. I set out the timescale of the earlier audit in 2006. It took us four years to get to the point at which we knew that that was the level of financial correction that was being applied. I had also spoken to Mariann Fischer Boel and to her successor, Dacian Ciolos, about the issue to see whether any pressure could be applied politically. I was assured that absolutely no political pressure could be applied and that they could not get involved in the situation. They said that a conciliation process was available and that we should go through that process. Members would have been disappointed in me had I not engaged in that conciliation process and tried to negotiate the figure down to a more manageable sum.

In the run-up to 2005, we had a number of small schemes. If one of those schemes was audited

and had disallowance applied to it, that was what happened: disallowance was applied on that particular scheme. When we moved away from production-based to land-based schemes, all those schemes were rolled into one, and the disallowance applied to the single farm payment — on the sum total of all of the schemes. That is why the amounts have become so incredibly high and disproportionate.

As I said in my statement, €4 billion have been disallowed on member states across Europe over the past four years. We are not the only ones who object to the level of disallowance and to the way in which the European Commission applies those rules. I accept that the rules are technical and onerous, and it is up to my Department and me as Minister to take responsibility for correcting the mistakes that have been made in the past. I make no bones about that, and that is why I am here to give Members a full and frank résumé of the situation to date and how we are handling it.

I hope that I have addressed the Chairman's concerns. We have worked closely with the Committee for Agriculture and Rural Development on the issue, and I want the House to be aware of the steps that have been taken in the years in the run-up to the current position and what we are doing in the future.

Mr Doherty: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for her statement. Before I ask my question, and with the Speaker's indulgence, may I congratulate the Deputy Chairperson of the Committee for Agriculture and Rural Development, Tom Elliott, on becoming the new leader of the Ulster Unionist Party. I hope that he has more success with his party than he has had in trying to persuade me to take my seat in Westminster.

When will the main phase of the remapping project be rolled out? Will the Minister provide some detail and elaborate on that?

The Minister of Agriculture and Rural Development:

Go raibh maith agat, a Cheann Comhairle. I add my congratulations, comhghairdeas, to my colleague from Fermanagh and South Tyrone on his elevation. I apologise for my tardiness in not doing so sooner, but he will appreciate that I had other things on my mind.

In answer to Mr Doherty's question, the main part of the mapping project, which aims to

reduce the risk of disallowance for future years, will begin in October. That will deal with the mapping issues that are of greatest concern to the Commission. A second-phase project will deal with the remaining mapping issues at a later stage. I am sure that Members appreciate that the remapping of every single field, some 750,000 of them, will be a huge task. It is a big thing to do. Although the inaccuracies in the new mapping system may be small, we want to ensure that there will be no reason for the Commission to come back to us. We are trying our best to militate against future disallowance.

I am pleased to have the co-operation of Sammy Wilson, as the Minister of Finance and Personnel, and to be working with him and Land and Property Services (LPS). It is timely that 60 planners can be redeployed to LPS to carry out the work and to ensure that our maps are of the full quality that the Commission expects us to have.

Mr Speaker: Before I call Mr Tom Elliott, who will be the next Member to ask a question, I inform the House that a number of Members have their names down to ask questions on the Minister's statement. I will get everybody in if Members come to their question a lot sooner. I am merely laying down a marker.

Mr Elliott: I will be brief, but, first, may I thank those Members who have congratulated me, even though I am concerned about the congratulations of some of them. My question follows on from the previous question about the mapping system. A few years ago, farmers got a new GIS mapping system, which, we were told, was totally accurate and the most high-tech system available. However, the Minister has indicated here that it is still the responsibility of the farmer. A few years ago, we were told that we had the most accurate and up-to-date system available. What went wrong?

The Minister of Agriculture and Rural Development:

I agree with the Member for Fermanagh and South Tyrone. In 2004-05, when the new digitised maps were produced, those were based on the most up-to-date information available at that time. However, as the Member knows, things have moved on. Although it is the Department's responsibility to provide farmers with maps, it is the farmers' responsibility to check those maps and make sure that they have not forgotten about the bungalow at the end of the lane or the tank that has been built

through the nitrates grant distributed last year or the year before.

We need to ensure that farmers check and make sure that the maps are up to date. The responsibility for providing the maps is the Department's; the responsibility for checking that the maps are accurate is the farmers'. The farmers are quality assuring the maps. The technology has moved on in five years, as I am sure the Member will accept, which makes a big difference. For example, my Department now has access to orthophotography. The combination of those factors means that the maps are now not as up to date as they could or should be. Although the mapping improvement project will resolve a lot of the problems, it is still important to recognise that, when the revised maps are issued, farmers will have to check them thoroughly and ensure that all ineligible areas have been removed; otherwise, we could find ourselves facing further disallowance.

Mr P J Bradley: I thank the Minister for her statement. I have four short questions, and Tom Elliott has more or less asked the first. Were farmers wrong to trust DARD and its earlier maps? They placed their trust in those maps, and now they are paying the price for that. Will the Minister explain why farmers are the only ones to suffer financially? Politicians, civil servants and bureaucrats at many different levels do not stand to lose one cent as a result of the disallowances, even though many of them were party to the difficulties. I welcome the recent mapping exercise undertaken —

Mr Speaker: I encourage the Member to come to his question.

Mr P J Bradley: That is the second question; I have two more. I welcome the land parcel identification system, but I seek assurance from the Minister that, when the new maps are finally produced, they will not be used as further evidence to penalise farmers in the future. I need that assurance. On a smaller point, the Minister referred to shrub land, which may not be eligible to support a claim. Does she not agree with me that a lot of that shrub land is deliberately kept to provide shelter for stock that is being out-wintered, and should not be disallowed?

The Minister of Agriculture and Rural

Development: There was quite a lot there; I will not be able to answer all of the questions, but

I will do what I can. As the Member knows, GIS maps of owned land were issued to 54,000 farmers in March 2005 and that around the same time, maps showing land claimed by farm businesses the previous year were also issued to around 25,000 farm businesses. Back then, farm businesses were advised that, in the event of a query relating to their new maps, they should contact their local DARD office and complete the appropriate form. As it turned out, there were a large number of queries from farm businesses, many of which resulted from the fact that, over the years, farm businesses had failed to notify the Department of small changes in the land area. There were also small changes in the land area due to the improved accuracy provided by GIS.

The Member knows me well enough to know that I would not want to be in a position of penalising farmers, but, where mistakes are made and there is a heavy hit on the Department from disallowances, we have to be certain that we have complied fully with the European Commission's rules. The European Commission is giving us over €300 million per year to allocate, and it makes it very clear that we have to follow those rules. I do not want to use those rules as a big stick with which to beat farmers, but people have to work with the Department, and help us to help them. It is in nobody's interests for there to be future disallowance because mistakes are made on maps.

I want to ensure that the House understands fully that the Commission wants farmers to measure grass; nothing else. As far as the Commission is concerned, that is what constitutes eligible forage. If a farmer has a field measuring four hectares and there is a sheugh running through it, which is not grazing land, that has to be deducted from the map.

12.45 pm

A field on which there are whin bushes also cannot be counted, because cattle do not eat whins. We know that cattle may use them for shelter and go to them when they are calving in a field. However — the Commission is 100% categorical about this — we can only measure land on which there is grass, because that is what constitutes eligible forage. Therefore, if there are either geographical or physical things in a field that mean that it cannot be grazed on, that field cannot be counted. For

example, a tank that is covered in slots cannot be grazed and must, therefore, be discounted from that field. Farmers must ensure that their entitlements are right and proper so that we continue to pay out money to them.

Nobody wants to penalise farmers. However, I must say that people have claimed for areas that could not — no matter how sympathetic the Department is to farmers — be considered as eligible forage. Those areas must be tackled, and the Department must take a strong stance against people who have claimed for land that is clearly not a grassy field but a scrapyard. We must weed out such examples. We must also ensure that we are paying out according to the Commission's rules and in a way that does not mitigate.

The Member talked about scrubland that is used for shelter. I am sorry, but farmers must deduct that land from eligible areas, because if there is inspection and that is found to have been included, there will be trouble. Mr P J Bradley can shake his head all he wants. However, I must do my job in a way that ensures that farmers can work with us. I am putting this in as simple terms as I can for the Member so that he understands. The point is that we can only pay out on eligible forage, which is grass. I want to avoid farmers getting into trouble with the Department because of an inspection. That is why, on numerous occasions, I have said to farmers, "Please, come and check your maps. If you come to us and we find a problem, we will resolve that much better and much more cheaply than if you wait for an inspection, in which case there will be penalties". Therefore, I reiterate that farmers should come to us and check their maps to ensure that they are accurate. Go raibh míle maith agat.

Dr Farry: I believe that the statement should and could have been made three months ago. Does the Minister think that it is somewhat disingenuous to argue that those disallowances will not have an implication for the public purse, schools, hospitals and the rest of the economy? Given the underspend in DARD, will the Minister tell us why was there such an inaccurate budget to begin with? Surely, monitoring rounds could have been used to surrender that money for other uses. Money now has to be spent to set the thing right. We are making provision for future disallowances, and all of that comes at a cost to the rest of the economy and public services.

The Minister of Agriculture and Rural

Development: As I said, it is too simplistic to suggest that any one party is to blame for the disallowance situation. I would have preferred to have given this statement to the House before the summer recess. However, we were fully engaged with the Commission and did not have time before recess to prepare and give a full and frank explanation to the House about what had gone on. We would have been here earlier had it not been for timing. I tried to come here as quickly as I could in the new term to explain to Members what had gone on.

As regards the Department's responsibilities, I preface my response by saying that some of the issues are quite technical. However, in answer to the Member's first comment about underspend, my Department set aside money to meet some of its statutory obligations on, for example, animal health. We set aside, for example, a budget of £5 million for animal disease compensation, but the rates of disease were lower than we had expected at the beginning of the financial year, and we needed only £4 million. That underspend can be easily explained. Therefore, given that we are a very frontward-facing Department and that certain circumstances are beyond our control, such as animal disease and other issues, there will be fluctuations in government accounting.

I also wish to say to the House that the Commission's letter of 22 October 2008 came as a blow, because it showed that it was not moved by the Department's arguments. It was the first time that the Commission had outlined its proposal to exclude finance of over €18 million, plus over £13 million as a result of the 5% flat rate correction.

The Department argued valiantly that the corrections were disproportionate to the risk to the fund. It put forward some very strong arguments. However, the Commission refused to accept that the land parcel information system and the GIS information were sufficiently accurate and up to date with regard to eligible land. It refused to accept that the requirements laid down in articles 15 and 22 of regulation 2419/01 and articles 29 and 30 of regulation 796/04 were adequately satisfied by the on-the-spot checks carried out by the inspectorate. The Commission refused to accept that there were any difficulties in its application of sanctions and retroactive recoveries to the calculation of aid that needed to be recovered.

The Commission does not have to prove what it alleges; the onus is on the Department to persuade the Commission otherwise. It is fair to say that I am extremely concerned by the Commission's heavy-handed approach, as evidenced by its late letter and even later engagement.

From the Commission's perspective, it is essential that, for the cross-checks that are required, the information in the land parcel identification system is accurate as regards the identification of parcels of land from 2004 onwards and in relation to the boundaries of those parcels. That raised further issues about particular kinds of land cover that were not eligible. As I said, the issues that the Department has to deal with are very complex and very technical.

Owing to the Commission's heavy-handed and disproportionate approach, I am prepared, on the Department's behalf, to take a case to the European Court of Justice to challenge the way in which the European Commission is handling this matter. I genuinely believe that, if we do not passionately make our claim that the corrections are disproportionate, we could be faced with future disallowances. That is a risk worth taking. There will be future disallowances and, therefore, we have to rigorously challenge the Commission on the way that it has applied the technical rule. Pursuing a court case is the right and proper thing to do, and I have taken advice from the Attorney General and the Departmental Solicitor's Office.

The system has been in place since 2005. With hindsight, I think that a lot of things should have been done differently. There is no question about that. However, I honestly believe that we should challenge what the Commission has done and try to bring the disallowance figure back to an amount that more accurately reflects the inaccuracy of the proportion of the fund that should be paid out. The current figure of 5% is too high, and we should be able to negotiate that down. That is why we are pursuing a court case.

Mr Speaker: Order. I encouraged Members to come to their questions much sooner. I also encourage the Minister to complete her answers much sooner.

Mr Irwin: I, along with my colleagues, believe that the fines from Europe are totally disproportionate to any inaccuracies that there

were in Northern Ireland. The Minister said that the procedures used by inspectors did not ensure that ineligible land was excluded. Given that the procedures used by inspectors were set out under guidelines from her Department, is it right to assume that her Department did not know what was eligible land in Northern Ireland and what was not? Surely that is an indictment of her Department.

The Minister of Agriculture and Rural

Development: We are dealing with something that happened retrospectively. Therefore, we are looking back at audits that were carried out in 2004 and 2006. We recognise that there was a difference in interpretation. Members of the Committee for Agriculture and Rural Development and other Members have accused the Department of being too heavy-handed on farmers and of adopting an attitude, during inspections, that was slightly onerous towards farmers. However, the Commission's view is that we were not nearly heavy-handed enough, and that areas of land that inspectors allowed to be constituted as eligible should not have been. That is why we are dealing with this issue at the minute.

I assure the House that ongoing training is available for inspectors and that much work is being done to ensure that we are fully aware of what the Commission wants, that inspectors have available the most up-to-date technology, and that we are carrying out inspections based on what constitutes eligible land. Again, however, that is likely to result in misunderstandings and in farmers thinking that an area of land is eligible even though the Commission clearly believes that it is not. We have a responsibility to apply the Commission's rules when paying out its money.

With your indulgence, a Cheann Comhairle, I want to correct a couple small errors in my statement. I mentioned that the Commission, in its final letter in 2008, reduced its financial correction. I think that the statement said that the figure was €3 million, but I want to correct that for the House. I did not read that out at the time because the amount of reduction was closer to £500,000. I want to ensure that there is no misinformation here today. I also referred to a notice of 2 January 2010. That should have been 2 February, and I apologise for any misunderstanding.

As the matter is so technical, I do not want any Members to feel that they have been misinformed. The matter is onerous, which explains the length of my statement and answers. However, I wanted people to have a clear understanding of the issue.

Mr W Clarke: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for her statement. Before I ask a question, I congratulate Tom Elliott on his appointment as the new party leader. I wish Tom well.

I agree with the Minister that as many maps as possible must be corrected this year.

[Interruption.]

Mr Speaker: Order.

Mr W Clarke: Will farmers be able to challenge any element of their new maps?

The Minister of Agriculture and Rural Development:

It is important that farmers work with us to ensure that their new maps are correct. There is no substitute for being on the ground and visiting every field, but with 742,036 fields that is clearly not feasible. So, we must rely on aerial photographs. Therefore, farmers must closely examine their new maps as soon as they receive them, and contact us immediately if there are problems. I cannot emphasise that enough. If Members were to make farmers in their constituencies aware of that through statements, and so forth, that would help farmers to avoid any problems during future inspections.

Mr T Clarke: My question follows on nicely from the point about farmers checking their maps. The Department invested heavily in maps before sending them outside the UK for collation. Why, therefore, is that process being repeated so soon afterwards? Despite the amount of money spent on mapping recently, yet and all, we still put the responsibility back on the farmers to check the maps.

Given that we invest heavily in that mapping, some responsibility should fall on the company that produced the maps. If that is the case, and given that errors were made in the maps, will the Minister or her Department make a claim against the company for collating them?

The Minister of Agriculture and Rural Development:

I again emphasise that the maps were produced in 2005 using the best

technology available to us at that time. We worked with the technology that we had. As the technology has moved on, I have not laid the blame on anybody for the maps being inaccurate. There is now a much better way to measure fields. However, that is not to say that technology will not move on again in the next five years. If we are to content the Commission that we are mapping properly and that it is not paying out money on land that is clearly not eligible forage, it must be an ongoing process.

Mr Savage: I, too, thank the Minister for her long and detailed statement. An underspend in the Minister's budget and the fact that those funds have now been lost, especially at a time when efficiencies are required across the board, is not good news for the agriculture industry. At what point did the Minister become aware of the issue, and what immediate action was taken and continues to be taken? Will she also outline the legal implications of the matter, the chances of a successful outcome and how long that will take?

The Minister of Agriculture and Rural Development:

I have been advised that the legal challenge will not be heard until 2012. That is still some way off, so we must ensure that we work in a way that mitigates any future disallowance for 2010 and onwards.

I again assure the House that although there was some underspend in my Department, I hoovered up underspend in other Departments and used that as an offset. That means that some money is not available to the British Treasury, but it does not have the same financial impact on the Executive.

I fully agree that we are all making efficiency savings. We are working collectively in the Executive to try to minimise the impact of those savings on the people whom we represent. So, although there is a knock-on effect for the Treasury, I am pleased to report that the matter is not affecting individual Departments.

1.00 pm

During the communication that followed the 2006 audit, DARD first realised that there were difficulties. That communication was sent to the Department at the end of October 2006 and was followed by correspondence — bilateral meetings etc — between the Department and the Commission until December 2007. So, this has been an ongoing piece of work. The

Department has been aware of the situation for some time and has been working on it. The Commission has recognised that steps have been taken over the past number of years to diminish the risk to the fund, but it has still talked about applying a 5% correction. That is why we feel that there is disproportionality. However, the Department has been working very closely with the Commission on the difficulties since they were first communicated to us in October 2006.

Mrs D Kelly: I will attempt to put my question as simply as possible so that the Minister understands it. Minister, why is it too simplistic to state that your Department is to blame for its poor mapping and inspection systems, which have led to the mishandling of the single farm payment? Will the Minister or any of her officials take any responsibility or pay any penalty for the mishandling of the situation?

The Minister of Agriculture and Rural

Development: The maps were done in 2005, which predates my time as Minister, and the work that was done previously to that may have had more of a bearing on the outcome than the work that was done in my time as Minister.

The people we do not want to see disadvantaged by the disallowance are our farmers and our rural communities. I will explain what my Department has done to offset the cost. I am here to explain to the House that we were working with technology that was up to date at the time but is not up to date now and needs to be reviewed.

I make no apology for the fact that we were working within a system that was new to us all and to the European Commission. That system has led to €4 billion of disallowance being applied to member states across Europe. I make no bones about the fact that our disallowance is unsatisfactory; it is an awful position for the Department to be in. However, I must stress that the underspend that offset the disallowance could not have been used by the Executive and would have had to be returned to the Treasury if it could not be used for that purpose. That is obviously a matter of regret. However, it has not had an immediate financial consequence on us as a paying agency as regards payments to farmers, and farmers have not felt the effects of the disallowance. We have to ensure that things get much better in the

future, and I am prepared to stand up and take responsibility for that.

Mr Gibson: I thank the Minister for her statement. In cases where remapping brings about changes to farm maps, what impact will there be on the single farm payment?

The Minister of Agriculture and Rural

Development: First, if a slight change has been made to the field that makes it smaller, we will correct the payment. We will do that from this year onwards; we will not apply that retrospectively. We are also trying to ensure that some farmers will see benefits from the new maps. Some farmers will see a small negative, and many farmers will remain the same. The important thing is to ensure that, from this year on, farmers have the most up-to-date maps possible.

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

I say to the Member, as a member of the Agriculture and Rural Development Committee, to which he is very welcome, that it is important that we continue to get the message out that farmers should get their maps out to check that they are accurate, to make sure that we have not missed something that has happened in the meantime and we are doing the inspection based on the correct information. It is important that they do not stick the maps behind the clock on the mantelpiece and forget about them.

Lord Morrow: I listened intently to the Minister's statement. Where 10,000 words will do, she will not use 100. What the Minister says is unbelievable. She blames everyone but herself and her Department. Her Department has been negligent, indifferent and careless and has acted with a could-not-care-less attitude, yet the Minister tells us that this was not her fault or that of her Department. She says that it was the fault of the previous Minister, of Europe — the fault of anyone but herself. The Minister talks of £100 million as though it were a £5 note.

Mr Deputy Speaker: Will the Member come to his question, please?

Lord Morrow: Can the Minister assure the House that this will never happen again? It seems as though the Minister has so much money that she can squander it right, left and centre. Do she and her Department realise the economic climate that we are in? Where will she find all that money?

The Minister of Agriculture and Rural

Development: Either the Member has not read the statement or he has not been listening fully. I said clearly that the blame was shared. I said that my Department is partially to blame but also that it is simplistic to lay all the blame at one door. I said that we needed to work together — the Department with the Commission, and the Department with farmers — to ensure that there is no ambiguity on the issue. I said that we are doing everything that we can.

I stress to the House that, because we are a paying agency of the European Union, which injects more than €300 million a year into the economy of the North of Ireland, there is no guarantee that there will not be disallowance in future. I will not misinform the House. I do not say that this is something that is in the past. While we are paying out European money and while rules have to be followed to the letter, I cannot say that disallowance will never happen again. As a paying agency, there is always a risk —

Lord Morrow: *[Interruption.]*

The Minister of Agriculture and Rural

Development: Will the Member allow me to finish my answer?

The Department is a paying agency, and, like every other such agency in Europe, there will always be a risk that the European Commission will disagree with the way in which we allocate money and hold us accountable for it.

Mr Deputy Speaker: I remind the Member that remarks should be made through the Chair.

Mr Kennedy: I am grateful to the Minister for her statement. I wish to ask about the underspend in her Department and elsewhere that is referred to in her statement. Will the Minister assure the House that that underspend was not at the expense of the hardship fund for potato growers or sheep farmers, who suffered greatly over the period? What is the view of DEFRA and the Government of the United Kingdom — after all, it is the member state involved, however much that may irritate the Minister — of the legal action proposed by her Department?

The Minister of Agriculture and Rural

Development: I assure the Member that the underspend in the Department did not have a knock-on effect on the hardship payments. As the Member knows, in both the June and September monitoring rounds, I put bids to the

Executive for funds to cover those payments. I was very disappointed that those bids were not met. The underspend could not have been carried over, because it happened over a period of years and was applied retrospectively. The underspend happened in the past, and the issues to which the Commission refers also happened in the past, so it was possible to use that money to offset the disallowance. It was not money that we have now that had to leave the North of Ireland but money that had been underspent over a period of years by all Departments. It was that money that was used to offset the disallowance.

On the Member's question about DEFRA, regardless of what he thinks of my political allegiances, I have raised that issue with Owen Paterson, the Secretary of State, on a number of occasions in recent weeks. I have also raised it with the Minister responsible for agriculture in England. The issue is primarily one for the British Government rather than for me, but I did speak to DEFRA Ministers, and Owen Paterson has spoken to William Hague, the Foreign Secretary, about the issue.

I would have preferred it if we could have dealt with it and DEFRA, as the agency to which the European Commission made the payment, had been in a position to take the court case. It has decided not to do that, and that is a matter for the British Government rather than for us. I believe and my legal advice has been that the Department is a stand-in to take the case. That is what I propose to do. I have to say that I am disappointed that DEFRA has stated firmly that it is up to us to deal with the issue. It has not taken the view that I think it should have, given that disallowance will impact on England, Scotland, Wales and the North of Ireland.

Mr Kennedy: Does a view exist that is based on the legal advice?

The Minister of Agriculture and Rural

Development: My legal advice has been about the court case. DEFRA has taken a position on the matter, and that is for the British Government. DEFRA obviously does not wish to support the Department on this issue, and that is a matter of disappointment. I am sure that you, as a unionist, are equally disappointed that DEFRA has come to that conclusion.

Mr Deputy Speaker: Before calling Mr Gerry McHugh, I remind Members that friendly fire across the Floor is not permitted.

Mr McHugh: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her detailed statement and for the answers that she has given to the questions. Before I ask my question, I also congratulate Tom Elliott on his new position as leader of his party. Just to let him out of a corner — a corner of a field, in this case — Down and Kildare played a very important match one Saturday. Perhaps he could consider going to a match on a Saturday first, and then he could go to the all-Ireland finals.

Mr Deputy Speaker: Order. Please put the question.

Mr McHugh: The Minister mentioned East Anglia. Are there areas such as that or, indeed, parts of the bread basket of Europe that have fence-to-fence or crop-to-crop measurements? It is easy to compare such areas with places such as Fermanagh or south Tyrone, where hedges and so forth are mixed with the natural environment. That natural environment will be seriously affected if all the farmers attack it in the way that the Minister put forward, but I think that there was a misunderstanding on the part of the Commission —

Mr Deputy Speaker: Ask the question, please.

Mr McHugh: Does the Minister think that the Commission has misunderstood what the benefits are and that there is hypocrisy in asking farmers to wipe away the environment so that they can reach their levels of payments? Are there areas of East Anglia or other parts of England or, indeed, the North that are less affected than places such as Fermanagh by this measuring of maps?

The Minister of Agriculture and Rural Development: First, hedges are hugely important to the environment and to the biodiversity of the countryside. They are also of great importance to the countryside's aesthetic appeal. However, farmers are aware that those hedges must be kept to a maximum of two metres, and that information is in a guidance booklet that they are given. Therefore, if the hedges are not contained, the biodiversity advantage is not improved because the hedge has not been maintained and has become overgrown. The hedge has to be kept trimmed to a maximum of two metres so that it does not encroach on eligible forage.

The Commission's position is applied through a top-down approach. It considered not only

arable land across Europe but olive groves and so forth that extended halfway up a mountain. It found that the only land that was eligible for payment was that being used as feedstuff or suchlike. Therefore, land that is half grass and half gravel or land with a quarry is clearly not eligible forage. Indeed, some of our maps have found cases where a disused quarry was being claimed for. We cannot pay out on such land. We need farmers to understand exactly what they can claim entitlements for and that we can pay them only on that basis.

I made the point in my statement that the Department knows the characteristics of farming in the North of Ireland better than the Commission ever can. That is because it carries out this work on a daily basis. Therefore, we have to make the Commission understand what the particular challenges for farming in Ireland are and how we adapt to them. We have to ensure that everybody is clear about what is eligible and what is not. People can claim for what is eligible; they cannot claim for what is not. There is no getting away from that fact. Farmers complain about inspectors being overly agitated about things that farmers are relaxed about. That day has gone: farmers have to be equally agitated, or there will be a financial knock-on in the future. I stress again that farmers should tell us about what is not eligible. We will try and fix it so that those farmers do not face financial penalties.

1.15 pm

Mr McCallister: In case no unionists do so, I congratulate my honourable friend. I do not want him to be stuck with one side. *[Interruption.]* I will represent our new leader at any match anywhere — as long as the tickets are provided, Gerry.

I declare an interest as a recipient of single farm payment. I assure the House that my maps were checked recently, and all was in order. I agree with Mr McHugh: there could be serious implications for the environment if areas like the Mourne Mountains were disallowed. If huge chunks of land are disallowed, there will be huge financial implications. Has DEFRA responded in writing to the Minister with any advice or guidance on the legal advice that she has received?

The Minister of Agriculture and Rural Development: Not that I am aware of. A lot of what I have done with DEFRA has been done

verbally. It accepts that we are taking the case, but it has not put much more than that to us in writing.

As regards the environmental consequences, heather, providing that it is managed correctly, is eligible at the moment. We apply those rules now on the understanding that that is the case. However, there is nothing to say that the Commission will not decide in a year's time that heather is not eligible. That would have an impact on the Mournes, a lot of Ireland and an awful lot of Scotland. Providing that it is managed correctly, we pay out on heather. However, we cannot say that the Commission will not change its mind. That would have serious implications because heather, if managed and grazed, can provide a huge aesthetic benefit to the countryside. If it is not managed, it becomes of less use to us from a biodiversity point of view. It is about understanding where the Commission is coming from. Given that we are applying those rules now for 2010, if the Commission decides in 2011 that heather is no longer eligible, there will be knock-on effects for people like Mr McCallister who submitted their IACS form on 15 May on the understanding that that was what things would be like until 14 May next year. There has been a very steep learning experience for us. We are now more aware of where the Commission is, but we still do not know where it will be in the future. It would be a brave man or woman who tried to predict that.

Committee Business

Transport Bill: Extension of Committee Stage

The Chairperson of the Committee for Regional Development (Mr Cobain): 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 Transport Bill (NIA Bill 29/09).

Mr McGlone: On a point of order, Mr Deputy Speaker. There seems to be an increasing desire to extend the time on a number of Bills around the place for the Assembly. I note that other Bills are with the Executive. Of course, Members eagerly await a number of Bills coming to us from the Executive. Is there any indication at all that we will see the more efficient movement of those Bills to the Assembly?

Mr Deputy Speaker: My understanding is that that is a matter for the Committees.

The Chairperson of the Committee for Regional Development: The Committee Stage of the Transport Bill began on 30 June 2010. The Bill's aim is to create an efficient, effective and sustainable transport system. At Second Stage, I informed the House that the Committee for Regional Development did not oppose the principles of the Bill, and that remains the case.

Thus far in Committee, the Regional Development Committee has completed its public call for evidence, received departmental briefings and scheduled a stakeholder evidence-gathering event for 5 October 2010. Further departmental briefings are also scheduled. The Bill is complex, consisting of more than 50 clauses, the provision of which will have an impact on all citizens in Northern Ireland in determining their mode of transport and in considering sustainability.

To reflect the importance of what the Bill sets out to achieve and the need for robust and detailed scrutiny of all that the Bill entails, members seek to extend Committee Stage to 17 December 2010. That would allow Committee members time to take account of the contents of the Bill and the time to gather written evidence, hear oral evidence and compile and consider the Committee's report to the Assembly. The extension would also allow some

leeway for detailed Committee consideration of the evidence received and of any amendments that it wishes to propose.

I reiterate the Committee's support for the Bill's principles. In seeking an extension of Committee Stage, members are, rightly, being prudent and cautious in their approach to discharging their scrutiny responsibilities. The Committee is committed to the timely passage of the Bill and will endeavour to report to the Assembly on the Bill as soon as possible, and, if possible, ahead of the proposed deadline of 17 December 2010. In the interim, I commend the motion to the House.

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 Transport Bill (NIA Bill 29/09).

Tourism (Amendment) Bill: Extension of Committee Stage

Mr Deputy Speaker: The next item of business is the motion to extend the Committee Stage of the Tourism (Amendment) Bill. *[Interruption.]* Order.

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

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 29 November 2010, in relation to the Committee Stage of the Tourism (Amendment) Bill (NIA Bill 30/09).

The Committee requires some additional time to consider issues that have arisen during its present proceedings. I beg of the House to pass the motion.

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 29 November 2010, in relation to the Committee Stage of the Tourism (Amendment) Bill.

Standing Committee Membership

Mr Deputy Speaker: As with similar motions, this will be treated as a business motion. There will, therefore, be no debate.

Resolved:

That Mr Paul Givan be appointed as a member of the Assembly and Executive Review Committee. — [Mr Weir.]

Private Members' Business

Planning Appeals Commission

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

Mr Givan: I beg to move

That this Assembly calls on the Planning Appeals Commission to carry out its work more efficiently and to give priority to major planning applications on which public inquiries are to be held.

The Planning Appeals Commission is the primary issue for debate. I will set out the context of the motion, before going into more detail. As most Members will know, the Planning Appeals Commission is a non-departmental body. It operates at arm's length from government, thereby trying to ensure its independence.

Other Members have commended Tom Elliott on his leadership, so I should probably have extended my congratulations at the start. I notice that Basil McCrea is here also, so commiserations to him. When I talk about operating at arm's length, I am referring to the PAC, and I am sure that Basil will not operate at arm's length from his new leader.

The commission is completely independent in its decision-making. However, the chief commissioner is responsible for the financial, operational and administrative management of the commission. Therefore, although the PAC is independent, that does not mean that it has free licence to act as it wishes when carrying out its work, nor that it can carry out its work inefficiently. Therefore, it is appropriate for Members, Departments and Ministers to criticise constructively and, hopefully, point it in the right direction so that it can carry out its work more effectively.

Growing the economy is a key objective of the Programme for Government, and the planning system is key to ensuring that the economy gets through these difficult challenges. The Planning Appeals Commission is an integral part of the planning process. Therefore, any delays in the PAC's carrying out of its work will impact

adversely on the Programme for Government's aim to drive the economy forward.

Currently there are 21 full-time commissioners, 17 fee-paid panel commissioners and 19 administrative staff in the PAC. Over the past number of years, OFMDFM has increased the financial resources available to the PAC, which has enabled the organisation to recruit more commissioners to carry out its work. The Department has a memorandum of understanding with the PAC. It is through that relationship that OFMDFM and the PAC operate. It is important that there is the opportunity to review or update that if appropriate; that can be looked at if it is felt to be necessary.

I acknowledge that, over the past number of years, the commission has made significant inroads in addressing the appeals backlog, which has been reduced from over 3,200 in 2007 to 495 at 31 August this year. However, has the focus on addressing the backlog been to the detriment of dealing with major planning applications, and are the commissioners setting the right priorities in dealing with the workload?

Referred work is the primary issue that I want to touch on. The PAC's functions are found mainly in the Planning (Northern Ireland) Order 1991. Referrals to the commission arise from decisions or proposals from five Departments, namely DOE, DRD, DSD, DETI and OFMDFM, as well as from district councils with regard to waste matters. Each year, the PAC conducts inquiries and hearings initiated and requested by the Department. The majority of those inquiries relate to development plans and major planning applications. The commission is required to hear and report to Departments that refer work to it, and its role here is advisory. Final decisions rest with the Departments that ask the PAC to carry out inquiries. At times, that point can be lost: ultimately, the PAC is not taking the decisions but giving advice to Departments that have referred work to it. Consequently, when the PAC is asked to give advice, getting that advice to the Department is a key component of its taking a decision. Undue delays in getting such advice impact on how long it takes Ministers and Departments to take decisions.

In recent years, the commission's referred workload has increased significantly due to the large number of article 31 planning applications that have been referred for public inquiry. From

2005-06 to 2007-08 a total of three article 31 planning applications were referred, whereas, in 2008-09, eight such cases were referred, with a further four in 2009-2010 and another two in the current financial year.

1.30 pm

The system for dealing with article 31 cases must change. Currently, each case is heard on its own, and only when one case is heard will another be taken. Only two commissioners are allocated to deal with article 31 cases. Therefore, only 10% of the senior permanent commissioners are being allocated to deal with article 31 cases, and they deal with those cases only on a one-after-another basis. It means that cases further down the priority list are being delayed due to other cases not yet being heard.

The first priority case waiting to be heard is the Sprucefield application, something that rests in my constituency. As members know, that application has been fraught with many legal challenges, and we are awaiting a public inquiry to allow all of that information to be sought. Again, only recently we have had another judicial review being sought to stop the public inquiry taking place next week. Those constant delays are having a ripple effect on the other article 31 cases.

Such legal challenges are a problem for the Planning Service and the PAC. In 2008-09, the Commission spent just under 4% of its total budget on legal issues. That figure has risen in 2009-2010 to £164,000 or 6% of its total budget. Clearly, there is a very litigious environment in respect of the planning process. Actions may need to be taken by Departments to try to reduce the opportunity for judicial review, and I am sure that the relevant Department may be considering whether a review of the 1991 Order needs to be taken into account. The courts also need to take a robust approach in order that they do not give judicial reviews easily, particularly when commercial vested interests are motivating the actions of individuals behind the judicial reviews.

Another piece of major work for which the PAC is responsible is the area plans. Currently, three development plans are being dealt with; the Belfast metropolitan area plan (BMAP), the Magherafelt area plan, and the Banbridge, Newry and Mourne area plan. There are four commissioners for BMAP, three for the Magherafelt area plan, and three for

the Banbridge, Newry and Mourne area plan. Therefore, considerable resources are being put in to deal with those area plans. Ultimately, the chief commissioner is operationally responsible for the Planning Appeals Commission, and she is responsible for deploying her resources to meet the prevailing workload.

The delays in bringing forward BMAP is particularly incredulous not least to those in the construction industry, which is being hardest hit in this difficult period for the economy. There has been a long history to the BMAP process. A number of Members in the House, as far back as 1999, warned against the process that was being used for taking forward the Belfast metropolitan area plan. Indeed, in 2000, when the then Minister, Sam Foster, was asked a question about establishing it, he said — I will not quote it all for the sake of time, which is pressing:

"The programme for the preparation of the plan involves the publication of an issues paper in autumn 2001, publication of a draft plan towards the end of 2002-03 and adoption of a final plan in 2004-05. I intend the plan to include widespread and inclusive consultation, involving councils, business and community interests and the public."
[Official Report, Bound Volume 8, p 108, col 1.]

He went on to say:

"This is very good news. It was announced in the 1999 Agenda for Government and confirmed in the Programme for Government and in the draft Budget."

We are coming to the end of 2010. A document that it was anticipated would be finalised in 2004-05 has still not been carried out. People are asking: "Where is BMAP?" In its annual business plan for 2010, the PAC said that it would be completed by June. On the day that that work was due to be completed, a notice went up on its website to say that it would not now be completed until March 2011. Yet, we have had four commissioners dealing with that, and the evidence that was brought to public inquiries ended in 2008. They are going through the evidence from 2008 and have not been receiving any new information.

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

Mr Givan: There are important questions to be asked about the BMAP. To date, it has cost over £8 million.

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

Mr Givan: In conclusion, I think that it is incumbent on all of us, including the PAC, to work more efficiently and effectively —

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

Mr Givan: — so that the Programme for Government's target of driving forward the economy can be achieved. I commend the motion to the House.

Mr Boylan: Go raibh maith agat, a LeasCheann Comhairle. I also congratulate Mr Elliott and wish him well in the future.

I welcome the opportunity to speak on the motion. I add my support to it, along with the proposers and other Members. We currently face dire economic circumstances, and if we are to attract tourism, investment and jobs to the North and deal with the over-reliance on the public sector, we must have a planning system that is fit for purpose.

In light of recent reports, questions must be asked on the number of appeals, public inquiries and judicial reviews and on staffing levels in the Planning Appeals Commission and the Planning Service. I recognise the fact that the Planning Appeals Commission has been dealing with a significant backlog, but surely we must now ask, given the substantial reduction in new appeals, how and why the appeals process is still taking so long to deal with relatively straightforward cases for single dwellings through to article 31 applications. It is clear that the emphasis must be placed on carrying out the inquiries and hearings for major applications, which may, if allowed, secure economic investment. However, we must also ensure that the less complex appeals are heard in a timely manner.

The Planning Appeals Commission's resources have been doubled in recent years, and although that has resulted in a vast reduction in the number of cases, some high-profile cases have highlighted the fact that the process is still flawed. At too great a cost to the public purse, the Planning Appeals Commission must now look at new, more efficient ways to handle its caseloads and examine whether the current staffing level should be restructured.

The Planning Appeals Commission's business plan states that only full-time commissioners

can deal with hearings, inquiries and major appeals. Run-of-the-mill appeals, written representations or accompanied site visits are dealt with by a panel of part-time, fee-based commissioners employed specifically on a case-by-case basis. Surely it would be more cost-effective in the current circumstances, with the number of minor appeals diminishing, to employ enough full-time commissioners to deal with both that work and the more complex cases.

At a recent meeting of the Committee for the Environment, I asked the permanent secretary of the Department of the Environment whether he had considered contacting the Office of the First Minister and deputy First Minister to determine whether there was an opportunity to transfer surplus Planning Service staff to deal with the delay in processing planning appeals. I had thought that, at that time, it was a reasonable suggestion, as it seemed absurd and totally unacceptable that the Planning Appeals Commission had enough staff at the correct level to hear only one inquiry at a time. Although there are considered to be excess staff in the Planning Service, the Minister of the Environment has opted to transfer them to general service grades rather than seek to use the skills of the professional and technical grades elsewhere.

Although I see the benefits of prioritising applications that are awaiting a public inquiry, I do not believe that fast-tracking any process is an appropriate and proper way to deal with issues of such magnitude. Short-term fast-tracking may work, but, as I have repeatedly said, consideration should be given to staffing structures, and more efficient procedures should be introduced to address those matters in the long term.

The Planning Appeals Commission should be commended for reducing the massive backlog in recent years. I understand that it has introduced measures such as single commission decisions in an attempt to make the appeals process more efficient. However, performance targets are being missed, and there seems to be a case for reviewing the staffing structures of the commission and the methodology for handling some minor appeals. Public funds are currently severely stretched, so if they are not being used efficiently by the Planning Appeals Commission, that needs to be rectified. There is a requirement to amend and streamline

the commission's procedures if it means that appeals can be dealt with more expeditiously.

Mr Elliott: I thank the Members who tabled the motion. To be fair, there will not be a great deal of opposition to it from these Benches. Mr Givan highlighted issues concerning the Planning Service as well as those that affect the Planning Appeals Commission.

To be fair, those are interlinked to a large degree. I think back to when the dreaded PPS 14 was introduced and the knock-on effect that it had on the Planning Appeals Commission. To me, that had the biggest impact in the past number of years and was why the PAC had to appoint more commissioners. Therefore, we cannot confuse the two areas of the Planning Service and the decisions that it makes with the PAC.

Economic progress is vital. It is hugely important to increase co-operation between the Planning Service and the PAC. I am sure that the First Minister will say during his response that the PAC must be clearly independent. However, it is important that there is recognition of each other's role and co-operation in that regard. The proposer of the motion talked about the John Lewis proposals at Sprucefield. We want to ensure that there is as little hold-up as possible on economic progress. The appeals system in other jurisdictions places a much better emphasis on such proposals. In one area, all planning applications, or most of them, are progressed within a three-month period. That allows the PAC, if required, to take up its role at an early stage.

Indeed, that area also has a third party appeal process. We cannot have a third party appeal process here because it would greatly increase the logjam in the whole system. It is unfortunate that that cannot be brought into the system, because it would give people a much more keen interest in the planning process. It tears the heart out of people to hear that their only option is a judicial review, as opposed to a third party appeal process. However, given the position at the moment, that cannot be done. Many people have invested huge amounts of money and time in planning applications, and, by the time they come through that process and get to the planning appeals system, much of the emphasis has gone from the work that they wanted to do. First and foremost, we need to keep those people in mind.

The PAC, to be fair, has made some progress over the past few years and brought in extra commissioners. Indeed, it has allowed for the single commissioner decision-making process. However, quite a lot of people in the business industry believe that that has been short-sighted and feel that the three commissioner model gave a much more balanced view on decisions. The proposer mentioned BMAP. That is not the only area without progress; we are awaiting progress on all the area plans in the community. The Fermanagh area plan, for example, which was developed in 1997, has now run its course and is out of date by three years. No one has begun to re-examine that. If that area plan is not being developed by the Planning Service, how, should it be required, will it ever reach the appeals process?

For years now, a review of the impact of PPS 4 on business in the countryside has been ongoing. That has not gone any further, and I am keen for such areas to be progressed as quickly as possible. Some may say that that does not have much to do with the Planning Appeals Commission, but it does. If good decisions are not made in those areas and under those policies, such cases will automatically go to the Planning Appeals Commission. We support the motion, but it must be interlinked with the Planning Service.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. I also congratulate Mr Elliott on his election.

I commend the Members who tabled the motion, because it brings the issues somewhat into focus. We all want to give priority to the major planning applications on which public inquiries are about to be held, and we all support the PAC as a lean, mean, efficient machine. However, everything is intertwined.

Mr Elliott referred correctly to PPS 4, which is but one of the planning policy documents.

1.45 pm

We need an efficient decision-making process for the Planning Service, the Department and by the Minister because we cannot have major applications, which have serious economic implications for the amounts of money that are available for investment by investors and for the amounts of jobs that that could realise, being held up at departmental level.

It is not only the PAC that is the sticking point. Judicial reviews, which Mr Givan referred to, have the potential to stymie any development, irrespective of the merits or demerits of that. A number of issues are to be addressed around the way, and, frankly, good luck to the one that decides on that one, because I do not know how that can be resolved to prevent people taking judicial reviews. I know that some Members, such as Peter Weir, are more eminently qualified than I and will have an input into that and give a more learned view. I do not know how that issue can be alleviated or addressed.

My original point is that, where there are major issues concerning job creation and investment, the Planning Appeals Commission needs to prioritise how it can resolve and deal with an issue. The fact that only two commissioners are allowed to deal with a major planning application that has been designated for a public inquiry concerns those of us who want to see such things moved and brought off the shelf.

Inevitably, that brings us back to BMAP, which will probably be referred to in response and to which I have heard referred a number of times in my short time in the Assembly. In fact, in my constituency, I have heard the Magherafelt Area Plan mentioned a number of times. Area plans seem to be a legacy of history that go way back in time and which seem to have been there for ever and remain to be resolved. Those are key issues, and we need to see efficiency moving. If it is being held up at the PAC, we need to know why and we need to see those issues move to resolution.

However, the key issue, which will probably be mentioned in the debate, is resources and staffing requirements. It will probably be mentioned that there are not enough staff and enough staff with sufficient experience to deal with the cases, especially where the call has been made to have major planning applications fast-tracked to a public inquiry. Although I support entirely the spirit of the motion, I am a bit reluctant to say that such applications need to be fast-tracked at the expense of, for instance, a person who is in the unfortunate position of being at an appeal on foot of a disability. That brings us back to the point about the staffing requirement.

Earlier, Mr Boylan said that, at the Committee for the Environment, it was asked whether there was any potential for the deployment of

experienced staff from the Planning Service. I can hear all the noises coming from aspects in the Civil Service to say that that cannot be done for this, that and the other reason. Experienced and qualified planners are likely to be redeployed to, for example, administrative duties for which they are not particularly qualified for or particularly anxious to go into. However, their experience should be used for the public good and in the public interest. If staff need to be redeployed and if they are required elsewhere where the experience is needed, there has to be some way of tapping into that. Under good management, that would make sense.

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

Mr McGlone: Where there is a will, there is a way in doing those things.

Mr Deputy Speaker: Your time is up.

Mr McGlone: I commend the motion, and I support it fully.

Mr Lunn: The Alliance Party also supports the motion; I do not think that there will be too much argument about it from any quarter of the House. It seems that, in the past couple of years, the planning system has been streamlined considerably, and the Minister of the Environment deserves some credit for that.

The performance of the Planning Appeals Commission over the past few years has also been quite remarkable. I have before me figures that show that 2,765 appeals were notified to the PAC in 2006-07, and 515 in 2008-09. Perhaps part of the reason for that improvement is that less business has been offered to the commission. However, the PAC has considerably reduced its backlog, and its anticipated timetable for dealing with an appeal has also decreased from six to four months. I also have figures that show that there are 679 appeals outstanding. Mr Givan quoted a slightly lower figure, which is even better, and there are 150 outstanding cases that involve enforcement, legal or environmental issues.

Therefore, on the face of it, all is going swimmingly, except at the other end of the scale where there is a logjam of the big article 31 planning appeals and public inquiry cases. Three or four years ago, there were only one or two public inquiries in the pipeline and now there are 13. That is not the fault of the PAC,

but is the result of decisions by Ministers to refer those cases to it. I wonder what discretion Ministers, particularly the Minister of the Environment, have in directing the PAC on economic grounds to prioritise particular cases, as was done recently with the famous runway at Belfast City Airport.

I spoke to someone recently who is involved in these matters, and I was told that the public inquiry evidence sessions are quite short, with seven days considered quite long, and 10 days exceptional. The delay takes place during the year and a half beforehand, when the evidence is gathered and the legal experts earn fat fees for doing their jobs, either trying to stop things or get them moving. John Lewis is the classic case: it has been going on for six or seven years and is now hopefully about to restart.

However, can we really interfere with the system? If Mr Weir is to speak, I will be looking to him for guidance, because I do not know how people's legal right to challenge decisions can be denied. The legal system must be kept separate and people have rights that must be observed. If there is a way to speed up or tidy up the eternal conflict between the judiciary and government without restricting people's rights, I wish that we could find it.

Sometimes, we find ourselves on different sides of the argument. I plead with the PAC to get the John Lewis case over with one way or the other, but, had the debate on the Glenavy incinerator taken place later today, I would have pleaded with the Minister to allow a public inquiry. That is absolutely essential, but it seems we will not have the opportunity to discuss that matter today.

I do not know how the PAC's part of the process can be speeded up, because it is reasonably efficient. However, its complement of 21 commissioners and 17 panel members seems quite a lot, and I question why it cannot run two public inquiries at the same time. That does not seem a difficult thing to do, and there are those in the system who would agree.

I will leave it at that. The Alliance Party supports the motion. If some way of refining the current process and making it more efficient can be found, my party will support that.

Mr Hamilton: Some years ago, I was extolling the virtues of capitalism and the free market in a manner that was very unlike Vince Cable, and

not much in vogue at the moment. In testing my devotion to the free market, a friend, who is now a university lecturer, told me that, if I was really a free marketeer, I would have no planning system and would simply allow people to do whatever they wanted. Indeed, when we looked at the planning system in the past, we sometimes asked whether anything could be worse than what was in place.

Like others, I acknowledge that there has been significant progress on planning in the last number of years, with both the streamlining system and the strategic projects unit at the other end. However, I also echo what has been said about the article 31 public inquiry aspect of planning. I will cite the example of Newtownards, in my own Strangford constituency, where delay after delay is denying people the opportunity to have their local economy regenerated. In the early part of the last decade, the last vestiges of the traditional textile industry in the area closed down. That left the town, like so many others in Northern Ireland, with very little manufacturing.

Some hope was offered by three major retail-based planning applications, namely Castlebawn, Tesco and the existing Ards Shopping Centre. Those were not Microsoft or Google, but the people of the area took the view that beggars could not be choosers. Applications for each were submitted in 2004-05, but it was not until 2008 that they were conjoined in an article 31 application and sent to the Planning Appeals Commission. Therefore, there had already been three years of delay as the applications were shifted around within the Planning Service. The applications were put on a list, which was not chronological but based on Planning Service advice.

I and colleagues from the area met the Planning Appeals Commission in January 2010 to make the argument for the need for additional resources and for a timescale to be set, and just to reiterate the economic importance of the projects to the area. Many Members may see Newtownards as a small town, but some of the applications, if passed, have the opportunity to create hundreds of jobs and get our area going again.

At the meeting, we were given no indication of any target dates. The chief planning officer told us that they were only able to do one public inquiry at a time and that there was

no willingness to seek additional resources from elsewhere, whether from Scotland, the Republic of Ireland or anywhere else, to get the applications into the system and get things moving. We were then told in April that, with the George Best Belfast City Airport application going in, we had moved from second to third on the list. Again, no hope was offered to the people of my constituency as to if and when the applications will be dealt with in a public inquiry.

I want to raise many issues in the limited time that is left. First and foremost, I want to make a point about there being only one public inquiry at a time. That policy seems to have been set by the Planning Appeals Commission; I do not think that it was set by anyone in the Executive. I have to ask the question: is that a good policy? I would say that it is not. What warrants the prioritisation that is handed to the Planning Appeals Commission by the Planning Service? Is it tested in respect of equality or transparency? What goes into allowing that prioritisation to take place?

The motion also mentions efficiency and resources. One public inquiry was dealt with last year, namely the Banbridge one that was reported around Halloween. It looks like there will be none completed in the year since, and, thus, there is no real hope for anywhere else that appears on the list. At my meeting with the Planning Appeals Commission, we talked about the exchange of correspondence between the Planning Service and the Planning Appeals Commission about the John Lewis application. Another public inquiry could have been started while that application was being bounced back and forward.

There is a real opportunity cost to my area: the opportunity for economic rebirth and the creation of hundreds of jobs is being denied. That economic regeneration is on pause because of the inaction of the Planning Service and the Planning Appeals Commission.

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

Mr Hamilton: The Planning Appeals Commission is seen as an arm of government. I make a plea to the First Minister to show the people of my area, and other areas, that the Government are doing what they can and coming up with new ideas to get the system moving.

Mr Deputy Speaker: Your time is up.

Mr Hamilton: Nothing less than the economy of our area is at stake.

Mr W Clarke: Go raibh maith agat, a LeasCheann Comhairle. I, too, welcome the opportunity to speak on the motion, and I add my support to it in the same tone as everyone else. It is important to understand that it is not just the Planning Appeals Commission; judicial reviews also have a major impact on our planning process.

I am not sure how we deal with that and work our way through it. We talked about third-party appeals, and other people are of the opinion that that would slow up the process further. Across the water, consideration is being given to the introduction of a Bill that would include third-party appeals. Perhaps the House should consider that, but that is for another day.

2.00 pm

The crux of the matter is that people want decisions on their planning applications. It will be impossible to please everybody, but people do not want continual delays in their planning applications being processed. As Cathal Boylan and other Members said, in the current economic situation, we need to streamline the process to attract investment. When we get out of the recession, we must be able to hit the ground running and be ready to develop major schemes.

Some Members mentioned the airport runway extension at George Best Belfast City Airport. Regardless of whether people agree with Michael O'Leary or think that he used the issue as a publicity stunt, he did say that the planning system is too slow, and a decision should be made, one way or the other. It is not acceptable to wait for two or three years, go to a public inquiry for another couple of years and then throw in a judicial review in the middle of the process. If our system is not operating to its full benefit, we must examine it.

Members also talked about Sprucefield. The wrong message is being sent out to investors and others, who cannot be bothered to go through a process such as that. Those people mix in circles of friends who influence one another, and they go to dinner parties and tell people not to do business in the North because the system is too slow, cumbersome and bureaucratic. They are effectively telling

investors to go somewhere where the planning system is quicker.

The Planning Appeals Commission's resources have been doubled in recent years, which has sped up the process somewhat. If the commission has been arguing with OFMDFM that more resources are required, they should be given to them. An important element in the planning process is the lack of community involvement, community planning and the community getting its day in the sun to come together at an early stage in the planning process. That would speed up the process. People generally get involved, but their only opportunity is near the end of the process. It is argued that neighbourhood notification is a good way to consult the public, but most people do not bother with it, and, at that stage, it is generally too late. However, under the review of public administration, we had an opportunity to bring community planning on board, where people could sit down with their local authorities to develop the infrastructure of their towns and cities and have their say in area plans.

We talked about area plans, their level of resources and the delay in taking them forward. By the time that they come forward, they are outdated because it has taken so long to gather the evidence. The Ards and Down area plan was almost out of date by the time that we received it.

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

Mr W Clarke: However, we look at best practice across the water and elsewhere and continually build on our planning process.

Mr Deputy Speaker: As this is the first occasion on which the Assembly will hear from Mr Girvan, I remind the House that it is convention that a maiden speech be made without interruption.

Mr Girvan: Thank you, Mr Deputy Speaker. In supporting the motion I want to make a number of points.

My first point is that the delays in the process have created a marked problem in the area that I represent, South Antrim. My constituency has a major town, which I call a metropolis, namely Ballyclare. The town is the subject of a major planning application that is being delayed by the Belfast metropolitan area plan (BMAP), which promised all sorts of things to all sorts

of people. As yet, it has delivered nothing to the area that I represent.

As Paul Givan said, the 1999 'Agenda for Government' document identified the way forward. Sam Foster announced that the Belfast metropolitan area plan process would be completed by 2004; six years later, we are promised that it will be delivered by summer 2010. However, it will not be brought forward until spring 2011. That has identified a major problem, not only for those who wish to develop and make progress but for the infrastructure of the town that I represent. Part of that application includes a major bypass that has wide political support and which would deliver great benefits to Ballyclare.

I congratulate the Planning Appeals Commission on what it has done to reduce dramatically the number of cases that it deals with; however, although its focus on bringing forward those cases has been a big help, many of them are not of strategic benefit. More focus should be put on the delivery of area plans. As Patsy McGlone said, the commission should consider special circumstances, such as providing facilities for people with disabilities.

The Planning Appeals Commission has a major role to play. It says that it is totally independent; however, the Planning Service's delay in making decisions on applications has done nothing but sustain the backlog in the system. With regard to development control, the Planning Service had a major influx of applications during the boom time when the economy was thriving from a development perspective. That added to the commission's work because many developers allowed two months to pass and then took applications directly to it for decisions. That has done nothing but maintain the backlog that was created during 2007 and 2008.

Mr Hamilton mentioned the fact that, at public-inquiry stage, only one appeal can be heard at a time. There is something seriously wrong with the system if only one article-31 case can be heard at a time. We need to focus on how that can be advanced. The last piece of evidence for the Belfast metropolitan area plan was received at public-inquiry stage in April 2008; two and a half years later, nothing has been delivered.

I call upon the Planning Service and the Planning Appeals Commission to focus on applications that are of major importance and which will deliver strategic benefits not only to

my area but throughout the Province, as they will help the Province's economy to move forward.

Mr Beggs: I, too, support the motion — as far as it goes. Other issues could have had important bearing on the performance of the Planning Appeals Commission. During the past number of years, there have been lengthy delays in the planning appeals process, not only in individual appeals but in area plans and public inquiries as well.

We are all too aware of how investors have been concerned about delays in the Planning Service and what that has meant for those considering investing in Northern Ireland. Undue delays in the Planning Appeals Commission are equally detrimental to Northern Ireland's reputation as a place to invest. In the past, delays in the planning appeals process have, typically, been two or three years, and delays in area plans seem to be endless. They hold us up to ridicule in the world of investment where, increasingly, clarity is needed on the timescales of decisions, even if it is not the decision that an investor may want. If there is such clarity, investors will know that if they are not going to have to commit to one form of investment, they will have to start concentrating somewhere else or submit a fresh planning application elsewhere.

Delays in decisions are also unnecessarily painful to objectors and to those living and, perhaps, working in the vicinity of the site for which an application has been submitted, because residents often feel that they are living under a shadow of uncertainty during that period, which can last many years. Therefore, they too would benefit from a faster decision-making process.

Delays in the Planning Appeals Commission can be a reflection of its efficiency; however, they also reflect the overly complex planning legislation in Northern Ireland on which it must judge individual cases and base its conclusions. The legislation is used not only by the Planning Appeals Commission, but, increasingly, by the courts, which use our planning laws and regulations in deciding whether they have been implemented appropriately. That adds further burdens and delays. We have also found that changes to some of the Department's planning policy statements have been held up because of the courts.

If we want to improve our planning appeals process, we need to improve our planning

laws generally. I pose the question: why, after three and a half years of this Assembly, has a new planning reform Bill yet to appear formally in front of the Assembly. Without new planning laws, we leave the Planning Appeals Commission to apply the old flawed ones, which, perhaps, will be open to abuse by those who seek delays through the courts.

A key issue for the Assembly must be to get the new planning Bill through the legislative process, take whatever amendments come its way and put it into law. That will greatly improve the outcomes of our planning appeals process. If it does not, there is something wrong with the legislation that we put forward.

Many Members mentioned Belfast City Airport. I went to the trouble of looking at the Planning Appeals Commission's website, and when I examined the detail on the airport, I discovered that there is legal precedence; that explains why the Planning Appeals Commission cannot start to handle the situation and accept it as a case. The Berkeley judgement in the House of Lords, no less, created that precedence. It is not correct to ridicule the Planning Appeals Commission in that instance; the fault appears to be elsewhere. On some occasions, at least, the Planning Appeals Commission appears not to be at fault.

There has been a huge backlog of appeals; there were 2,765 at one stage. That has been greatly reduced, which is to be welcomed, but there is still a lack of clarity as to whether that reduction is due to a lack of applications being submitted. When there are fewer applications, there are fewer appeals, because people have fewer decisions with which to disagree. There needs to be more efficiency, and the backlog needs to be reduced so that there is more certainty. I support the motion.

Mr Deputy Speaker: As Question Time begins at 2.30 pm, and as the First Minister has 15 minutes in which to respond to the debate, I propose, by leave of the Assembly, to suspend the sitting until 2.30 pm.

The sitting was suspended at 2.14 pm.

On resuming (Mr Deputy Speaker [Mr McClarty] in the Chair) —

2.30 pm

Oral Answers to Questions

Office of the First Minister and deputy First Minister

Executive Work Programme

1. **Mr Doherty** asked the First Minister and deputy First Minister what work the Executive are taking forward following the recent awayday at Greenmount College.
(AQO 119/11)

The First Minister (Mr P Robinson): First, I congratulate Tom Elliott on his election as leader of the Ulster Unionist Party. The deputy First Minister and I would be very happy to meet him. His election comes at a time when we have completed our review of the processes in the Executive. The deputy First Minister and I would be happy to talk to him about those issues and discuss how we might have a better relationship in the Assembly.

At a special meeting at Greenmount Agricultural College on 6 July, the Executive fully recognised the need to undertake a collective and corporate approach to the major and unprecedented fiscal challenges that we face. For that purpose, it was agreed that a Budget review group, consisting of Ministers representing all parties in the Executive, should be established to oversee the development of the Executive's response.

Extensive preparatory work was commissioned from all Departments. That was done to provide the fullest range of information and analysis on a variety of issues to inform the work of the Budget review group. That material has now been provided to individual group members for their preliminary consideration, and the group will meet formally on 30 September. On completion of its work, the Budget review group will present proposals for discussion and agreement by the full Executive.

Mr Doherty: I thank the Minister for his answer. The priorities arising from the Executive awayday at Greenmount are to grow the economy, protect

front line public services and tackle social disadvantage. Given that the Finance Minister has already acquiesced to the cuts being imposed by the British Government, will the First Minister outline how those objectives will be met?

The First Minister: We all know that the Finance Minister has done nothing of the sort. He has attempted to bring some realism to the situation. The Budget for Northern Ireland is based on a block grant, which itself is the product of a formula that cannot be negotiated out of existence. Therefore, we have to deal with the outcome of that.

The Finance Minister, the deputy First Minister and I have said that we believe that there are some special circumstances in certain areas involving Northern Ireland. We have a special case to plead, and we will do so. Indeed, the deputy First Minister and I will begin that process when we meet the Chancellor tomorrow.

Mr Hamilton: The First Minister referred to his and the deputy First Minister's meeting with the Chancellor. Will he assure the House that, among other issues, the dissident republican threat and its financial implications will be raised at that meeting?

The First Minister: We went through a lengthy process of negotiating the basis on which policing and justice powers would be transferred. We had long discussions with the then Prime Minister Gordon Brown about the financial aspects of that.

The deputy First Minister and I were seized of the importance to ensure that whatever resources were needed by the police and, indeed, the courts, to do the job that would be necessary, particularly in circumstances of heightened activity, would be provided. We successfully negotiated the ability for the police and the courts to have access to the Treasury reserve in those circumstances.

Given the recent indication of a high alert in Great Britain, the Treasury must recognise that the best way to stop action taking place in Great Britain is to stop it here in Northern Ireland.

Mr McNarry: On behalf of the UUP Benches, I acknowledge the First Minister's remarks about our new party leader. They are welcome and appreciated and will, I hope, set a good trend for the days and months ahead.

Would it be helpful if Ministers could agree criteria against which all government programmes across all Departments could be assessed, so that the Executive approach to those reductions could be handled in a collective way?

The First Minister: It is imperative that the Executive act collectively when dealing with those matters. The issues are far too important to be dealt with on a territorial, party political or departmental basis.

Very significant work has been done. I know that I am not allowed to use visual aids in the Assembly, but these are the reports that the Executive collectively asked officials for. A lot of work has gone into those reports, and we will look at them. At this stage, I cannot prescribe what the approach might be, but we intend to meet in the review group before the end of this month so that we can look for a way forward. Hopefully, we will have an agreed way forward to present to our Executive colleagues at a later stage.

I very much agree with the Member that we need agreed criteria and we need to come to a collective decision.

Mr Gallagher: Will the Executive's work programme include an urgent response on the recent EU General Court decision on derogation from the aggregates levy for Northern Ireland? Will he raise that matter at his upcoming meeting with the Chancellor?

The First Minister: That matter was raised by the Agriculture Minister at our last Executive meeting. Nothing that goes to Europe comes out of the system urgently; even if the matter goes through the speediest processes, it will probably be several years before it is determined. The decision has been taken by the Executive to enable the Minister to make the necessary legal appeal. I trust that it will be successful, because it will have implications, not just for farmers but for the Executive.

Programme for Cohesion, Sharing and Integration

2. **Mr Lyttle** asked the First Minister and deputy First Minister for an update on the consultation process for the draft programme for cohesion, sharing and integration.
(AQO 120/11)

The First Minister: The core of the programme for cohesion, sharing and integration (CSI) was agreed on 23 February 2010. Following further development of the draft programme, including detailed discussions with all Departments, the Executive agreed the draft cohesion, sharing and integration programme on 22 July this year.

The public consultation on the draft cohesion, sharing and integration programme was launched on 27 July and comprises a wide range of public and sectoral meetings. Those have been held at many different locations across Northern Ireland throughout September. The public consultation period will close on 29 October. The consultation document invites everyone to comment on the range of issues covered in the draft programme.

Copies of the consultation document can be obtained online via the Office of the First Minister and deputy First Minister (OFMDFM) website or the Northern Ireland Direct website or by contacting our officials directly. The consultation document includes details of a high-level equality impact statement, and the consultation will take the views of the public on any equality implications and the type of data information that should be considered when assessing and monitoring equality of opportunity issues that relate to the programme.

Mr Lyttle: I thank the First Minister for his answer and recognise the rich material that is coming from the public and sectoral meetings that are being held. Will there be any formal process to make feedback available on the key findings that are being forwarded from the consultation?

The First Minister: OFMDFM has a good record of taking into account the views of consultees. We will look very closely at the feedback that we get from public meetings and written comment. At the same time, we want to hear from the Committee and feed into it the comments that have been made during the consultation so that we can sit down and determine what changes, if any, should be made to the strategy.

Everyone will have additional elements that they would like to have in the strategy. However, we are coming from a situation where there was no Northern Ireland strategy, so we have to start somewhere. If we can build on what we have done, we will be very happy to do so.

Mr Kennedy: I am grateful for the earlier reply from the First Minister. Given that the initial response to the cohesion, sharing and integration document from some key groups could be described as underwhelming, will the First Minister indicate the robustness of the monitoring and evaluation criteria that have been incorporated into the strategy? How does he see those criteria operating?

The First Minister: We are delighted by the very high attendance at consultation meetings, which shows a wide interest in what we are doing. The Member's party missed its opportunity to bring forward such a strategy when it had the lead role in OFMDFM, but we have succeeded in bringing it forward.

I do not argue that the strategy is perfect or that it will be perfect after we take into account the results of the consultation process; however, it is a starting point on which to build. Although I do not think that we will ever have a perfect and final document, we will continue to work on it and improve it.

Mr Spratt: How significant is it that, for the first time in Northern Ireland, the devolved Administration has come to an agreement on the overarching strategy? What does the First Minister hope will be the short-term outcomes of adopting the strategy?

The First Minister: Our society has been through lengthy conflict and division. None of us can look at what is happening in our own areas without recognising that there are still significant elements of sectarianism, racism and other aspects in which good relations have broken down.

It is not enough simply to build up structures in here and move forward because we politicians have found a way forward; rather we must try to repair what has gone wrong, without laying blame, to ensure that we develop a society in which people can live and work together with improved relations. It is significant that, for the first time, we have a Northern Ireland-built strategy rather than a strategy imposed from London, which had previously been the case. That is a good starting point, but that is all it is. The hard work has to be done.

I pay tribute to all those who work in the community to build good relations. OFMDFM has spent a considerable amount of money in supporting them.

Mr P Maskey: Go raibh maith agat, a LeasCheann Comhairle. As part of driving forward the new approach to promoting good relations laid out in the CSI strategy, will OFMDFM commission a review of the structures in the Department and the Community Relations Council to assess whether they are effective, efficient and fit for purpose, as well as bringing forward development options for the future?

The First Minister: Yes, and not only as a result of the strategy. The Executive will have to look at all structures, including quangos and non-departmental public bodies, to see whether their tasks can be performed better, more quickly and more cheaply. That is a reality that the Executive have to face up to. There will be no sacred cows; we will consider what will yield the best result most efficiently and most effectively.

Sexual Orientation Strategy

3. **Dr Farry** asked the First Minister and deputy First Minister for an update on the development of the sexual orientation strategy.
(AQO 121/11)

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

The junior Minister (Office of the First Minister and deputy First Minister) (Mr Newton): I thank the Member for North Down for his question.

The last consultation on a sexual orientation strategy took place in 2006. At the same time, under direct rule, our Department established a short-term lesbian, gay and bisexual (LGB) fund, which helped to build capacity and partnership working across the LGB sector. In addition, considerable work has been done across government and public bodies to develop and keep under review cross-departmental action plans to tackle identified inequalities that LGB and transgender people face and to tackle issues that affect the community such as homophobic crime, and through their work to encourage and promote such work across government. Many Departments now have well-established communications with key voluntary LGB groups through which issues can be highlighted and addressed by relevant authorities in a timely and responsive manner.

The recent CSI consultation document indicates that Ministers are fully committed to publishing the sexual orientation strategy. To help

inform work on the forthcoming strategy, our Department will seek to establish and build on contacts across the full range of relevant interests. We expect the newly established lesbian, gay and bisexual (LGB) and transgender forums to provide useful conduits through which key concerns can be raised, and we will seek to work collaboratively across Government and with the wider public sector to develop the sexual orientation equality strategy.

2.45 pm

Dr Farry: I thank the junior Minister for his answer, but a four-year delay is a pretty long one in government, particularly when there are issues around hate crimes and access to health services. Will the junior Minister give a firm commitment of a timetable within which the strategy will be brought to fruition? In doing so, will he bear in mind that a commitment was given to the Committee for the Office of the First Minister and deputy First Minister back in 2009 that such a strategy would be brought forward shortly?

The junior Minister (Mr Newton): I understand the point that the Member is making. However, a realistic assessment of the time needed to give due consideration to the issues raised and to complete consultation indicates that the timescale for publication would be no earlier than 2012. That does not mean that Departments are doing nothing to address the issues. The work is integral to the audits of the key inequalities, and the Departments' mitigating plans are recommended by the Equality Commission as key tools for Departments in implementing their section 75 obligations and tackling identified inequalities. The Office of the First Minister and deputy First Minister will convene a stakeholder group to work alongside departmental equality co-ordinators to help develop relevant sexual orientation action plans.

Mr Humphrey: Will the junior Minister outline the current funding provision for the sector?

The junior Minister (Mr Newton): Under direct rule, a package of £230,000 was awarded to support capacity building for the LGB sector, and that funding was exhausted in 2009. No funding has yet been identified as follow-up funding, but resources will be identified for work on developing the strategy that will examine the need for funding. The strategy will focus on

needs and key inequalities and on actions to address those needs.

Ms M Anderson: Go raibh míle maith agat. Given OFMDFM's commitment to promote equality and good relations, will the junior Minister tell me whether he or the First Minister would be willing to attend a gay pride event if asked to do so, or do they share the position of the UUP leader?

The junior Minister (Mr Newton): I did not get the last part of the question.

Ms M Anderson: Do you share the views of the UUP leader?

The junior Minister (Mr Newton): I do not know exactly what the position of the UUP leader is. However, as a DUP representative, I have some sympathy with the new UUP leader because, during the run-up to the leadership contest and immediately after it took place and he was appointed, some members of his party appeared not to have any sympathy. There was no honeymoon period for the new leader.

In answer to the Member's challenge to me, I have met a number of people who represent that event and who come from that type of background. I met them during the consultation process where we discussed the CSI strategy, and they have been prominent in making their case heard at those events. I have met them as groups and as individuals, and whatever an individual's view is on the issue, the group is recognised by government and must to be dealt with by government.

Mrs D Kelly: Will the Minister point to the section in the cohesion, sharing and integration strategy that deals specifically with equality and good relations building across the LGBT sector?

The junior Minister (Mr Newton): I thank the Member for her question. I have talked about meeting a number of groups. Issues are being raised about the CSI strategy by the LGB sector. That strategy is designed to tackle racism and sectarianism. A specific meeting with the LGB sector will be set aside as part of the consultation on the cohesion, sharing and integration document, but the strategy is designed specifically to tackle sectarianism and racism.

Commissioner for Older People

4. **Mr Bresland** asked the First Minister and deputy First Minister for an update on their plans for a Commissioner for Older People. (AQO 122/11)

The First Minister: When dealing with issues about older people, I feel that I should declare an interest before I speak. We continually seek to improve the lives of all older people, as detailed in public service agreement 7 of our Programme for Government. We have committed ourselves to promoting social inclusion and, specifically, to delivering a strong independent voice for older people. To that end, our officials are taking forward the legislation that is necessary to establish a Commissioner for Older People.

Policy proposals and the draft Bill have been consulted on widely. Responses were gathered, and OFMDFM published its response in May. The legislation was introduced to the Assembly on 24 May, and it was debated and supported by the Assembly on 7 June. The Bill was subsequently considered by the Committee for the Office of the First Minister and deputy First Minister, which completed its clause-by-clause scrutiny on 15 September. OFMDFM awaits a copy of the Committee's report.

It is our intention to establish a Commissioner for Older People within the lifetime of this Assembly, and we are on track to do that. Our plan is that the Assembly's consideration of the legislation will be completed in the new year and a commissioner appointed as soon as possible thereafter. In the meantime, and to ensure momentum in this important area prior to the passage of the legislation and the appointment of a commissioner, Ministers asked OFMDFM officials to appoint an interim advocate for older people. Dame Joan Harbison took up that position on 1 December 2008. As Older People's Advocate, Dame Joan is helping to identify problems that are faced by all older people. She provides us with independent advice on a range of issues that impact all older people here, including advice on how those may be addressed.

In addition to the work that is being taken forward by OFMDFM, the Executive have also brought forward a number of other measures that are aimed at benefiting vulnerable groups, including older people. Those measures include

actions on fuel poverty, benefit uptake and free fares on public transport.

Mr Bresland: I thank the Minister for his answer. Will he detail to the House the work of the Older People's Advocate?

The First Minister: The advocate has worked closely with us on a number of issues. She provides us with advice after she speaks to the sector. Indeed, I enjoyed her company at a recent meeting where we launched the Kestrel (knowledge, experience, skills, training, respect, empowerment and lifelong learning) programme. She is very active in speaking and acting on behalf of older people. We are starting to work on a strategy for older people. Again, the voice of the advocate, and, eventually, the commissioner, will be helpful in being able to put together that strategy.

Mrs M Bradley: Is the money there for this to be implemented? Will it be protected in the Budget?

The First Minister: As I indicated in answer to an earlier question, the Executive will have to look at how much more efficient they can be. It could well be that it is appropriate for several of our commissioners to have some common backroom staff working for them. We will look at how savings can be made, but we are determined to proceed with the appointment of the commissioner and provide her or him with the necessary resources to do the job.

Maze/Long Kesh: EU Funding

5. **Mr McElduff** asked the First Minister and deputy First Minister to outline the process for drawing down EU funding for the Maze/Long Kesh project. (AQO 123/11)

The First Minister: The Department of Finance and Personnel is responsible for the process of drawing down EU funding, in tandem with the Special EU Programmes Body (SEUPB). Officials are working on an application to secure EU funding that they plan to submit to the SEUPB in early 2011 to fund the construction of a peace building and conflict resolution centre at the Maze/Long Kesh site. It is anticipated that we will obtain the SEUPB's decision on the application by the summer of 2011. If successful, the centre should be built and operational by 2015.

Mr McElduff: Go raibh maith agat, a LeasCheann Comhairle. Given the commitment to maximise the site's economic, historical and reconciliation potential, what steps are being taken to ensure that all aspects of the site's history are recognised and reflected in its development?

The First Minister: We have already brought legislation to the House to set up a corporation that will take forward the overall development of the site. We have also made an interim appointment so that that work can be taken forward until full appointments can be made. That step takes into account the need for the public appointments process. I am absolutely determined, as, I have no doubt, is the deputy First Minister, that we will have an inclusive approach that will look at all aspects of the former use of that site. I know that the Member will be pleased to hear that we intend to include those elements of the British Army that used that site. He will also be pleased to hear that there is already a flight experience facility on the site. Of course, he will want to ensure that the prison officers' story is also told and that the victims of terrorism will be heard.

Mr Gardiner: Will the First Minister report the progress that is being made with the proposal to move the Royal Ulster Agricultural Society's Balmoral Show to the Maze in 2012, if matters are in order for that big event?

The First Minister: We of course hope that matters will be in order for that. I do not intend to give a running commentary on the matter, because, clearly, commercial issues are involved. However, the RUAS has indicated its interest, and we are very interested in having it on site, as I think it would be a very good anchor tenant. We will do everything we can to encourage the society to move there. The Balmoral Show has a particular importance in what is our very agricultural society in Northern Ireland. I think that having the show at the heart of the Maze/Long Kesh development would signify to the wider commercial world the importance that we attach to it, and it would make the facility regional, rather than have it seen as something that is on the outskirts of Lisburn.

Mr Craig: I thank the First Minister for referring to the balanced approach that he is going to take to the storytelling aspect of what is planned for the Maze. However, will that include

the stories of not only the security forces who helped to keep the place under control but those of people who, unfortunately, had to live beside that facility and those of us who lived not too far away and whose lives were regularly affected by what went on inside and outside the prison?

The First Minister: We are talking about a conflict resolution facility, and, if we are talking about conflict resolution, we must recognise all the elements and layers of that conflict. If we are to help people from other areas to resolve the problems that they face and if we are to let them see our experiences, the facility must incorporate all such elements and layers. I am pretty sure that, as a member of Lisburn council — Lisburn City Council — the Member will want to ensure that, through the council's representative on the corporation, we keep to that mandate.

Regional Development

Northern Ireland Water

1. **Mr Armstrong** asked the Minister for Regional Development what discussions he has had with his ministerial colleagues regarding his proposal to change the status of Northern Ireland Water.

(AQO 134/11)

3. **Mr S Anderson** asked the Minister for Regional Development to outline the role of the independent Utility Regulator if Northern Ireland Water were to be brought into public ownership.

(AQO 136/11)

10. **Mr Ross** asked the Minister for Regional Development to outline his plans to bring Northern Ireland Water back into public ownership.

(AQO 143/11)

The Minister for Regional Development

(Mr Murphy): With your permission, a LeasCheann Comhairle, I will reply to questions 1, 3 and 10 together.

In my statement on procurement issues in NI Water to the Assembly on 13 September, I set out the actions that I have taken in response to the procedural failings and deficiencies that were identified by the independent review team and associated with deep-dive audits. I

explained that that was not an isolated incident and that we needed to improve governance arrangements surrounding NI Water in the short and longer-term. I also said that we need to take account of the report and recommendations that are expected to come from the Public Accounts Committee.

3.00 pm

As well as setting out my longer-term views, I said that I would bring proposals to the Executive, where such discussions rightly should take place. The Executive have already had a number of discussions on the future of water and sewerage services, and the Hilliard review, which I commissioned shortly after coming into office, provided the basis for one of our early discussions. Since then, there have been discussions around my proposals to defer the introduction of additional household payments.

I should point out that NIW is already under public ownership; it is a government-owned company. The problem with the current arrangement is that two models are operating at the same time: a regulated utility model based on the anticipated introduction of customer payments, and a public sector NDPB model funded by government. As I said in my statement, I do not believe the hybrid arrangement to be in the long-term public interest. In my view, future governance arrangements should be based on water and sewerage services being delivered by a body that is clearly in the public sector, subject to public service controls and standards and not established to introduce separate household payments or to be privatised. I will test whether there is Executive support for such a proposition, but if household payments continue to be deferred, it is difficult to see how NIW's funding could be based solely on the Utility Regulator's price-control process, given that almost three quarters of its funding comes from the Executive through subsidy. Ultimately, the future role of the Utility Regulator will depend on governance arrangements that the Executive agree, and I am willing to consider a range of options when putting forward proposals.

Mr Armstrong: I thank the Minister for his comprehensive answer. In the light of the forthcoming comprehensive spending review, does the Minister accept the need for the Executive to act as a corporate body, and when

does the Minister intend to produce detailed proposals?

The Minister for Regional Development: The forthcoming spending review will challenge all Departments. However, one thing is certain: investment in NIW needs to continue in order to bring our water and sewerage services up to standard, because of the lack of investment and, indeed, neglect over the past two decades. The work that NIW has done in recent years to bring the water and sewerage system up to scratch has been very impressive. However, as I said, there are issues with governance arrangements; namely, we have a hybrid situation that was not planned, and the Executive need to decide in which direction NIW is going. I will bring proposals to the Executive shortly.

Mr S Anderson: I thank the Minister for his response. How does he intend to ensure that the long-term savings identified in 'Water and Sewerage Service Price Control 2010-2013' (PC10) will be achieved?

The Minister for Regional Development: The PC10 process was very lengthy, involving a substantial degree of dialogue among the Utility Regulator, NIW and, indeed, the Department. Discussions on the final determination of PC10 continue. Obviously, the proposals contained in that are challenging for NIW, but I do not doubt that NIW can meet such challenges, because, in the past, it has proven that it can meet its own stringent spending challenges. Therefore, I do not doubt that it can do so again in the future.

Mr Ross: Will the Minister give details of the minimum and maximum estimated cost of bringing Northern Ireland Water back into public ownership, and where will he try to find the money to do that?

The Minister for Regional Development: There are risks associated with leaving NIW's status unchanged. NIW was set up under direct rule, and the intentions behind its establishment have not been followed through on. On the one hand, it is a regulated company; on the other hand, for public expenditure purposes, it is treated as an NDPB. The situation that has come about because of the Executive's year-on-year deferral of household charges cannot continue. The situation must change, because there are risks associated with leaving NIW as it is. The Executive must examine the risks — they are risks, not certainties — that

a proposed change would bring about, weigh them up and determine what the best way forward might be. Ultimately, the cost of any proposition will depend on the direction in which the Executive wish to go. In my view, the body cannot be left unchanged indefinitely, because it is neither fish nor fowl, and, in recent times, it has become clear that NIW does not serve the public interest.

Mr Dallat: I am sure that the Minister must be demented with all the goings-on in NIW.

Will he give us some indication of what the extra costs might be if he were to reintegrate NIW with his Department?

The Minister for Regional Development: I assure the Member that I am not demented at all. Much as he might like me to be demented, I am certainly not. I always consider such issues to be challenges rather than things that cause people to be demented. As is the case for any Department, we have to deal in a rational way with challenges that come along, and I think that that is what I have been doing.

I refer back to my previous answer: the cost very much depends on what the Executive want to do. There are risks with sitting where we are currently in respect of VAT and the assets of NIW. The situation whereby NIW is treated as a Go-co on the one hand and as an NDPB on the other is not acceptable going forward. The Executive need to decide the direction for NIW. Are we going to continue with the plans that were hatched under direct rule, which, from my recollection, all parties in this House stood against? Or are we going to take NIW in a direction that gives some certainty to it? There will be risks associated with that. I will present all those options clearly to the Executive, and they can take their decision based on that information.

Mr Leonard: Go raibh maith agat, a LeasCheann Comhairle. I appreciate that the Minister has alluded to some aspects of this, but I would be grateful if he would outline to Members the exact current status of NIW and, therefore, the rationale for this correctly required change.

The Minister for Regional Development: NIW is a government-owned company that was established under the Water and Sewerage Services Order 2006. However, since 2008, the Treasury has required that NIW be treated as an NDPB for public expenditure purposes. That

impacts on how NIW's finances are recorded for government public expenditure purposes. The legal and governance framework for the Go-co remains in place, and DRD continues to treat NIW in accordance with that, excepting changes required by the technical reclassification. Current governance arrangements for NIW are inconsistent with its status as an NDPB for public expenditure purposes. The problem with the current arrangements is that two models are operating at the same time: a regulated utility model that is funded by customer payments and a public sector NDPB model that is funded by government.

Public Transport: Carbon Emissions

2. **Mr P Ramsey** asked the Minister for Regional Development to outline the changes in the level of carbon produced as a result of public transport since 2000; and how the carbon footprint produced by public transport currently compares to other sectors of the economy. (AQO 135/11)

The Minister for Regional Development: Data on greenhouse gas emissions in the North of Ireland are collected and published annually through the greenhouse gas inventory. The inventory estimates emissions of the six direct greenhouse gases, including CO₂, and those are set out under nine main sectors, of which transport is one. The most recent estimates available are for the period up to 2008. From 2000 to 2008, CO₂ emissions from public transport increased by 24%. However, it should be noted that CO₂ emissions for public transport continue to constitute less than 2% of the total CO₂ emissions from transport. The total greenhouse gas emissions from public transport remains less than 0.5% of the total greenhouse gas emissions across all sectors in the North of Ireland.

Mr P Ramsey: I thank the Minister for his response. Why has the regional transportation strategy failed, given that his own departmental target of ensuring that sustainable transport accounts for 20% of all transport has not been met?

The Minister for Regional Development: As I highlighted many times over the past couple of years, there is no doubt that the CO₂ emissions from transport generally are rising, whereas other sectors are falling. That is a challenge for us. I do not accept that the transportation

policy has failed. Indeed, we had an opportunity a number of weeks back to debate the reform of public transport when the Second Stage of the Bill was debated in the House. That was a very good opportunity for Members to give their views on the principles of the Bill and on the way forward for public transport. However, I note that no one from the Member's party attended, spoke in or voted in the debate. Therefore, I am pleased that the SDLP now has an interest in these matters, because the issues of the future of public transport and transport generally, including the over-reliance on the use of the private car, and emissions are all issues of concern, some of which will be addressed as we go forward through various initiatives, including the reform of public transport.

Mr Campbell: Does the Minister agree that we could reduce the over-reliance on the private car and increase public transportation if each of the three airports in Northern Ireland — Belfast International, Belfast City and Londonderry — had a direct rail link to the terminal?

The Minister for Regional Development: I certainly think that it would enhance the airports. I have no dispute with that. Of course, as the Member will probably know from his time in the Department that I now head up, it is very costly to bring rail halts to airports. Investment in railways generally is a very costly form of public transport.

We need to be sure that, given the competing demands for a range of transport initiatives, including initiatives for some of the very busy lines and for investing, as the Member will be aware, in the Derry line and making sure that we improve that service, we judge the competing projects and challenges in the face of reduced public finances to ensure that we get best value for money. Although I do not doubt that rail links to the airports would enhance them, such links are costly and have to be measured against the destinations from which the vast majority of customers travel to the airports concerned and against other competing public transport demands.

Mr McKay: Go raibh maith agat, a LeasCheann Comhairle. Can the Minister outline the work that his Department is doing in general to promote public transport and reduce carbon emissions in line with the targets set in the Executive's Programme for Government?

The Minister for Regional Development: As I have said, it is very clear that current levels of carbon emissions and dependency on the private car are not sustainable going forward. Part of the solution is about providing real alternatives, and that is why I am committed to delivering a significant programme of investment to ensure that we have a quality public transport network and supporting infrastructure in place that will encourage motorists to abandon their cars and take the bus or train in significant enough numbers to reduce commuting times. That will, in turn, benefit business, the economy and the environment.

However, if we are to encourage cleaner vehicles in a modal shift to public transport, we will need to reconsider how we prioritise not only public funding but space on our roads. There will be no easy choices, and any lasting solution is likely to have implications for those who choose the car when real and more sustainable alternatives exist.

Mr Kinahan: I want to be a bit more specific. What steps is the Minister taking to increase the number of urban bus corridors or motorway or A road park-and-ride facilities in order to boost the benefits of using public transport?

The Minister for Regional Development: The number of quality bus corridors is increasing, particularly in the urban area around Belfast, and will continue to increase. A quality bus corridor will be developed as part of the park-and-ride facility at Cairnshill. The Member will know that the motorway hard shoulder between the Sprucefield junction and Belfast is used as a quality bus corridor, and, indeed, there have been proposals to look at other hard shoulders beyond the A1 to take buses further out of Belfast. There is a constant process of examining such proposals, but there is a conflict, in that they will reduce lane availability for private cars, which, in turn, will increase congestion in the short term. I am sure that Members will hear about it if that is the case. However, as I said in my previous answer, if we are to ultimately tackle the over-reliance on the private car, we must not only invest in public transport and infrastructure, including bus corridors, but we have to reduce the space available for the private car. That, in the short term, means pain for car users. Ultimately, however, it is not sustainable to allow the use of the private car to grow year-on-year until such a time as we are completely congested.

Mr Deputy Speaker: Question 3 has already been dealt with.

Northern Ireland Water: Costs

4. **Mr McNarry** asked the Minister for Regional Development for a breakdown of the estimated cost of his proposal to bring Northern Ireland Water under the direct control of his Department.
(AQO 137/11)

11. **Mr Gallagher** asked the Minister for Regional Development what advice he received from departmental officials on bringing Northern Ireland Water back into public ownership; and to outline the costs involved.
(AQO 144/11)

The Minister for Regional Development: With your permission, Mr Deputy Speaker, I will answer questions 4 and 11 together.

During my statement to the Assembly on 13 September 2010, I acknowledged that there are important financial implications for the Executive in changing the status of NIW. Equally, there will be potentially significant financial implications if we leave things the way they are. I said that it was my intention to develop proposals over the coming period and bring them to the Executive. I received advice from officials on a range of matters relating to governance in the water sector, and, as I have already said, I will bring proposals to the Executive about developing policy in this area in due course.

Mr McNarry: I thank the Minister for his answer, and I fully understand it, but my question was about cost, “breakdown” being the operative word. Where does he intend to find that money? Will it come from his departmental budget or will he seek funding centrally from the Executive?

The Minister for Regional Development: The Member is making assumptions about a range of matters that have not yet been dealt with. It depends on which direction the Executive want to go. As I say —

Mr McNarry: What direction do you want to go?

The Minister for Regional Development: I will bring proposals for the Executive to decide on, because the financing of NIW is a cross-cutting issue. The current status, as I explained in previous answers, is that we are operating under two different regimes.

The Go-co, as envisaged by direct rule Ministers, was set up with the intention of separately charging people for water and probably with the intention of privatisation down the line. All the parties in the House, without expectation, were opposed to that. If the Executive do not follow through on that — I have not heard any party advocate that we should follow through on it — they have a responsibility to stabilise the situation at NIW. It is not sustainable to try to operate two systems at the same time, one of which is a regulated company and the other a non-departmental public body for public expenditure purposes. The Executive and I have an obligation to create a more stable governance basis for NIW, and there are risks in doing nothing. There may be a risk in introducing a new type of governance arrangement. However, the Executive need to be clear about those risks. The Executive will take decisions on the basis of having to resource them.

3.15 pm

Mr Gallagher: Does the Minister accept that, whether under Northern Ireland Water or the Water Service, many jobs were shed, and many people were left out of work as a result of those changes? In taking the decision to bring water back in-house, can he guarantee the security of the jobs of the remaining workforce in Northern Ireland Water?

The Minister for Regional Development: I have not suggested bringing NIW back in-house; there is some confusion here. NIW is a publicly owned asset. Some people argue that it has been denationalised, but it is still publicly owned, and the vast majority of its funding is provided by the Executive here through the public. Its assets are owned by the public. Therefore, as with a range of Departments in recent times, there have been job losses, redundancies, a lack of follow-through on recruitment or no replacement of jobs that have disappeared. Every Department, agency and associated body will be challenged by that in the future, including all Departments over which the Assembly has control. Therefore, I cannot give any guarantees on anything, no more than any other Executive Minister can give guarantees on every person who works in the public sector. The Executive should do all in their power to try to protect jobs in the public sector. However, to be honest, it is beyond any Executive Minister to guarantee every single job under his or her remit at this point.

Miss McIlveen: Given the Minister's appointment of like-minded individuals as interim non-executive members to the board of NIW, will he give us an assurance today that he will seek to encourage members from the private and business sector to apply when nominations are sought for permanent positions?

The Minister for Regional Development: It is quite foolish of the Member to try to make some inference through the way in which she phrased her question. She may want to look at some appointments that have been made by Ministers from her own party. Anyone who was appointed to NIW was appointed on the basis of merit. The appointment process proper will begin quite soon, and anyone will be free to apply. That includes people from every sector, and people will be appointed on the basis of merit.

Dr Farry: Will the Minister give the House an assurance that, whatever model of governance is considered in the future, value for money and cost to the public purse will be a key determinant, particularly in the current financial circumstances?

The Minister for Regional Development: If we demonstrated anything over the past few months, it is the need to protect public funding and get value for money. The core of the recent NIW troubles was about value for money and the ability to guarantee and ensure that contracts provide value for money. We cannot guarantee value for money when contracts are awarded on a single tender basis. If anything has been demonstrated over the past while, it is an adherence to trying to protect the public interest and get value for money from NIW or any other agency or Department that spends public funds. Given the likely reduction in public spending, that will become more of an issue as we go forward.

A5 Western Transport Corridor

5. **Mr McHugh** asked the Minister for Regional Development whether he can confirm that progress on the A5 western transport corridor preferred route is on target and that funding has been secured.
(AQO 138/11)

The Minister for Regional Development: The A5 western transport corridor project is on target to achieve the third key milestone, which is the publication of the environmental statement in draft statutory Orders in late 2010.

Both Governments remain committed to the project, and it is expected that funding will be made available through the normal budgetary processes.

Mr McHugh: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answer. Earlier this summer, one of the North's leading dailies, 'The Irish News' commented that Ireland was getting smaller. Given that we have no natural frontier crossings, strategic points, such as ports, to markets outside are vital for our future economy. Our neighbours and most important trading partners in England now provide us with a link to Europe via the Channel Tunnel, and it is worth remembering that —

Mr Deputy Speaker: Ask a question, Mr McHugh.

Mr McHugh: I will come to the question. It is worth remembering that, 70 years ago, the British forces —

Mr Deputy Speaker: I require a question, Mr McHugh.

Mr McHugh: The D-Day landings did not have the option of the Channel Tunnel. On the upgrade of our roads, including the A5, does the Minister agree that it is vital for the future of those links that we upgrade to the level of the South of Ireland and of England?

The Minister for Regional Development: The Member obviously operates on the basis of some others that if you mention a media outlet you are more likely to get coverage from it in the evening or the next morning. Perhaps he has learnt that lesson from other Members.

The commitment from the Dublin Government to the A5 has remained firm. It has been reiterated on many occasions, most lately by the Taoiseach. I recognise the importance of those key pieces of infrastructure. Over the weekend, I had the opportunity to travel between Dublin and Limerick and from Cork to Dublin and, undoubtedly, the improvement in the strategic road network has made the island much smaller and made all parts of it more accessible. The A5 route will play a vital role in making the north-west more accessible to the rest of the island.

Mr Elliott: Since the announcement that the Republic of Ireland Government have slashed their roads budget for internal roadworks, what discussions has the Minister had with the Republic of Ireland authorities to assess

whether the finance for the A5 will still be available from the Republic of Ireland?

The Minister for Regional Development: I am sorry to dash the Member's hopes yet again, but, in every assessment that we have had from them, the commitment to the road project has remained clear and absolute. That includes a recent commitment from the Taoiseach, and the Member will be pleased to hear that, last Friday, I also had the opportunity to talk to the Minister for Transport at a conference in Limerick. I am sure that, as is the case with the Member's colleagues in Tyrone and all parts of the west, he will be happy to see some investment in the roads infrastructure.

Mr Buchanan: What consideration has been given to the huge financial loss that many farmers on the route will experience to the extent that their businesses will no longer be viable due to the severity of the acreage of land that they stand to lose and to the effect that that will have on the rural economy? Why has his Department not carried out an economic appraisal into the upgrading of the existing A5 so that that can be compared against the new western transport corridor proposals on value for money?

The Minister for Regional Development: The Member is fairly unique among elected representatives in the House in that he wants to sell short an infrastructure project in his own constituency. Many assessments have been made about the upgrading of the existing A5, and the clear findings are that the road as proposed and as is being developed is in the best interests not only of the Member's constituency but the entire north-west region. I am very aware of the loss of land and the difficulties that that proves for farmers, and I have dealt with that issue in many roads projects. That is why there is ongoing dialogue and discussion on access issues, on ensuring that farms remain as viable as possible and on compensation for any land lost.

Mrs McGill: Go raibh maith agat, a LeasCheann Comhairle. Will the Minister describe what the divide in costs for the A5 will be between the Irish Government and the Executive here?

The Minister for Regional Development: The Government in Dublin have committed £400 million towards the A5 and the A8 dualling projects. However, the money is being paid against milestones associated with the A5

project, and, to date, approximately £8.5 million has been paid to the Consolidated Fund by the Irish Government.

Belfast Rapid Transit System

6. **Mr Adams** asked the Minister for Regional Development to outline progress in relation to the Belfast rapid transit project and other related projects, including the Belfast city centre management project.
(AQO 139/11)

8. **Mr Lunn** asked the Minister for Regional Development for an update on the Belfast rapid transit system.
(AQO 141/11)

The Minister for Regional Development: I will answer questions 6 and 8 together, a LeasCheann Comhairle, as both request an update on the Belfast rapid transit project. My Department is in the process of securing external support to complete the outline business case, which will identify the preferred options for the network routes, procurement strategy, commercial business model and fare system for the Belfast rapid transit system. The surveyed data collection work is now complete, and preliminary designs for all route alignment options are being prepared. Identifying the preferred options will allow the Department to undertake the necessary public consultation, impact assessments and appraisals on the scheme. The public awareness exercise, which is anticipated to take place in 2011 as part of the outline business case process, will give everyone an opportunity to comment on all the options.

The necessary legislative powers to allow my Department to implement the Belfast rapid transit system are included in the new Transport Bill, which was introduced in the Assembly on 21 June and is now in Committee.

My Department is liaising with other relevant bodies to develop traffic management proposals through the Belfast city centre traffic management project. The proposals are in accordance with the strategy set out in the Belfast metropolitan transport plan, and I will be making an announcement on the proposals on Thursday 30 September at Belfast City Hall.

Mr Deputy Speaker: Will the Minister please confirm that he is answering questions 6 and 8 together?

The Minister for Regional Development: I am.

Mr Adams: Go raibh maith agat, agus, arís, tá mé iontach buíoch den Aire. A rapid transit system for the west Belfast and greater Shankill area was first proposed in the joint West Belfast Task Force and Greater Shankill Task Force report, and is a commitment in the Programme for Government. Will the Minister outline how he sees the system promoting socio-economic benefits for west Belfast and the Shankill? What impact will it have on projects in west Belfast?

The Minister for Regional Development: The Member is correct about the positive impact that the proposal can have in the west Belfast and greater Shankill area. He also rightly referred to the joint West Belfast Task Force and Greater Shankill Task Force report, which recommended the delivery of a rapid transit system in the area. The Executive had made no commitment to extend a route into west Belfast until I proposed its inclusion when I took office as the Minister for Regional Development. I took that decision because the task force rightly identified the inevitable socio-economic benefits that would derive from providing a public transport mode that maximises mobility and access for communities travelling across the city to access jobs, education and training opportunities.

As Members will be aware, tourism in Belfast has grown considerably over the past number of years, and more than nine million visitors come to the city annually. Many of those visitors travel to the west Belfast and greater Shankill area to enjoy political tours and cultural tourism opportunities and to avail themselves of services such as GAA games at the Antrim county ground at Casement Park in Andersonstown. Therefore, rapid transport has the potential to further maximise socio-economic benefits for the resident communities to access services across the city and as a means of transporting visitors into the community, which helps to contribute to the local economy.

I am committed to delivering on that Programme for Government and ISNI commitment and to implementing the parts of the task forces' report that concern my Department's statutory remit. All Departments and agencies should fulfil their commitments so that all boats are lifted across the city equally.

Mr Lunn: Given the considerable objections to the use of the Comber Greenway for the project,

will the Minister update the House on the status of any alternative options under consideration for the EWAY part of the system?

The Minister for Regional Development:

Both the Comber Greenway and the Upper Newtownards Road were examined as possible routes, and the assessment of both continues. I appreciate and have been made aware of the objections to using the Comber Greenway route and have had the opportunity to visit and walk that route. The use of the Upper Newtownards Road will have a considerable impact on the volume of traffic that can use that road for parking and for accessing shops. There is no easy option, but an assessment of both potential routes is being carried out, and I hope to make an announcement on the chosen route when we get to the consultation phase.

Private Members' Business

Planning Appeals Commission

Debate resumed on motion:

That this Assembly calls on the Planning Appeals Commission to carry out its work more efficiently and to give priority to major planning applications on which public inquiries are to be held. — [Mr Givan.]

The First Minister (Mr P Robinson): I am grateful for the opportunity to respond to the debate that we commenced before Question Time. I appreciate the contribution of Members, particularly those who tabled the motion.

At the outset, it is important to establish that the Planning Appeals Commission is a tribunal non-departmental public body (NDPB), which, to preserve its independence, is sponsored by the Office of the First Minister and deputy First Minister (OFMDFM) but operates at arm's length from government. It exercises its functions independently and free from influence from the Department or any other body.

OFMDFM has responsibility, in the relevant legislation, for providing financial and administrative support to the commission; appointing its commissioners; making rules of procedure; and setting fees. The commission, therefore, is completely independent in its decision-making. The chief commissioner, not the Department, is responsible for its financial, operational and administrative management.

3.30 pm

The work of the commission falls into two broad categories: appeals against decisions made by the Planning Service; and referred work, which includes considering objections to draft development plans and holding public inquiries into major planning proposals that are controversial or of significant public interest, such as the proposed construction of a major shopping centre, power station or airport.

It is a matter of public record that, primarily as a result of a sharp and unprecedented rise in the number of appeals submitted between 2004 and 2008, a substantial backlog of planning appeals had accumulated. In recognition of the challenge and pressures facing the commission, the deputy First Minister and I made a commitment, through PSA 21, to deliver increased resources to enable it to address the backlog of appeals. We have delivered on that

commitment. We allocated significant additional budgetary resources to the commission over 2008-2011 to deliver potential increased spending power of around £2 million over the three years.

Since April 2008, that additional funding has delivered an extra 14 fee-paid panel commissioners, along with increased capacity at senior levels within the permanent complement of commissioners to deploy against the backlog. Through that injection of resources, the commission has been successful in making significant inroads into the planning appeals backlog, which has been reduced from more than 3,200 cases in 2007 to 495 at 31 August 2010. That is a substantial achievement, which I am sure will be welcomed by the entire House. However, let me be clear that no one is being complacent about that achievement. The commission needs to do more, not only to reduce the backlog but to speed up the process of organising and conducting hearings and decision-making. Due to the sharp increase in the intake of appeals between 2004 and 2008, the commission has failed to meet its timeliness targets for determining appeals.

As the backlog reduces, the chief commissioner's aim is to clear outstanding cases within the 2008-2011 Budget period. It is important to recognise, however, that the commission's referred workload has also increased significantly over the past two years. A large number of article 31 major planning proposals have been referred to it by the Department of the Environment for public inquiry. Many of those are high profile, complex in nature and attract a considerable volume of submissions. Statistics show that, in the period 2004 to 2008, the commission received a total of three article 31 cases, whereas eight such cases were referred in 2008-09, one year alone, four in 2009-2010 and two so far in 2010-11.

In addition, the commission is engaged in the resource-intensive process of considering objections to the Belfast metropolitan, Magherafelt, Banbridge and Newry and Mourne area plans. Those are significant pieces of work in their own right, with 10 commissioners deployed to consider in excess of 10,000 objections. Such complex and important areas of work require very careful handling. The commission has a procedure in place for prioritising its casework, a copy of which is available on its website.

The motion calls on the commission to give priority to major planning applications on which public inquiries are to be held. The procedure for prioritising casework indicates that the commission does, indeed, consider article 31 cases that are referred to it by the Planning Service as a priority.

The chief commissioner, when prioritising her workload, is also guided by the Minister of the Environment's assessment of priorities for public inquiries, but she must balance her appellate and referred workloads and deploy her resources to address both. The chief commissioner is continuing to consider her options to address her article 31 workload more quickly, and the deputy First Minister and I will continue to do everything that we can to encourage her and assist where we can within our resources.

We are mindful of the important contribution that the Planning Appeals Commission makes to the planning system. The planning system, of which planning appeals and planning inquiries are important parts, is a key mechanism for delivering sustainable development and for enabling the delivery of jobs, homes, better transport and lively communities.

As Ministers, we are keen to ensure that the commission, as part of the planning system, fully contributes to the Programme for Government objectives, particularly in growing the economy. In the current economic climate, growing the economy, particularly the private sector, is imperative. An efficient and effective planning system is vital to economic recovery in Northern Ireland.

I am sure that the entire House will agree with me that there is an urgent need to get planning applications turned around more quickly. The length of time that it takes to process high-profile planning applications, such as the John Lewis store at Sprucefield, sends out a negative message that risks stifling much-needed investment opportunities. I am not proposing that planning applications should not be thoroughly assessed, or that legitimate concerns and objections should not be considered, but there is a clear need for the process to be speedier. Let us also be clear that this is not simply about speedier processing by the commission; sometimes it is about the procedures that it is required to go through. Given its independent appellate role in planning

and environmental matters, the commission is accountable through the courts for its decisions.

I will now turn to some of the specific issues that were raised by Members. I need to be very careful about the Paul Girvans and Paul Givans in the debate. We heard Paul Girvan's maiden speech, and I congratulate him on it. In his maiden speech, he showed his knowledge of planning matters gained through many years — I will not say how many — as an elected representative in Newtownabbey. It was a harbinger of the promise of his career as an elected representative in the Assembly, and I wish him well in the future.

In opening the motion, Paul Givan spoke about the Programme for Government and the priority that needed to be given to it; he also spoke of the independence of the Planning Appeals Commission. I agree with him that a high priority should be given to Programme for Government priorities, particularly as they relate to jobs and to the ability of our economy to sustain through the very tight fiscal measures that we face. He said, as did nearly every Member who spoke, that the problems facing planning in Northern Ireland were not confined to the Planning Appeals Commission, but that they relate to issues that are the responsibility of the Department and the Planning Service. They are matters that also fall to the courts. It is vital to consider the relationship between all three of those bodies.

I agree with my colleague the Minister of the Environment, who, last week during Question Time, said that we were being governed by writ as opposed to wit. Some countries price themselves out of the market place; we are processing ourselves out of it. Frequently, business people tell me that Northern Ireland is off their list because of the difficulty in setting up here, and, in particular, the difficulty with the planning process. I remember visiting Australia when I was dealing with roads issues, and after it had been announced on one of the local television news programmes that I was in the country, a local company asked to see me.

The person who was in charge of placing the company's capital build around the world was from Northern Ireland and wanted to bring business here but could not do so because of the difficulty of getting through the planning process. When one hears stories like that, it is clear that hundreds, even thousands, of jobs

are being lost. They are being lost because the Assembly is not coming up with answers on planning quickly enough. Businessmen cannot leave their money hanging. They need those issues to be resolved quickly.

Paul Givan, Tom Elliott and, indeed, several other Members raised the issue of BMAP. That process began in January 2001. The draft plan was to be published by the end of 2002 so that there would be outworkings of the plan by November 2001. As we know, it is now hoped that the plan will be published in 2011. It will probably be a year after that before it starts to be implemented. BMAP, incidentally, is the Belfast metropolitan area plan 2015. One might have expected a 10-year run of the plan. I must say that I am somewhat worried that certain evidence that was used to arrive at the decisions on which the three-year plan will be promoted may be out of date by the time the plan is produced. Clearly, therefore, the issue of expediting those processes is one of great urgency and must be dealt with.

Cathal Boylan and Patsy McGlone both raised the issue of redeployment of surplus professional planning staff to the Planning Appeals Commission. If that relates to their redeployment as commissioners, it raises problems. Of course, the commission is an independent appellate tribunal. Commissioners must be public appointees following open competition. Redeployment directly from Planning Service would not satisfy those statutory requirements.

Apart from that, there is also the issue that commissioners must be seen to be independent. Legal questions might even be raised about how independent someone from the surplus in Planning Service would be in that set-up. It is clear that if people were deployed as staff rather than as commissioners, we could, perhaps, work around those issues. If the commissioner felt that that was helpful, we could talk to her about that.

Tom Elliott and Willie Clarke, I believe, raised the issue of third-party appeals. A decade ago, when I was Chairperson of the Committee for the Environment, we made that recommendation. I would never make it today. As we take part in the debate, the heart of which is to speed up the planning process, I ask Members to consider carefully the idea of bringing in third-party appeals. To do so would

end up in gridlock. I know that there are issues with that. Perhaps, in better circumstances, when everything is moving smoothly, we might want to look at that again. There are strong feelings on both sides. However, in the present circumstances, it would be a dangerous step to take.

Patsy McGlone also raised the issue of how we might limit judicial reviews. We could actually do so; however, it would require legislative change. We could exclude certain areas. The courts would follow that law. If the law excludes, for instance, commercial interests using judicial reviews to stop their competition from starting up, clearly steps could be looked at.

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

The First Minister: However, that would require legislation.

Trevor Lunn wanted to know how to speed up the Planning Appeals Commission. Obviously, more resources and commissioners would assist that. Another aspect, which would, again, require legislation, is to put some controversial and significant issues out to some kind of independent review or commissioner.

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

The First Minister: Simon Hamilton's comments about Castlebawn showed his frustration with the matter.

As far as prioritising is concerned, a change in legislation would be required to allow the Office of the First Minister and deputy First Minister to be able to sit down with the chief planning commissioner and to agree her annual plan with her. That would have to be approved by the First Minister and deputy First Minister, but new legislation would be required.

I am sorry that I have run out of time. If any issues have arisen, I will try to write to the Members concerned.

3.45 pm

Mr Weir: I speak at the conclusion of a well-reasoned debate in which, I think, there has been universal support from across the Chamber. I thank those who have contributed from various sources. A number of the points that were made today overlapped. We had a veritable tour de force from Members in the

Chamber on the effects of planning across the Province. Mr Elliott touched on the situation regarding Fermanagh. I add my congratulations, if that is the right word, to him on his ascension to the leadership of the Ulster Unionist Party, and my commiserations, if that is the right word, to Mr McCrea.

Mr McGlone talked about the area plan in Magherafelt; Willie Clarke made reference to the Ards and Down area plan; a number of Members including, in a very erudite maiden speech, Mr Girvan, mentioned the BMAP; and Mr Hamilton concentrated so much of his speech on Strangford that I was briefly confused as to whether Jim Shannon had re-entered the Chamber. Planning impacts on so many development issues and on the local economy that it is not surprising that similar stories were being told, with similar levels of frustration, by Members from across Northern Ireland.

As the proposer of the motion acknowledged, and as was mentioned by the First Minister and other Members, there is an acceptance that the PAC is an independent body. It takes its decisions independently, and no one would try to interfere with that, because it is the appropriate body to do so. However, that is not to say that it should be unaccountable or that it could not do better. The processes and structures that are in place can be improved to deal with the problems relating to planning.

As was indicated by a number of Members, including Mr Boylan and Mr McGlone, this is not simply an issue involving the PAC, but part of the wider reform of the Planning Service. There is a degree of interdependence on a range of issues. As has been acknowledged by a number of Members, the motion is not simply a degree of condemnation of the PAC. There has been acknowledgement that a lot of good work has been done, and most Members who spoke were positive in their acknowledgement of the backlog figures. The problem, which has been identified by a number of Members, seems to lie in a bottleneck at the top end of the process, in article 31 applications and in the major planning applications. That has two consequences. With regard to the impact for local people, Willie Clarke put it well when he said that people want decisions and not continuous delay. As was highlighted, people want to see something positive. As Mr Beggs said, regardless of whether a planning application is given approval,

people do not want to be left under the shadow of uncertainty.

Although there has, naturally, been a degree of focus on developments and developers, a lot of constituents who may well be faced with something that they do not like would prefer the certainty of decision-making, at least. That goes to the heart of the problem, because, as has been indicated by the First Minister and other Members, a considerable level of increased resources has been put into the PAC. There has been improvement at the lower level, but we have not seen improvement at the higher level. That possibly suggests that although we need to see if there are imaginative ways of using resources better, simply throwing money at the problem does not seem to be the solution.

When we get to a situation in which only one major planning application can be dealt with in a year, or when only one can be dealt with at a time, there is something fundamentally wrong with the system, as was highlighted by a number of Members. I was involved in the court system in a previous life. If we had been told that only one major trial could be held in Northern Ireland at a time, people would have regarded that as being preposterous.

During the debate, a number of Members suggested that they might seek my expert advice on improving the judicial system. I reflected that, given the amount of work that could potentially be generated from that, perhaps I made the wrong decision in going into full-time politics rather than the law. Others in the House might agree with that for different reasons.

There are things that can and must be done. The key point is that we must not only provide certainty to local people and developers, but focus on the direct impact on the economy. There is no doubt that, if one were to speak to those involved in industry and commerce, many would say that the planning processes in this country act as a major deterrent to inward investment. In some cases, that can be used as a spurious excuse for people pulling out of Northern Ireland or not investing. In some cases, that might be a smokescreen, but in many cases it is genuine. Whether genuine or perceived, it is important, in times of recession, that we give Northern Ireland plc the best possible opportunity, and that means examining our processes. As several Members said, we

can examine what happens in other jurisdictions and try to draw distinctions.

The other area that was touched upon was a growing sense of frustration about area plans. One of the strongest matters of frustration in my area and beyond is BMAP, which has consistently been put on the long finger with a sort of mañana-like quality. The latest date is March 2011, but I suspect that few of us will go down to our local Pakistani bookies to put money on it.

We must examine the way in which other jurisdictions handle the issue. When the Committee for the Environment visited Scotland, for example, we saw a system for more localised plans that have a much greater degree of community input and are, effectively, rolling area plans over a three-year period. Those seem to work fairly effectively. One of the areas of the remit of the PAC that we must look into is the involvement of area plans in the planning system. We need to consider whether we have got that right or whether we need to take a radical approach to it.

All Members highlighted many of the problems with the PAC but, as public representatives, there is a duty on us as well. We must demonstrate consistency in our approach. If, for example, we say that we want quicker and timelier decisions, there are certain things that we must do, such as considering devices that would speed up the process. When we move towards a single commissioner reaching a decision, let us not decry that or say that there is an insufficient body of people. Let us not over-complicate the situation by involving additional commissioners.

Third-party appeals were mentioned by Mr Willie Clarke and Mr Elliott — although I was not quite sure where he was coming from. If we were to go down that route, there would be much longer delays in the planning system than at present. Similarly, we must accept that not everything that is in any way controversial or difficult can automatically be kicked into a public inquiry or passed on to the Planning Appeals Commission. We must show consistency and have faith in Ministers. We will agree with some things and disagree with others, but Ministers should have greater scope. Whether that happens through changes to the law or simply through changing expectations, Ministers should be allowed to take decisions on the major economic issues

and planning decisions that face Northern Ireland.

There is a role for us in the actions that we take and the expectations that we bring to bear. Certain structural changes and possible legal changes were mentioned. However, above all, in the Commission and the Assembly, the issue is one of attitude. Someone said that there was a “can’t do” attitude in Northern Ireland. We must emphasise the need for a “can do” attitude. As someone once said, it is American, not American’t. To ensure investment in our economy, the general attitude of other jurisdictions is vital in such processes.

Members highlighted the existing problems and the implications of those problems for their constituencies. Let us, therefore, move forward and apply pressure on the PAC and others to make the changes necessary for a much better planning system that is swifter, fairer and helps to support and sustain the economy.

Question put and agreed to.

Resolved:

That this Assembly calls on the Planning Appeals Commission to carry out its work more efficiently and to give priority to major planning applications on which public inquiries are to be held.

Private Members' Buisness

Proposed Rose Energy Incinerator at Glenavy

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

I inform Members that a valid petition of concern was presented on Friday 24 September in relation to the motion. I, therefore, remind Members that the effect of the petition is that any vote on the motion will be on a cross-community basis.

The following motion stood in the Order Paper:

That this Assembly calls on the Minister of the Environment to set up a full public inquiry into the Rose Energy proposal to build an incinerator at Glenavy on the shores of Lough Neagh; and to ensure that the inquiry will facilitate an open and transparent consideration of the key issues and an independent review of the evidence provided, both for and against the application. — [Mr McLaughlin.]

Motion not moved.

Adjourned at 3.57 pm.

Northern Ireland Assembly

Tuesday 28 September 2010

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

Members observed two minutes' silence.

Assembly Business

Personal Statement

Mr Speaker: Before we move to the business on the Order Paper, I advise the House that the Minister of Health, Social Services and Public Safety will make a personal statement immediately after the ministerial statement on the September monitoring rounds. I caution the House that I will not take any points of order on this matter. We will now move on to today's business.

Lord Morrow: On a point of order, Mr Speaker.

Mr Speaker: Order. I am not prepared to take any points of order on what I said. I am informing the House that the Minister of Health, Social Services and Public Safety will be in the House to make a personal statement after the Minister of Finance and Personnel has spoken on the September monitoring rounds. I will take a point of order that is outside that particular issue.

Lord Morrow: My point of order is about future statements to the House. This could refer to any Member, although I suspect that it would apply only to a Minister. Whenever a Minister is going to make a statement in the House, do they give you a time when they will make that statement? If not, perhaps you could look at that again with the Chairperson of the Committee on Procedures so that the House can be helped in its business and, more importantly, so that you can be helped and so that we can have some indication about when those statements are coming, particularly personal statements from a given Minister.

Mr Speaker: I hear very much what Lord Morrow said. Personal statements must be cleared by the Speaker. I have received the personal statement. I take a great deal of time with personal statements to make sure that they

say what they need to say. Of course, we then need time to inform Whips of the issue. That is why I have decided that the statement should be heard at 12.00 noon today, or in and around that time, after the statement from the Finance Minister. Lord Morrow raised an interesting point yesterday about the Committee on Procedures, and it is an issue that the Committee on Procedures should look at.

I will take no further points of order on the issue. I took a point of order from Lord Morrow, and that is the only one that I will take. I am moving on.

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

Mr Speaker: I am taking no further points of order on the issue. The issue was well aired yesterday, and I allowed quite a number of Members in on it. I have allowed Lord Morrow in on it this morning, and it should rest there. I have made it clear to the House when the Minister will be here.

I remind Members that part of the convention on personal statements is that they must be heard in silence. Yesterday, I gave some latitude to Members, but this morning is when it stops. I am moving on to the business on the Order Paper for this morning.

Mr Weir: Further to that point of order, Mr Speaker, I am seeking clarification on the way that things will be handled. I am not in any way challenging your authority.

Mr Speaker: I am happy to see the Member or any other Member outside the House to discuss how the issue has been handled.

Mr Weir: My question is potentially for the benefit of the House. After this statement or any personal statement is made, does anyone have the right to respond? If so, who? Is there an

opportunity to question a Minister on his or her personal statement?

Mr Speaker: No. A personal statement is a personal statement. It should be heard in silence, and there should be no points of order or debate on it.

Unfortunately, Mrs Foster, who asked the original question, will not be in the House, so no other Member — *[Interruption.]* Order. The convention is clear: no other Member can question the Minister on the statement. Mrs Foster has informed me that, unfortunately, she will not be in the House for the statement. The convention is that no other Member of her party is allowed to rise in her place.

Lord Morrow: Could Mrs Foster delegate the Chief Whip of her party to ask a question?

Mr Speaker: No. I am going to move on. There is a clear convention in the House. We should now move on.

Ministerial Statements

North/South Ministerial Council: Aquaculture and Marine Sectoral Format

Mr Speaker: I have received notice from the Minister of Agriculture and Rural Development that she wishes to make a statement.

The Minister of Agriculture and Rural Development (Ms Gildernew): Go raibh míle maith agat, a Cheann Comhairle. With your permission, I wish to make a statement in compliance with section 52 of the NI Act 1998, regarding the recent meeting of the North/South Ministerial Council (NSMC) in aquaculture and marine sectoral format.

The meeting was held at the NSMC joint secretariat offices in Armagh on Thursday 9 September 2010. The Executive were represented by Robin Newton and myself; the Irish Government were represented by the Minister for Communications, Energy and Natural Resources, Eamon Ryan TD. The statement has been agreed with junior Minister Newton, and I am making it on behalf of us both.

The Council welcomed a progress report on the work of the Loughs Agency, which was presented by its chairperson, Tarlach O Crosain, and chief executive, Derick Anderson. Ministers welcomed the developing partnerships on marine tourism between the Loughs Agency, NITB and Louth County Council.

We noted the effectiveness of the agency's response to pollution incidents on the Foyle system through the use of aeration and pollution prevention equipment. We also noted the positive impact of the regulation of the Lough Foyle oyster fishery, including improved catches in the 2009-2010 season. Ministers also noted that the agency's new monitoring vessel, the MMV Ostrea, is operational and has facilitated the surveying of the seed mussel areas in Carlingford Lough and the native oyster fishery in Lough Foyle.

The Loughs Agency also reported that there has been an increase in illegal salmon poaching, and Ministers were concerned to hear that there have been violent confrontations between poachers and Loughs Agency staff. A number of prosecutions are pending for both illegal fishing and assaults on Loughs Agency staff.

The Council welcomed a presentation by the Loughs Agency on the 2010 series of catchment status reports, which are produced in-house by Loughs Agency staff. Ministers were impressed by the user-friendly format of the reports, the range of information presented and how that information is made widely available to the agency's stakeholders and other interested parties through the agency's website. We also noted the practical use of this information and how it is applied by the Loughs Agency to ensure continued and effective conservation and protection of the freshwater fisheries and aquatic resources of the Foyle and Carlingford systems, whether on the basis of a localised plan or complementary to the implementation of the water framework directive throughout Ireland.

The Council approved a set of regulations which reduce the fee charged for an oyster fishing licence in Lough Foyle from £300 or €400 to £150 or €166. Ministers were pleased that the agency's stakeholders will benefit financially through the introduction of those regulations, particularly in the current economic climate.

Ministers considered the agency's legislation implementation plan, welcomed progress in its delivery and noted that further regulations will require NSMC approval during 2010 and 2011.

Ministers noted the Loughs Agency's annual report and draft financial statements for 2009, which will be laid before the Assembly and the Oireachtas once the financial statements have been certified by the respective Comptrollers and Auditors General.

Finally, we agreed that the next meeting in the aquaculture and marine sectoral format will take place in December 2010.

The Chairperson of the Committee for Agriculture and Rural Development (Mr Moutray): I thank the Minister for bringing this statement to the House.

I condemn the assaults on Loughs Agency staff carrying out their legitimate duties. I am delighted that the agency is pursuing those and the illegal poaching of fish through the courts.

I note that the Minister mentioned the developing partnerships between the Loughs Agency, NI Tourist Board and Louth County Council on marine tourism. Will the Minister also advise the House whether the degeneration of partnerships between the agency, the Department and the

local fishermen was discussed at the meeting? Will she also advise of the final cost of the MMV Ostrea, how long the vessel was non-operational and the cause of its being non-operational?

The Minister of Agriculture and Rural Development:

I welcome the Chairperson's comments on the assaults on staff. It is important that we send a message that the House is united behind the Loughs Agency staff and the work they are doing. We were concerned to hear that staff had been subjected to violent confrontations. The chief executive reported at the meeting that, where appropriate, the PSNI and guards had been called and that prosecutions are pending. As the accompanying Minister said at the meeting, this is not a victimless crime, and we expressed concern for the welfare of staff. We heard that among the items seized was an air rifle. Some of the charges brought have resulted in custodial sentences. It may also be of interest to the Committee that agency staff had been involved in removing bodies from the river and that the agency is sourcing counselling services for its staff, in the event that they are needed.

As to the Chairperson's second question, on partnerships, a lot of work has been carried out in partnership with NITB, the Loughs Agency and Louth County Council. For example, projects at Mill Bay and Narrow Water are now under way. We are content that those partnerships are in place and that stakeholders generally work very well with the Loughs Agency. The fishermen recognise that the regulations developed under the auspices of the NSMC over a period of years have resulted in more sustainable angling on the Foyle, and many Members of the House and many members of the community have remarked on the benefits to tourism in an area that has been hard hit by the economic climate. We are all aware of the loss of the Seagate factory at Limavady and other big job losses. Tourism is becoming increasingly important, and it is hugely important that the agency works with partners.

As to the MMV Ostrea, I can confirm that the cost of the vessel has been in the region of £830,000. There had been some issues at the beginning, but those have been resolved successfully. The MMV Ostrea has a clean bill of health and, now that it is operational, it has carried out survey work and has returned useful information. I am confident that the vessel will be useful. It will greatly assist in the provision

of scientific management of the stocks in the Foyle and Carlingford in order to facilitate the development and sustainability of those sectors.

10.45 am

Mr McElduff: Go raibh maith agat, a Cheann Comhairle. The Minister spoke of developing partnerships between the Loughs Agency, the NI Tourist Board and Louth County Council. Might there be scope for other such partnerships under the North/South Ministerial Council, whereby communities north and south of the border could connect to ensure that the maximum amenity of leisure provision and community regeneration is recognised? I am thinking particularly of the tremendous potential of Lough Macrory in County Tyrone. Perhaps a suitable partner from south of the border could be found through the NSMC when it next meets in this format.

The Minister of Agriculture and Rural

Development: I expected some latitude and creativity in Members' questions, but I did not expect it in the second one. However, I welcome the Member's question. It is unfortunate that Lough Macrory is outside the remit of the Loughs Agency, which is the Carlingford and Foyle catchment area, although I know that the Member is very aware of the geography of the area. However, his point is a serious one: communities could come together under the auspices of the Loughs Agency and create those linkages and partnerships. That can work, and we will certainly look into that.

Major projects using funds secured under the INTERREG programmes, for example, are set to take place at Gribben Quay, the Foyle Pontoon and at Meadowbank Quay. Those have been successful and important for the regeneration of the area. I do not see a problem if community organisations that do not fall under the auspices of the Foyle can create links in order to meet one another and find ways that they can tap into funding. However, that is technically outside the reach of the Foyle and Carlingford areas.

Mr Savage: I thank the Minister for her statement. As usual, she has highlighted something that I am concerned about: the poaching of salmon. What is the Department doing to help encourage and promote angling activities across loughs and rivers in Northern Ireland?

The Minister of Agriculture and Rural

Development: The Member is aware that the

Department of Culture, Arts and Leisure is the key agency that deals with coarse and inland waterway fishing. The Loughs Agency is responsible for the Foyle and Carlingford catchment areas and to that end has worked hard with our fishing stakeholders. A management system is now in place whereby, if fish counters are not recording adequate numbers of salmon, a temporary restriction can be placed on other types of fishing to ensure the retention of salmon in those rivers. It is important that the correct management tools are used; that the information is available to the Loughs Agency to make those decisions; and that there is sustainability of fishing in that area. However, there are other areas outside of the control of the Loughs Agency.

We hear about Atlantic survival and the rates of fish returning to an area. The research work that Loughs Agency staff have done has been hugely informative and interesting. It states that fish traditionally come back to the same river. There is a specific gene in the fish that can identify the River Faughan or the River Roe, which is fascinating. We are looking at ways in which we can ensure the safety and spawning ability of fish when they are in our rivers. The unknown factor in that is that we do not know when they will come back, so we have to monitor fish levels in our rivers carefully and ensure that they are not overfished. Concerns over the sustainability of coarse fishing have been raised with the Culture Minister, but again, that is outside the remit of the NSMC aquaculture sector.

Mr P J Bradley: I thank the Minister for her statement. She stated that the agency's new monitoring vessel, the MMV Ostrea, is now operational and has facilitated the surveying of the seed mussel areas in Carlingford Lough. In early summer, I wrote to the Minister with regard to the threat of disease to the mussel stock of Carlingford Lough. A fear was expressed to me that North/South co-operation was not all that it could have been. Was there any discussion on the very serious disease threat in Carlingford Lough?

The Minister of Agriculture and Rural

Development: I assure the Member that we are doing everything that we can to identify possible disease outbreaks in the Foyle and Carlingford catchments and disease at any level, whether animal, plant or fish. We take the threat of disease very seriously. I assure the Member that my Department has an excellent working

relationship with DAFF. Work is being done to ensure that we have proper controls to mitigate disease outbreaks. There is full co-operation. As the Member pointed out, if there was no North/South co-operation in Carlingford Lough, there would not be any kind of activity there, as it divides the two jurisdictions. Co-operation is absolutely necessary. I assure the Member that all is being done to contain every kind of disease, to ensure that proper scientific studies are done on those and to develop a sustainable fishery in the Carlingford area.

Mr McCarthy: I thank the Minister for her statement, in which she said that the Council approved regulations that reduced the fee from some €400 to €166. That is certainly a hell of a reduction in the fee, and I have no doubt that the stakeholders will be pleased. Surely, however, that size of reduction must leave a gap somewhere else in the system? Will the Minister explain how she will fill that gap?

The Minister of Agriculture and Rural

Development: When the regulation was set down, thought was given to how many licences would be issued. The number of licences has stabilised over the past number of years, and about twice as many licences as were expected have now been issued. To make it more affordable and yet to still cover our administrative costs in delivering the licences, it was decided that the fee would be reduced.

The agency has been very proactive. Rather than accepting a windfall, it identified the number of licences issued year on year and the amount of money that it expected to receive, and it decided that there was no need to charge stakeholders double the fee. There is not a gap as such; the agency has received the amount of money for which it hoped. More than that amount has been coming in over the past number of years, so it was decided to scale that back. If the number of licences remains on the current plateau, our fees will be covered, and we will not ask fishermen to dig deeper into their pockets than they need to.

Mr Molloy: I thank the Minister for her statement. It is an important statement, particularly as regards the link between the two jurisdictions. Is there any indication of how beneficial salmon fishing has been to the tourism industry in the past year?

The Minister of Agriculture and Rural

Development: There is a figure for the economic

benefit of every fish that is caught. I do not have that with me, but I am happy to provide that to the Member in writing.

Mr Dallat: I return briefly to the issue of partnerships. I envy the partnership between the North and County Louth. I am sure that the Minister and the House will agree that there is enormous potential in the Foyle and Bann areas of the north-west for partnerships with Inishowen, where the future of the ferry service is in some doubt because of financial difficulties. Will the Minister assure us that, in future meetings, there will be a focus on that area? As she said this morning, there has been high unemployment in Limavady, but there is enormous potential for tourism development, particularly marine tourism.

The Minister of Agriculture and Rural

Development: I welcome the Member's question, but I probably cannot give him the full assurances that he is looking for today because, although the NSMC meetings in aquaculture and marine sectoral format take place regularly, the Council discusses the areas for which it has responsibility. The ferry is outside the Loughs Agency's control and responsibility. Therefore, the matter has not been discussed at those meetings. The ferry remains under the auspices of the Department that has responsibility for it.

We recognise the importance of partnerships. As I said to Mr McElduff, we recognise the importance of working together. We have identified and shown that we work not just with tourism agencies but, as Members have witnessed, with bodies such as Louth County Council. We welcome any further partnership working that enhances the overall economic well-being of the areas under discussion. The chief executive of the Loughs Agency, Derick Anderson, and its chairperson, Tarlach O Crosain, are always proactive, but they are bound by their responsibilities.

Public Expenditure: September Monitoring 2010-11

Mr Speaker: I have received notice from the Minister of Finance and Personnel that he wishes to make a statement.

The Minister of Finance and Personnel

(Mr S Wilson): Thank you, Mr Speaker, for the opportunity to update the Assembly on the outcome of the September monitoring process.

The starting point for this monitoring round was the outcome of the June monitoring round, which I reported on earlier this month. Members will be aware that June monitoring concluded with an effective overcommitment of £45.1 million in current expenditure and £10.6 million in capital investment. That overcommitment was a direct result of the £127.8 million reduction in funding that the UK Government imposed in the June Budget. Although the Executive have the option of deferring our share of the UK Government's public expenditure reduction until the next financial year, I am of the strong view that we need to deal with it now. The key issue is that, in the 2010 UK spending review, we will see a further tightening in the public expenditure environment, and we cannot allow that 2010-11 pressure to extend into the next financial year. In the September monitoring round, therefore, the Executive's focus has been on managing down the overcommitment, as opposed to meeting a substantial number of bids from Departments.

Before I go on to the outcome of September monitoring, I will highlight the level of reduced requirements surrendered and the bids that Departments submitted. Departments surrendered only £7.7 million of current expenditure and £18.1 million of capital investment in reduced requirements respectively. At this point in recent financial cycles, that is the lowest level of reduced requirements. Details of those reduced requirements are set out in the tables attached to the written version of my statement.

Three other issues that impacted on the resources available during this monitoring round also came to light. First, a recalculation of the interest requirement to service our reinvestment and reform initiative (RRI) borrowing resulted in a further £2.8 million of current expenditure being made available. Secondly, the latest regional rate collection projection, which Land

and Property Services (LPS) conducted, showed a significant increase on the June position. That partly resulted from the extra money allocated to LPS in the June monitoring round. Given that latest assessment, a further £10.6 million has been made available. Finally, June monitoring identified a pressure related to a shortfall in our end-year flexibility (EYF) capital stock. However, after further negotiation with the Treasury, my officials have secured full access to our EYF claim for this financial year, and that frees up another £7.3 million of current expenditure and £900,000 of capital expenditure.

In addition to the reduced requirements, the Executive allow Departments to move resources across spending areas when such movement reflects a proactive management decision taken to enable the Department to better manage emerging pressures in its existing baselines.

That is to facilitate better financial management, and Departments that have made use of the mechanism should be commended for their efforts to deal with emerging pressures. It has also been necessary, due largely to technical issues, to reclassify some amounts between different categories of expenditure. Details of all those changes are provided in the tables attached to written copies of this statement.

11.00 am

The net result of those transactions, taking account of the June monitoring outcome, was to reduce the level of overcommitment in current expenditure to £16.7 million; similarly, the net position for capital expenditure resulted in £8.4 million being made available to the Executive for allocation. Against that net position, Departments submitted current expenditure bids of £77.9 million and capital investment bids of £83 million. Some of those bids reflected pressures that were identified but not met as part of the June monitoring round. Full details of departmental bids are also attached to written copies of this statement.

Based on the tight in-year position, the greatly reduced level of money surrendered and the need to address the £127.8 million reduction imposed by the UK Government this year, the Executive agreed not to meet any current expenditure bids. The only exception was a small allocation to the Northern Ireland Audit Office to cover a pressure in respect of depreciation costs. That bid was met because the Audit

Office's requests for resources are normally honoured automatically.

Members should also note that the equal pay issue is imposing additional uncertainty to the in-year financial position. Payments are being progressed, and, although my Department holds financial cover for the estimated liability, there is a risk that the outcome may exceed the current estimate. The Executive have agreed that allocations to Departments for equal pay will be processed in December, when the final position will be known. The approach, which was agreed by the Executive, resulted in a residual current expenditure overcommitment of £16.8 million, which will have to be managed in the two remaining monitoring rounds this year.

With respect to capital funding, £8.4 million was available for allocation, which allowed the Executive to agree allocations to six Departments. I shall draw attention to the two largest allocations: £3.2 million was allocated to the Department of Culture, Arts and Leisure (DCAL) to cover a shortfall in receipts associated with the planned sale of the Public Record Office of Northern Ireland (PRONI) site at Balmoral; and £2.8 million was allocated to the Department for Employment and Learning (DEL) for essential health and safety works in the further education estate in order to ensure compliance with health and safety regulations. In addition to those allocations, some relatively small amounts of capital money went to the Department of Finance and Personnel (DFP), Department for Social Development (DSD), Office of the First Minister and deputy First Minister (OFMDFM) and Department of the Environment (DOE). Full details of those allocations are attached to written copies of this statement.

In total, capital investment resources were exhausted in this monitoring round, the outcome of which leaves the Executive with a zero capital overcommitment. In conclusion, the approach adopted by the Executive in the monitoring round has been, first and foremost, to address the residual pressure resulting from our share of the UK Government's £6 billion public expenditure reduction in this financial year.

I believe that, at this stage of the financial year, an overcommitment of £16.8 million in current expenditure is manageable. However, given the remaining financial uncertainties and the public expenditure outlook, it is necessary not to increase that level of overcommitment further.

The capital funding outcome left the Executive with no overcommitment, which we agreed was prudent, given the very low levels of money surrendered by Departments in the monitoring round. A less conservative approach would create a material risk that the Executive would have to impose further in-year reductions later in the financial year, when Departments would have little time to adjust. That is a risk that we were simply not prepared to take.

Nevertheless, the decision to adopt that approach was not taken lightly, since it left many Ministers disappointed. There are many areas in which we would have liked to have done more, and there are many ongoing financial pressures.

The upshot of that approach is that Ministers must now take urgent action to live within their existing budgets. They will have to identify where efficiencies and savings can be made and prioritise their spending plans to ensure that limited resources are put to the best possible use. That is true not only for this current year but for the upcoming Budget period. We are all aware of the tough times that lie ahead. It is imperative that the Executive work together to tackle the difficult financial decisions facing us. We must ensure that increasingly scarce resources are used in the best possible way to achieve the maximum benefit for the people of Northern Ireland. I commend the September monitoring round to the Assembly.

The Chairperson of the Committee for Finance and Personnel (Ms J McCann): Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his statement and apologise to him for missing the beginning of it.

The Minister said that, as a result of negotiations with the Treasury, an additional £7.3 million in current expenditure and £0.9 million in capital expenditure is now available. Can he clarify what the total level of existing current and capital end-year flexibility is? Can he now assure the House that the Executive have full access to current and capital stocks?

The Minister of Finance and Personnel: At the moment, I cannot give the Chairperson the level of end-year flexibility that we have. I will put that figure in writing to her. We have been given the ability to draw down the money that was available to us in this Budget round. We will, of course, continue to negotiate with the Treasury to ensure that we have full access to that end-year flexibility. I am not too sure about the exact

figure, although I may be able to get it before the end of this item of business, and if I can, I will. If not, I will write to the Chairperson.

Mr Hamilton: Given the way in which monitoring rounds appear to be developing in this financial year and the concern that that will inevitably cause over public spending, what further discussions has the Minister had with the Treasury about the developing budgetary position for Northern Ireland in the years ahead? What devices or mechanisms might the Treasury introduce to stimulate the private sector in Northern Ireland, as the now Prime Minister and the Secretary of State promised before the recent general election?

The Minister of Finance and Personnel: I meet Treasury Ministers constantly, as do my officials with their Treasury counterparts, to discuss the current position in Northern Ireland and the pressures that we will face over the next number of years. I know that there have been suggestions that, somehow or other, we are simply rolling over and accepting the current position, but nothing could be further from the truth. However, we have to balance that against the reality, which is that we face a difficult position and therefore need to plan for it.

However, in discussions with the Treasury, we have, first, highlighted the unique position of Northern Ireland, its dependence on public sector spending, our position in the economic cycle and the particular difficulty that we have with the banking system in Northern Ireland. Those, I believe, present special circumstances. Other Ministers in other regions have done the same. Secondly, over the summer, we had discussions with the Secretary of State and the Treasury on the package to help to rebalance the economy.

Thirdly, there have been negotiations with the Treasury, which, I hope, will come to a successful conclusion, on the Barnett consequential that were imposed on Northern Ireland for the policing budget. The imposition of the Barnett consequential led to a reduction of £23 million in that budget. We believe that the consequential was not properly applied, and if that situation can be dealt with, not only will £23 million be available this year but the baseline for the policing budget will increase. Furthermore, there is the possibility of making a case to the Treasury for some access to the

money that is available for policing for national security.

We are continually talking to the Treasury about a range of issues and are fighting for every penny that we can get for Northern Ireland. That is the right thing to do while, at the same time, planning for what we know is inevitable.

Mr McNarry: I welcome the turnaround on rates collection. Perhaps the Minister will expand on how he will invest, in money terms, that significant increase in received revenue. Will he confirm whether he is content that all Departments have fully declared their reduced requirements at this time?

The Minister of Finance and Personnel: The picture on rates collection is improving. The Member has, quite rightly, been critical of Land and Property Services in the past, as I have, and that situation needed to be turned around. For a small investment of £5 million in the June monitoring round, we have been able to put additional resources into identifying properties, dealing with revaluations and some other backlogs. That has given us £10 million. I also point out to the Member that, although it does not have any financial consequence for us this year, the level of debt this year so far has been brought down from £157 million, which was far too high, to £121 million. That, of course, will have a revenue consequence in future because we will not have to set as much money aside for bad debt.

His second question was about the reduced requirements. At present, all that we can do is to listen to what Ministers say and consider the reduced requirements that they bring to the table. However, as he will expect, my officials talk to officials in other Departments, and the indications are that no massive reduced requirements are lurking in Departments at present that will suddenly come to the table in either December or February. We try to avoid that because, at the end of the year, it is much more difficult to spend the money. However, we are not aware of any huge reduced requirements. That represents a tightening of the fiscal situation and it is one reason why I was very keen to bring down the overcommitment as quickly as possible.

Mr McDevitt: I thank the Minister for his statement. In the previous monitoring round, the Department of Health, Social Services and Public Safety (DHSSPS) identified an underspend

on swine flu that, if memory serves me right, totalled in excess of £15 million. The suggestion at that time was that that needed to be banked because of some financial rule. Has that money become available in this round? If so, is it factored into the figures?

The Minister of Finance and Personnel: The money that was not spent by the Department of Health, Social Services and Public Safety on swine flu was declared surplus to requirements at the end of the previous financial year in the February monitoring round. At that stage, all Departments — apart from, if my memory serves me right, the Department of Education — said that they could not spend the money. Therefore, it had to be returned to the Departments that made the contributions, and we indicated that we would bring it back in the June monitoring round. That has been done, and the money has been rightfully allocated to Departments. It was their money in the first place; they were top-sliced to make an allocation to deal with that incident. Once it was not spent, it had to go back to Departments.

Dr Farry: I welcome the timely statement although I suspect that it somewhat represents the calm before the storm. Will the Minister confirm whether he intends to clear the entire £128 million pressure during this financial year?

I come back to the point about reduced requirements. There seems to be a pattern that our flexibility is entirely based around Departments surrendering major capital schemes, and there is an issue with the timeliness of that. For example, both of the projects that are cited in the Department of Culture, Arts and Leisure figures are ones for which, as I understand it, the money could have been released some time ago. The Minister may wish to address that timeliness issue with Departments.

The Minister of Finance and Personnel: The Member asked about the timeliness of reduced requirements from Departments. That is emphasised to Departments regularly.

Indeed, I hope that it was a salutary lesson to Departments. If money is held deliberately until the end of the year, we may have to conduct the same exercise that we conducted with DHSSPS last year and say that the Department will not get to hold on to the money but will get hit at the start of the next financial year because we will require the money to be repaid. All Departments will benefit from reduced

requirements being identified early and returned to the pot so that the money can be used for the most pressing needs. That is a discipline that all Ministers need to abide by, because, collectively, it is in their interest to do so.

11.15 am

Although we can, it is my intention not to carry into next year the overcommitment from the budgetary cuts that were imposed in June. Given the tightness of next year's position, we do not want to add to that overcommitment any further. Thus far, we have done well to manage the overcommitment down to its current level, and I am hopeful that, by the end of the financial year, we can manage it down to zero both on current and capital expenditure.

Mr Frew: How does the Minister feel that the Executive are working together on the matter, and does he feel that Ministers realise that cuts will have to be made and that it is better to deal with most of the pressures now?

The Minister of Finance and Personnel: I have emphasised time and time again that, in planning for next year's Budget, it is important that, first, we have a strategic picture of what we want to do. That includes consideration of issues such as where we want to direct expenditure, whether we want to raise revenue and, if so, how we wish to raise it.

In addition to those big strategic decisions, Ministers will look at their budgets and ask themselves whether they can find efficiencies. One does not find efficiencies at the last minute: some planning must be done. Ministers will have to consider whether they should give low priority to some areas of their budget and whether they should stop spending altogether on other areas because of the general direction in which we want to take the economy in Northern Ireland and because of the financial constraints that are on us.

A whole range of issues requires early sitting down and engagement among members of the Executive to get a broad picture of the direction in which we want to go, followed by discussion at departmental level so that we can allocate money to the important areas of departmental expenditure. As I have said before, we have not engaged properly as yet, but hopefully we will in the near future.

The Chairperson of the Committee for the Environment (Mr Boylan): Go raibh maith agat, a Cheann Comhairle. I welcome the Minister's statement. As the Minister will be aware, the Committee for the Environment supported the Department of the Environment's September monitoring round bid and welcomes the small amount of capital funding that he has allocated the Environment Agency for equipment and for health and safety works. However, the Committee was most concerned that the Department had identified a need for additional funds to cover the costs of staff who have yet to be relocated from the Planning Service but who, owing to planning receipt shortfalls, can no longer be afforded. How will those costs be covered?

The Minister of Finance and Personnel: There are two ways in which the costs can be covered. First, as I say to all Departments, they should deal with unmet bids by looking at their budgets to see how money might be reallocated and how changes might be made. As I pointed out in my statement, where there is proactive management of budgets, reclassifications of expenditure will be allowed, if the Minister makes a case for doing that.

The second way involves taking a bit of a chance, because we do not know what the picture will be. Departments will be capable of making bids in the December and February monitoring rounds. I understand that that leaves the bids until later in the year and that there is no guarantee that any money will be available, or, indeed, that bids that a particular Department makes will be given priority. The first and most important step should be to look at existing budgets and to decide whether, if something is considered to be a massive pressure, there are other areas from which money can be taken.

Mr Girvan: I thank the Minister for his statement. In light of the commitment that Ministers and Departments must give to the Executive, what has been the level of buy-in from Departments on committing to the necessary cuts, based on the understanding that we must find £126 million or £127 million this year, never mind next year?

The Minister of Finance and Personnel: The good news is that we have found nearly all of the £127 million this year, and we are down to £16.8 million. I believe that we can and should manage it within the existing year. As far as next

year is concerned, I have made it clear that I am disappointed at the level of engagement so far. I do not think that we can continue without stepping up to the mark. However, that must be done collectively because, at the end of the day, the Budget has to be agreed collectively by the Executive. There is no point in an individual Minister's saying that we can progress with the Budget as much as we want but that he or she will vote against it. The issues are far too important.

People tell me that they want some certainty. They know that pain is coming, and they expect us to behave responsibly so that when we come to form the Budget, it will not be formed as some last-minute, thrown-together, cobbled compromise that wastes money. Rather, it should be constructed and presented in a way that shows some strategic thinking by the Executive.

Mr B McCrea: I want to follow up on the Minister's answer to a colleague, in which he talked about his communications with the Treasury. He was keen to emphasise that we were not rolling over and that we would fight our case. He talked about the particular banking requirements here. Will the Minister outline his assessment of the dangers posed by the situation that is about to develop at the Anglo Irish Bank, the potential failure of the Irish Government's bond markets and the possibility of their running to the International Monetary Fund (IMF)? The Minister said that, given the "remaining financial uncertainties" and the "public expenditure outlook", he had been meaning to examine those matters. Has the Minister considered them in detail? If so, has he shared those concerns with the Treasury?

The Minister of Finance and Personnel: The Member knows that banking is not a devolved issue. Therefore, the role that the Executive have to play in banking is more one of liaising with the Treasury in England or the Finance Minister in the Republic, and I have done both.

With regard to the Irish banks, I have met and will continue to meet and communicate regularly with the Minister responsible for finance in the Republic. As a result of those representations, there is now an advisory panel, which includes two members from Northern Ireland. The panel specifically examines the kind of issues that may arise as a result of the activities of NAMA, the Irish banks and the Northern Ireland economy.

We have two good representatives on the board, and they keep me informed. In addition, I continue to meet officials from NAMA, as I did over the summer, to discuss some of the concerns that the Member expressed about loans being taken on and the impact of the financial situation on the Irish banks.

The Member is right: the situation is extremely fragile. I also meet representatives from the individual banks. In the past two weeks, I met representatives of the First Trust Bank, which is a subsidiary of the Allied Irish Bank, to discuss banking issues. The Member knows that we do not have any powers to direct the banks. It is important, however, to highlight the problems, share the intelligence and try to find out what is being done to deal with the issues.

As far as the Treasury is concerned, that relates mostly to the activities of the Ulster Bank. The Department has access to Treasury officials and takes cases to the banking panel. The Department also receives regular updates on what is being done on bank lending, makes the case and tries to offer the local picture. Lack of lending by the banks is not unique to Northern Ireland. Indeed, I hear Members of the House of Commons complaining regularly about the activities of banks in England, Scotland and Wales and the lack of lending to businesses. At a Treasury level, there is some frustration, and the Department fills in the picture from a Northern Ireland perspective. Those are the types of things that it can do.

Mr A Maginness: The Minister raised the issue of banks. During a joint meeting of the Committee for Enterprise, Trade and Investment and the Committee for Finance and Personnel last week, it was made clear that ordinary customers are not being well served by the banks. Many have been refused proper credit facilities, and, when they are granted, they are restrictive and sometimes punitive. Did the Minister raise those issues with the banks, and, if so, what was their reaction?

On his discussions with the Treasury, the Minister, although he may not have wanted to do so, gave the public and the Assembly the impression that he has accepted the proposed savage cuts with resignation —

Mr Speaker: I encourage the Member to finish.

Mr A Maginness: The Minister has not given a robust defence of the special circumstances in Northern Ireland.

The Minister of Finance and Personnel: The Member will be aware that I am not known for a lack of robust responses. Indeed, on occasions, I get into trouble in that area. Of course the case has been made; at the last meeting that we had with Danny Alexander in the Treasury, the case was also made by Jane Hutt, the Welsh Finance Minister, and John Swinney, the Scottish Finance Minister. We all emphasised the timing and depth of the cuts and the impact that they are likely to have on regions of the United Kingdom that have special features, or features that are not common to the southern part of England.

The Member must bear in mind that an acceptance of the position that we are in does not mean that we are resigned to it. We must accept the reality; we cannot bury our heads in the sand and hope that it will not happen. The extent may vary, but we know that huge financial cuts will be imposed on Northern Ireland and on other parts of the United Kingdom, and we must prepare for those. That is not resignation, rolling over or surrendering. That is doing the job that everyone expects me to do as Finance Minister. If I were not doing that, the Member would have more justification for criticising the position that I have adopted.

As far as the banks are concerned, the Member has rightly identified some of the issues that people have brought to my attention. Those include the arbitrary nature of the changes in the terms and conditions that the banks impose, the cost of finance and the unwillingness to finance certain ventures. The banks' response to me was that it now costs them more for raw materials and deposits, and, therefore, they are charging savers more. As far as the arbitrary changes are concerned, the banks tell me that they are obliged to give notice when they make changes in terms and conditions so that people have the opportunity to discuss those and to try to rejig them. However, stories have come back that that has not always been the case

They have also said that we are moving away from the days of businesses doing most of their financing through bank loans and, therefore, that businesses will have to look more at equity finance. That is the direction of travel that the monetary system is going in, and that will, of

course, be a big adjustment for many small businesses here in Northern Ireland.

The case has been put often. For example, the day before I saw them, the banks had met the Churches. A whole host of people are raising issues such as those which the Member raised with the banks.

11.30 am

Lord Morrow: I apologise to the Minister for not being here for the commencement of his statement. I was attending another meeting in the Building.

We need clarification on the cost of the PSNI hearing loss claims. I want to refer to a briefing paper that was presented to the Committee for Justice in August. Will the Minister outline the figures involved? A number of figures are being kicked about, and we need to ascertain exactly where all those figures come into place. We have been advised that there was a forecast for 2010-11 in which the cost of police hearing loss claims would be £29.8 million.

Mr Speaker: I encourage the Member to come to his question.

Lord Morrow: That is part of my question. Will the Minister outline what progress has been made between the Executive and the Treasury regarding the Treasury acquiring saleable assets to assist the Executive to meet the first £12 million of the cost of hearing loss claims? Will he confirm that the remaining £17.8 million has been provided for from the reserve fund? Will he tell us how much has been allocated or paid out to date?

The Minister of Finance and Personnel: We are wandering well away from the September monitoring round. That is all I can say on the matter.

As the Department of Justice budget was ring-fenced for this year, there was not much engagement with that Department on the June monitoring round. Under the ring-fencing arrangement, the Department of Justice is allowed to keep and reallocate any reduced requirements it may have. All it has to do is simply notify us of that. As a result, I have had no detailed discussions about the spending that there has been on hearing loss claims this year. Therefore, I cannot confirm the figures that the Member raised. However, as he has raised the

issue, I will speak to the Justice Minister about that and write to the Member.

Mr McCallister: In his statement, the Minister spoke about banking. How likely does he think it is that the Irish Government will default as regards the Anglo Irish Bank and have to go to the IMF? If that happens, what would be the knock-on effect for us?

The Minister of Finance and Personnel: I am not going to speculate on what may happen to the finances of a foreign jurisdiction. However, from the conversations that I have had with the Finance Minister in the Republic, I know that every attempt had been made to safeguard against the kind of event that the Member described. Obviously, given the fact that a lot of banking in Northern Ireland rests on the activities of banks based not in the UK but in the Irish Republic — a point that we made to the Treasury in London — any disturbance in its banking system is bound to have a disproportionate impact on Northern Ireland.

Mr McGlone: The Minister mentioned the prioritisation of spending plans to ensure that limited resources are put to the best possible use and the need for strategic thinking. As the Minister knows, times are very tight, especially in constituencies where a high number of people are or were employed in the construction industry.

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

Mr McGlone: Sure. What measures are being taken across Departments to ensure that expenditure for capital schemes is made available quickly and efficiently to ensure that people are at least maintained in jobs with companies in the construction sector? I profess, at this stage, both a constituency sectional interest and a regional interest.

Mr Speaker: I ask the Member to bring his remarks to a close.

Mr McGlone: Will the Minister give me some detail about the police training college at Cookstown?

The Minister of Finance and Personnel: The Member has certainly got a press statement for the local paper. *[Laughter.]* I suppose that that is the main point of his question. You have indulged him, Mr Speaker.

The Executive will be responsible for £1.7 billion of capital spend this year. Not all of that, of course, will go to the construction industry. However, it is a very high level of capital spend and one that is unlikely to be replicated in future years. As for getting schemes on the ground quickly, we have tried to improve the whole procurement process by ensuring that it is streamlined and that contracts get out. My DOE colleague, Mr Poots, has, through the planning reform proposals, also sought to improve the planning process to ensure that there are no hold-ups.

Through improving the whole procurement process, we seek to ensure that schemes are not delayed by judicial reviews brought by people who did not win tenders. I have said the following before, and, indeed, I say it every time I meet employers and other people who are involved in the construction industry, but I need to emphasise it. It is one thing for us to change our processes here, and we should. We should look at our processes continually to ensure that they are not slow, cumbersome or causing delay. However, even when we do that, some people who did not get contracts enter into lengthy judicial reviews simply because they did not like the result of the procurement process. That, in turn, holds up projects. Both sides — the construction industry and us — have a responsibility to ensure that that does not happen.

The police training college is still part of the Department of Justice's capital proposals. However, there will be other demands on the capital budget, such as prisons. It is up to the Minister of Justice to decide which of those will be his priority in constrained capital circumstances.

Mr Speaker: That ends questions on the Minister of Finance and Personnel's statement. I am sorry: Anno Lo is next. I apologise to the House.

Ms Lo: In many ways, Mr McGlone asked my question. I am disappointed that the Department for Social Development's bid for the social housing development programme did not get any money, as that would certainly have helped the construction industry. What plans does the Minister have to help that industry through providing public spending for schools maintenance, the Egan contracts and so on?

The Minister of Finance and Personnel: We can allocate money only if it is available for

allocation. As I pointed out in my statement, the amount of reduced requirements in the capital budget, which was approximately £18 million, meant that there was not a lot of money for reallocation. I must point out, however, that the social housing budget has been very well provided for by this Executive. Indeed, last year, we had a record social housing build of 1,800 units. I have no doubt that the former Minister for Social Development will take some credit for that. The fact that we have had a record build in recent years is an indication of the priority that has been given to the social housing programme.

There are other massive demands, but the Department for Social Development has not done too badly in the current monitoring rounds. In June, £10 million was allocated for urban regeneration projects, which will, of course, help the construction industry and help to kick-start economic development in lots of towns around Northern Ireland. Therefore, I think that the Minister for Social Development probably cannot complain. In fact, other Ministers have had more cause for complaint and have complained much more vociferously because they have not had any bids met in the two monitoring rounds so far.

Mr Speaker: That finally ends questions on the Minister of Finance and Personnel's statement. Once again, I apologise to the Member.

Personal Statement

Mr Speaker: The Minister of Health, Social Services and Public Safety has sought leave to make a personal statement. Before calling the Minister, I remind the House that a personal statement should be heard in silence. It is not a debate, and questions cannot be asked about it. I also advise the House, as I did this morning, that I will not be taking any points of order on any matter following the statement. I hope that is clear to all Members.

The Minister of Health, Social Services and Public Safety (Mr McGimpsey): Thank you for giving me the opportunity to make a personal statement to the House. I very much wanted to make the statement yesterday, but I was awaiting legal advice around some of the complex issues involved in this tragic case. On 21 September, I answered a question for urgent oral answer in relation to the McDermott brothers. In response to a supplementary question from Mrs Foster, I said:

“As I understand it, the doctor to whom Mrs Foster refers was not an employee of the trust.” —
[Official Report, Bound Volume 55, p182, col 2].

I subsequently learned that the doctor was employed by the trust. That error was a genuine mistake for which I take full responsibility, and I wish to apologise to you, Mr Speaker, and to the House.

Private Members’ Business

Equality and Good Relations

Mr Speaker: The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer will have 10 minutes to propose the motion and 10 minutes to make a winding-up speech. One amendment has been selected and published on the Marshalled List. The proposer of the amendment will have 10 minutes to propose and five minutes to make a winding-up speech. All other Members who wish to speak will have five minutes.

Ms Ritchie: I beg to move

That this Assembly acknowledges that there will be no good relations on this island without equality, and no equality without good relations; recognises that people who are socially disadvantaged suffer most from sectarian division; affirms the need for strong political leadership and independent voices to challenge government to progress lasting change; believes that government must tackle the origins and manifestations of sectarianism and racism through a robust Executive strategy; notes the publication of the programme for cohesion, sharing and integration; and believes that the consultation document fails to provide an adequate framework to enable progress towards a shared and reconciled society.

I thank my SDLP colleagues for tabling this motion, and, in particular, I thank Conall McDevitt, who leads our policy work stream in the area of building a shared future.

After three years of waiting for the Office of the First Minister and deputy First Minister to produce anything at all, I saw the first draft of the proposed cohesion, sharing and integration strategy, and I must say that I was deeply disappointed. The first draft, which was circulated some months ago, remains one of the worst documents that I have ever read. It did not mention a shared future or how we could progress towards one. It said little or nothing about the way in which we educate our children, the way in which we live in segregated communities and how evidence shows that, if you live in a single identity community, you are much more likely to be poor, unemployed, suffer ill health and early death. It did not even mention the only state agency that openly pursues a shared future agenda: the Community Relations Council. Instead, the OFMDFM paper

focused primarily on the need to correct bad behaviour, as if a shared future might somehow be achieved automatically if people desisted from certain behaviours. The paper's language and drafting were appalling. I am sure that it was not the handiwork of skilled civil servants; it resembled something from a George Orwell novel. It was as though the text had been produced by robots, devoid of empathy and intuition.

11.45 am

Although the next draft, which was pushed quickly through the Executive and is out for consultation, was slightly better, the central problem persists: it is a strategy for sharing that says nothing meaningful about sharing. The OFMDFM cohesion, sharing and integration strategy envisions a future in which there are still two separate communities. The height of its ambition is to have two communities that are still separate and unreconciled but are, generally, at peace and not attacking or abusing each other. That is what it means by "good relations". To my party, that represents poverty of ambition.

Although improved community relations are a prerequisite for building a shared society, they cannot be the end point. The Assembly must simply aim higher. It must set itself the goal of creating one reconciled, shared society that is completely comfortable with difference. Essentially, a normal society is one in which no one is in the least bit bothered which church their next-door neighbours attend or which party they vote for. Why can the Assembly not show that a normal society is its ambition? Why does the OFMDFM strategy fall short of that higher standard? Why is the CSI strategy so mealy-mouthed on reconciliation and sharing?

When one thinks about it, the answer is obvious, albeit disappointing. The truth is that the authors of the draft shared future strategy — the DUP and Sinn Féin — do not actually believe in sharing. They honestly do not want a shared future. They prefer the traditional division that affords them power in their single-identity communities: power and control before all else and carve-up before sharing. Therefore, the task that they set themselves was beyond what they are capable of achieving. That is why it took three years to produce the draft CSI document. That is why the current document is simply inadequate and unfit for purpose. Yet, it

is now being offered cynically to the public for comment.

Even as it stands, it is clear that OFMDFM Ministers have little confidence in what they have produced. They organised public consultation meetings, but they left it to their officials to meet the public. The two First Ministers and even the two junior Ministers were too busy to stand in front of people to answer questions and explain themselves. Incidentally, I have been told that there is a suggestion that the strategy has the support of all parties in the Executive. That is not true. I will examine the records of those meetings closely.

So far, polite society has been, well, quite polite about the new cohesion, sharing and integration strategy. People who have been engaged in the hard work of cross-community reconciliation and peace building have welcomed the fact that the paper has finally been produced. However, behind the scenes, I know that, in many cases, their blood is boiling. Their hopes and expectations have been dashed by what they know to be a cynical exercise by two cynical parties. They know that they are not being listened to. In the document, they see spurious detail about possible management structures and who would be in control of what. Alongside that, they see the document's utter absence of concrete proposals for building a better society.

Last year, when I held 14 public meetings to discuss how the Department for Social Development could advance the shared future agenda — 14 public meetings, which, incidentally, I fronted — I came across many people who longed for the normality of a genuinely shared society in this part of the world. There is no doubt in my mind that the public whom we serve believe overwhelmingly in a shared society, but they will not get that from this OFMDFM strategy. The absence of real intent to deliver on the part of the DUP and Sinn Féin serves only to conceal the real absence in all of this: the absence of leadership.

Although it is relatively easy for our joint First Ministers to grit their teeth and stand together to condemn negative events, such as dissident violence or racist attacks, where are the examples of positive leadership? Where is the reaching out across the divide? *[Laughter.]* Well may some of you laugh. When does it ever get past, "You get that for your side, and we will get that for our side"?

Last week, we saw the worst of that mentality when no one at OFMDFM picked up the invitation to participate in the papal visit to the United Kingdom. I said little at the time, because the Pope's visit was continuing, but I thought that it was disgraceful. Suffice it to say that it is a measure of the DUP and Sinn Féin's closed minds that we have one Minister who cannot risk being in the same room as the Pope, even at the invitation of the Queen, and another who is afraid of being in the same room as the Queen. Nor did they pass on the invitation so that our devolved Administration could be represented, for, in the carve-up world of OFMDFM, they alone are the Government.

We will not heal the deep divisions in this community if we do not get leadership from those who have the most power. Leadership starts by recognising that there is no credible alternative to a shared future. The maintenance of two better regulated but still deeply divided communities cannot be the answer. OFMDFM will have the opportunity to rewrite the cohesion, sharing and integration strategy after this phase of consultation. They know that it needs to be completely rewritten and to be supported by resources and a timetable for action. Despite the flawed process, the SDLP will submit a detailed and purposeful paper, which will help get the initiative back on track. This is an opportunity for all of us to move on and to lead and reach for the next horizon. I commend the motion to the House and pledge the best efforts of my party in this vital work.

Mr Speaker: As this is the first occasion on which the Assembly will hear from Mr Lyttle, I remind the House that it is the convention that a maiden speech is made without interruption.

Mr Lyttle: I beg to move the following amendment: At end insert

“; and calls on the Executive to ensure that a revised programme includes a clearly articulated vision of a cohesive, shared and integrated society and an action plan covering policies, resource allocations, targets, timetables and evaluation criteria.”

May I take this opportunity to thank you, Mr Speaker, and your colleagues for the warm welcome to the Assembly that I have been given and to put on record the honour and privilege that it is to be appointed to represent the people of East Belfast in the House? I am immensely proud of the constituency that I have lived in all my life. East Belfast is not only the

seat of our Assembly but is widely recognised for its rich industrial, cultural and sporting heritage. Names such as Harland and Wolff, C S Lewis, Van Morrison and George Best are world renowned, and, although some traditional industry in the area has declined, I believe that the enterprise, creativity and imagination of our people remain our most important resource in tackling social disadvantage and promoting economic development in this region.

I am aware that I follow in the line of distinguished parliamentarians who have represented the constituency with exceptional ability and, at times, no small measure of the feistiness and wit that are required to survive in this arena. I am sure that the House will agree that those qualities apply to no one more than my predecessor, Naomi Long, and will join me in paying tribute to the tremendous record of leadership that she had in the House. Naomi has been an outstanding Member of the Assembly and will continue to be a formidable representative for this region in her role as Member of Parliament for East Belfast. As deputy leader of the Alliance Party and as a former Deputy Chairperson of the Committee for the Office of the First Minister and deputy First Minister, Naomi has been the strongest advocate of the need for a serious and overarching good relations policy to underpin the work of every Department and to drive forward the work of the Executive. It is leaders such as Naomi and people in organisations such as the Alliance Party, who prioritised tackling the deep division in our community and believe that there is more to unite us than divide us, who inspired me to take my own stand for a shared and better future on behalf of my community. It is pertinent, therefore, that my maiden contribution in the House is to move the amendment to the motion on equality and good relations.

The Alliance Party welcomes the historic opportunity represented by the publication of the draft programme for cohesion, sharing and integration, and it welcomes the debate on that important matter today. Although my party will support the motion as tabled, I seek the support of the House for our sensible amendment.

I want to make it clear from the outset that the challenge of delivering equality and good relations in Northern Ireland must be much more important than any one party political agenda. That being the case, the Alliance Party

recognises the progress that has been made by local politicians in taking ownership of the draft strategy and the public consultation process associated with it. However, we must also recognise the fact that the current proposal is inadequate in some aspects and could be significantly improved. Our amendment sets out the nature of those inadequacies in broad terms and encourages OFMDFM and the wider Executive to address them in detail when the new programme is finalised.

The Alliance Party believes that the healing of deep divisions in this society is the greatest challenge for the Assembly. It has a vision of a cohesive, shared and integrated society, where people are safe and prosperous, have ample opportunities and are treated fairly and respectfully. We want to deliver a normal civic society underpinned by our shared values of equality, respect for diversity and interdependence. The critical measure for the programme must be what it will do for community relations in Northern Ireland.

We have spent approximately £1.5 billion on peace building in Northern Ireland, but that model is coming to an end. We need to take responsibility for the ongoing human and economic cost of getting this issue wrong. At a time of immense financial pressure, the fundamental link between a shared society and economic development should be a major driver of change. With approximately 70,000 spare school places and a crumbling schools estate, it is vital that robust education reform proposals are included in the policy. The establishment of a single integrated system that is shared by all children must be a priority. For good reasons, people in contested places are cautious about the education of their children. However, the delivery mechanisms that reflect historic interests cannot be the driver for our children's education in twenty-first-century Northern Ireland.

We must also not make the mistake of regarding community relations work solely as individually funded projects but see it rather as an ethos that runs throughout our system of government. However, I take this opportunity to pay tribute to the excellent strategic work of the Community Relations Council and to the many men, women and children who make their own significant contribution to improving community relations across our community, often in the most difficult conditions.

As I mentioned previously, past initiatives of that type occurred under direct rule, including, most recently, the shared future strategy in 2005. Although there was little wrong with that strategy, I am sure that the House will agree that it is much more desirable that local political institutions take ownership of the development and delivery of future strategies. The Alliance Party was, therefore, pleased to play a part in the agreement of a draft policy this year. However, it is worth recognising the fact that the current draft is an ongoing work and that significant concerns have been raised about its current content. The consultation exercise is, therefore, critical, and I was encouraged by the First Minister's remarks yesterday during Question Time, when he reflected on OFMDFM's record of responding positively to consultation recommendations. It is incumbent on OFMDFM and the Executive to take on board what is received and to amend the programme accordingly — indeed, to amend it radically.

12.00 noon

It is good to have a Government document that tackles issues such as shared space, shared education, shared housing, visible manifestations of racism, sectarianism, bonfires, flags, the cost of duplicated services and zero tolerance of hate crimes, and many of the key themes for actions are also in there. In that respect, the glass is half full. However, the vision of the document is weak and less developed. It is entitled cohesion, sharing and integration (CSI), but at no stage are any of those concepts well defined. Specifically, there is no affirmation of a shared society, and the underlying assumption of managing a divided society and separate communities remains. We are, therefore, in danger of having a shared-out future rather than the shared future that this region needs and deserves.

Cohesion, in particular, is the new standard in the field of community relations, and some very relevant work on it has been carried out in Great Britain. However, there is very little reference in the document to developing good practice beyond our shores. The Alliance Party is also wary of a hierarchy between equality and good relations. The document must recognise that there can be no sustainable equality in the region without a sense of solidarity, interdependence and sharing. Equality arguments should not be used to undermine good relations, and vice versa. We also regret

that there is not sufficient recognition of the economic and financial costs of continued divisions and of the opportunities that would come from a shared society. That is critical to understanding the full structural problems faced in the economy and to appreciating what will provide a real motivating force for devising a strong CSI strategy.

We need a clear vision of cohesion, sharing and integration and a detailed action plan against which to resource, target, timetable, monitor, evaluate and deliver that programme. The CSI programme must not be considered as just another document but a historic opportunity to make reconciliation, equality and good relations a reality for this and future generations of our community. Tremendous progress has occurred in the peace process over the past 15 years, including during this Assembly mandate. In order to realise our full potential, however, the political process must articulate a clear vision of a shared society and devise a robust action plan to address the ongoing human and financial cost of prejudice and segregation to our community.

Mr Spratt: Equality and good relations are a key component of any modern society; therefore I am pleased to speak in the debate.

For far too long, sectarianism and division have been a hallmark of life in Northern Ireland, and I welcome the First Minister and the deputy First Minister's considerable efforts to reduce and eradicate that cancer from our society. There has been much criticism of the cohesion, sharing and integration document: that it took too long to produce and that it lacks detail on timescales, actions and targets. However, this is a massive and important task, and it is critical to get it right. As Members are aware, the consultation process provided an opportunity to identify and address any issues that have not been included. The CSI document should be seen as the beginning of a very substantial process.

As I said before, Northern Ireland has been riven with sectarian divisions for far too long; it is a way of life for some people in the Province, and it will take a long time to change attitudes. That can be achieved only through a number of initiatives. However, I do not want to give the impression that work has not already been done to tackle those issues. Many organisations and, indeed, individuals have worked tirelessly over

the years to create a better future for everyone, and that must be commended. However, much of that work has been done at the coalface. The CSI strategy is a political agreement at a high strategic level, and it must be said that this is the first time that that has been achieved in the Assembly. That is clearly a major development, and it should be recognised as such.

As the deputy First Minister said, the clear intention is to set targets and actions to take forward the strategy and make a real difference. Those targets will be monitored and ensured by the ministerial panel, and they should be fully integrated with the Programme for Government and the public service agreements (PSAs). There is no doubt that the First Minister and deputy First Minister intend to follow through on their pledge to tackle the deep divisions in our society. The fact that there has been a consultation process and that there will be input from all Departments ensures that all interested parties have an opportunity to contribute to that vital and strategic policy document.

It is also important to note that the document does not simply focus on tackling sectarianism and racism but affirms that all forms of intolerance, including hate crimes, antisocial behaviour, harassment, discrimination, recreational rioting and interface issues are to be recognised as unacceptable in our society. That also includes attacks on people on any basis, such as age, disability, race, sexual orientation or gender. In respect of good relations, the First Minister stated:

"There can be no room for sectarianism, racism or any form of hate crime. Attacks or violence that are motivated by any of those are unacceptable and must be condemned. ... It is not only words of condemnation that are required but an identification of the causes of bad relations and actions to tackle the problem." — [Official Report, Bound Volume 46, p23, col 2].

The concept of good relations has been in the mix for some time. OFMDFM has already provided major funding and worked with local councils and the Community Relations Council to achieve good relations. As I said, much has already been done to change attitudes. However, with the backing of the First and deputy First Ministers, we will have in place a high-level strategic plan that will have a long-term impact. If we are to develop the economy and attract investment from overseas, we must not allow the scenes of recreational rioting and interface

tensions that made the headlines in July this year. All crimes and violence that are motivated by hate and intolerance must be challenged.

I do not agree, however, with the motion's last statement:

"the consultation document fails to provide an adequate framework to enable progress towards a shared and reconciled society."

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

Mr Spratt: Therefore, we cannot support the motion that is before the House today.

Ms M Anderson: Go raibh míle maith agat. The motion and the amendment betray a lack of understanding of the equality provisions in section 75(1) of the 1998 Act. For that reason, we will reject the motion and the amendment.

The motion clearly suggests that equality and good relations are coequal sides of one coin; that they are both as important as each other. That is simply not the case, because good relations can be built only upon equality. Equality cannot and should not be built upon good relations. Shame on Margaret Ritchie, the leader of the SDLP, for driving such an agenda.

Let us take housing as an example. If we were to work on the basis of objective need, it might be shown, for instance, that more Catholics are on the waiting list and need allocated housing or that more Protestants are on the waiting list and need allocated housing. However, some people could object to having Catholics or Protestants living nearby because it would have a detrimental impact on good relations. The SDLP's motion promotes the idea of equal status for equality and good relations. Is the SDLP saying that, were that to be the case, housing for Catholics or for Protestants could be blocked on that basis? Where would that have left the Gildernews?

Mr McDevitt: If we are going to have a debate, it is important that we understand the difference between equality and equity. Ms Anderson seems to have forgotten the basic lesson of the schoolmistress who invites her children to take off a shoe and throw it into the middle of the room and then invites the children to blindfold themselves and pick up a shoe, and they do. They sit down, and the schoolmistress asks the children whether they are happy. They say, "No; not particularly. We are not happy." She

asks, "Oh, why are you not happy?" and they say, "Because we have all ended up with each other's shoes". The schoolmistress says, "But I did things equally. I treated you all equally. You all had the opportunity to pick up a shoe, and you now have a shoe".

The problem is, as with Ms Anderson's analysis — *[Interruption.]*

Mr Speaker: Order.

Mr McDevitt: As with Ms Anderson's analysis, that does not consider the fundamental issue, which is that you cannot decide equality until you understand need, and until you understand need, you do not get equality, and that is why good relations are so important.

Mr Speaker: Order. It is good practice that interventions should be short and to the point. *[Laughter.]* That is good practice not only in this House but elsewhere. The Member has a minute added to her time.

Ms M Anderson: I should have an extra two or three minutes. I appreciate that Conall McDevitt is a new MLA, and perhaps he does not understand section 75(1) and section 75(2) of the 1998 Act. The thinking and intention behind section 75(1) was that equality should always, absolutely always, take priority. Good relations — section 75(2) — will flow from that.

Equality is necessary; good relations are desirable. Equality is the primary duty, and I find it disappointing, but absolutely not surprising, that the SDLP do not seem to recognise that. What else would we expect from a party that opposed the MacBride principles? Perhaps the proposers of the motion, one of whom is the leader of the SDLP, are once again seeking to remove what their previous leader once referred to as the ugly scaffolding of the Good Friday Agreement — that same ugly scaffolding that exists to safeguard the rights and entitlements of nationalists.

Those protections were hard won. They were hard won — *[Interruption.]*

Mr Speaker: Order.

Ms M Anderson: They were hard won.

Mr Speaker: Order. Allow the Member to continue.

Ms M Anderson: They were hard won, and nationalists and republicans can take heart that

Sinn Féin, and Sinn Féin representatives, have absolutely no intention of surrendering them.

I welcome the fact that the cohesion, sharing and integration strategy document has been published for consultation, a consultation that provides us all with an opportunity to strengthen the strategy. The cohesion, sharing and integration strategy is a cross-cutting policy, and, as such, it needs to be driven at the highest level of leadership. As an indication of intent, the cohesion, sharing and integration document proposes a panel led by our First Minister and deputy First Minister that will work with a reinvigorated racial equality forum and other stakeholder groups, communities, and communities of interest.

The consultation document should be critically appraised. That is to be welcomed. The junior Minister in the Chamber yesterday talked about how he attended meetings, and there definitely were such critical appraisals. I welcome the fact that for the first time the dialogue to facilitate the development of cohesion, sharing and integration in this society is, if the SDLP will read it at paragraph 1.6 of the consultation document, framed in the context of:

“equality and the enforcement of rights.”

However, Sinn Féin has been clear from the day that the draft cohesion, sharing and integration strategy document was published that it was not the final article, and we heard the First Minister make such a reference yesterday.

We all have an opportunity to shape the final strategy —

Mr Speaker: The Member should draw her remarks to a close.

Ms M Anderson: For all the reasons that I outlined, we will not be supporting the motion or the amendment.

Mr Speaker: The Member's time is up.

Ms M Anderson: Go raibh míle maith agat.

Mr Kinahan: I congratulate Chris Lyttle on his maiden speech. I thank the Members for tabling this motion. I have got myself in a muddle; bear with me. The Ulster Unionist Party will work constructively — bear with me just a second; I had shuffled my documents. Thank you for bearing with me.

12.15 pm

I thank the Members who tabled the motion for doing so. Northern Ireland's recent history has been turbulent and violent. That has left us with a legacy of segregation, mistrust and, in some cases, open hostility. The Belfast Agreement brought us peace and created political institutions that have largely served to regulate our differences.

However, we have not taken the necessary steps to move towards a society that is genuinely pluralist, genuinely integrationist and genuinely built on respect for our different traditions. That is evidenced by the fact that we have more peace lines today than we did in 1998. More people live in segregated communities, and there is growing violence from dissident republicans. That is despite us having probably the most stringent equality regime in Europe.

The Ulster Unionist Party believes in a genuinely pluralist Northern Ireland. We believe in a genuinely tolerant United Kingdom, and we believe in building genuine respect and integration between all groups in our society. So, it is clear that we have a job of work to do. However, we must be aware of what is at stake.

We cannot allow our children and young people to repeat a history of segregation and intolerance. The motion is also right to point out that in areas of social deprivation, segregation is at its most acute. If we fail to get this right, we will be dooming not only those communities but potentially our entire community. Would any international investors have been inspired to invest by the scenes in the Ardoyne in July? It is that reality that makes the document produced by Sinn Féin and the DUP so disappointing.

The delay in the production of the cohesion, sharing and integration strategy appears to be due to differences between building good relations and equality. It has long been a position of Sinn Féin to diminish emphasis on good relations in favour of an ideological, divisive and exclusive focus on the equality agenda. The cohesion, sharing and integration document does not provide any solutions to that dilemma. Instead, it promotes the separate but equal agenda. That creates a danger of furthering a factory of grievances approach. The culmination of that approach in the document is the potential abolition of the Community Relations Council (CRC), if two of the four options available are chosen. Whatever the

CRC's flaws, it has provided an independent voice on an issue that some politicians have often sought to avoid.

The draft cohesion, sharing and integration strategy lacks goals beyond the general; it has no specific action plans and offers very little on young people, housing and education. Action in those areas is crucial if we are to avoid repeating ourselves. The document is more about sharing out than a shared future, and I am concerned that it will lead to a Balkanisation agenda being pursued without criticism and scrutiny. It also does not do enough to integrate other minorities in Northern Ireland.

Reflecting on that, some of the language in the SDLP's motion is unhelpful. The SDLP appears to be riding two horses at once. Of course we all want a more equal society, but we do not want a "one for you and one for me" mentality to pervade in the cohesion, sharing and integration strategy. That is especially true as we enter a period of much-reduced funding. The logical conclusion of the opening sentence of the SDLP's motion is paralysis and a stand-off.

The Ulster Unionist Party will work constructively with and for any legitimate group in Northern Ireland, and we will pursue a shared future that is not based on gimmicks —

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

Mr Kinahan: We will do that because we want a better Northern Ireland and because we are —

Mr McDevitt: Will the Member give way?

Mr Kinahan: No. We will do that because we are unapologetic unionists who want a strong and positive union, and we will do that because it is right.

Mr G Robinson: Equality and good relations must be one of the most difficult topics in Northern Ireland, but nobody should have any doubt that my party and I are committed to equality and good relations for all in Northern Ireland. On 3 September 2010, the First Minister said:

"We are at the beginning of a very important process and we want to hear the views of people throughout our society on how we can build a better future for everyone."

That is a clear indication of my party's thinking on the way forward. It is also a clear statement

of the support that this side of the House has for the principle of equality for everyone. Everyone will be treated equally in the Northern Ireland that is being built.

It is sadly true that those who suffer most from inequality are those who are at the greatest disadvantage for whatever reason — disability, unemployment or race. The Assembly must ensure that inequality is not common in society. I am also convinced that strong political leadership has been shown. The fact that the Assembly has not collapsed over the past three and a half years proves that strong leadership has been given, especially by the First Minister and his predecessor, Lord Bannside. That is reflected in the programme for cohesion, sharing and integration.

As elected representatives, we must all lead by example, particularly when making statements to the press and in public places, so that we do not inflame situations, such as occurred recently in Coleraine. If we are to build a society equal for all, we must choose our words very carefully. It is most regrettable that Members who signed the motion did not reflect on the early stage that the consultation process is at. The motion does little to promote cohesion, sharing or integration; it does the opposite.

Northern Ireland needs a peaceful future, and the programme for cohesion, sharing and integration is an important milestone in achieving that. If the party that supports the motion wants that state of affairs, it should not put further divisive motions before the Assembly but work positively to achieve the equality that it says it wants.

Mr McKay: I oppose the motion and the amendment, as my party colleague outlined.

Fundamentally, equality cannot and should not be built on good relations. The CSI document highlights that equality is the foundation of good relations and that good relations can only be built on equality.

Section 75 of the Northern Ireland Act 1998 places a duty on public authorities to treat people equally, regardless of race, age, marital status, religious belief, political opinion, or sexual orientation. By making the maintenance of good relations a duty equal to equality, many progressive policies to tackle inequality would be vetoed. That would be bad for good relations,

or so some politicians in our community would argue.

Dr Farry: I am grateful to the Member for giving way and I promise not to mention shoes. *[Laughter.]*

I ask the Member to consider that the problem that Sinn Féin articulates with regard to the relationship between equality and good relations is actually a misunderstanding of the concept of good relations, which has been used and abused by certain politicians. If we talk about good relations in a context of sharing, it implies respect for diversity, which does not threaten equality; whereas, if someone objects to something and employs a “good relations” argument against it, it represents a warping of the notion of a shared society and the idea of good relations.

Mr Speaker: The Member may have an extra minute to speak.

Mr McKay: I thank the Member for his intervention, but different parties have different interpretations of “good relations”.

For example, members of the lesbian, gay, bisexual and transgender (LGBT) community could apply to their local council for funding for a gay pride parade or a public event, and local councillors could employ the argument that funding or holding such an event in their community or in a particular area would be bad for good relations in that area. Councillors would be wrong to employ that argument, but some would. That could — would — happen, given the views of some political parties.

Dr Farry: That is exactly the point that I was trying to make; it is a clear example of a misunderstanding of the concept of good relations in a shared society; it is an abuse of the concept. That should not happen.

Mr McKay: Equality should be safeguarded at all times; it has to be the cornerstone of society and must be ahead of good relations. That is why in this case —

Mr B McCrea: Will the Member give way again?

Mr McKay: No. Two interventions are enough, Basil.

We will not support that; we will not support the undermining of equality safeguards in society, and we will not support the dilution of

the equality legislation secured in the Good Friday Agreement. Equality is the bottom line as far as Sinn Féin is concerned. Sectarianism and intolerance are still rife in this society, and we must ensure that an effective strategy is in place, and that funding is used effectively to tackle those problems.

The concept of good relations taking priority over equality has led to the consolidation and ingraining of inequality in some cases and has been used by those opposed to the equality agenda to undermine hard-fought equality measures. Some of the aims and objectives outlined are to be welcomed, as the Member for East Belfast Chris Lyttle said earlier. Those include zero tolerance on crimes motivated by prejudice and all forms of hate crime; working to eliminate attacks on cultural, sports and other symbolic property and monuments, including GAA halls and Orange Halls in our community; maximising the impact of funding on the ground; and encouraging shared neighbourhoods and eliminating segregated services. That is worth working towards.

The CSI document could be better. One of the parties involved in the Office of the First Minister and deputy First Minister is progressive and the other is not. Sinn Féin not only wants to see the LGBT sector —

Mr A Maginness: Who is progressive and who is not?

Mr McKay: It does not take a genius, Alban.

Mr Speaker: Order.

Mr McKay: Sinn Féin not only wants to see the LGBT sector fully involved in this process, but wants to see their concerns dealt with effectively.

Mr McDevitt: Why do you not include them in —

Mr Speaker: Order.

Mr McKay: The CSI strategy will not resolve sectarianism and the prejudicial attitudes that exist in this society. One hears a lot of comments from the SDLP about the document, and it is critical of what has been put together so far. However, that is only the first step in the process. It is worth remembering that the SDLP had ample opportunity to put together such a document when it was in the same office with the Ulster Unionist Party. It did not achieve anything. We got nothing from the SDLP. It is all

very well for the party to come here and try to criticise us for what has been brought forward, but it has not been able to do any of that work itself. Shame on the SDLP for bringing the motion forward, and shame on the SDLP for trying to undermine the equality legislation that was secured after decades of hard work. It does not understand the impact of what it is putting forward —

Mr A Maginness: After decades of violence —

Mr Speaker: Order, order.

Mr McKay: The SDLP should go back to the —

Mr Speaker: Order. Allow the Member to finish.

Mr McKay: They should try to understand the impact of what they are proposing. Go raibh maith agat.

Mr Speaker: The Business Committee has arranged to meet immediately during the lunchtime suspension today. I propose, therefore, by leave of the Assembly, to suspend the sitting until 2.00 pm. The first Member to speak after lunchtime will be Mr Allan Bresland.

The sitting was suspended at 12.28 pm.

On resuming (Mr Deputy Speaker [Mr Dallat] in the Chair) —

2.00 pm

Mr Bresland: I want a Northern Ireland that is free from sectarian and racial hatred, where all are equal under the law and where people live together in harmony. Sadly, despite the improved times in which we live, tensions still exist across society and are often just beneath the surface.

The programme for cohesion, sharing and integration is out for consultation. It is a genuine effort to bring about the sort of changes that we need. I regret that the SDLP has felt it necessary to throw a spanner in the works by proposing this divisive motion.

I believe in civil and religious liberty for all, and I try to be a good neighbour to all. However, I am not convinced that those who tabled the motion share my commitment to those principles. Indeed, the SDLP's track record points in the opposite direction. The SDLP is good at talking the talk, but it is not so good at walking the walk. It is the party that joined Sinn Féin, the Alliance Party and the Green Party last October to demand that an Executive Minister sacrifice his right to religious conscience. It is the party that supported 50:50 recruitment to the PSNI, thus denying equality of opportunity to many capable young Protestants. It is the party that attacked my colleague Lord Bannside for exercising his right to protest against the papal visit in Scotland. It is the party that wants to deny Protestants the right to exercise civil and religious liberty on the streets of our Province. It is the party that says that we must hold on to the Parades Commission, which is a body that has a dreadful track record of bias against my community. I will take no lectures from the SDLP on equality or good relations. Before it comes to the House with its fine-sounding words, it really needs to put its house in order.

Like many people in Northern Ireland, I am concerned about the growth of the equality industry. Surely no other region in Europe has the same amount of equality legislation and number of quangos that we have in Northern Ireland. That is hard to justify on the grounds of value for money. More importantly, we have to ask whether the equality industry is actually delivering. The people whom I represent do not feel that their rights are protected.

As I said, the programme for cohesion, sharing and integration offers an opportunity for the way forward. It offers a way to resolve some of the outstanding issues. Rather than attacking the CSI strategy, let us use it as a platform to build on. I oppose the motion.

Mr B McCrea: I am grateful to Danny Kennedy, who has allowed me to say a few words. I want to dispel any myths that are going around here. I am not used to speaking to such a small audience; however, I will do my best.

I wanted to address my comments to friends and colleagues and to esteemed Sinn Féin Assembly Members. I am looking for them, and, unless Barry McElduff is hiding round there, I cannot see any of them. That just shows how important this topic is to Sinn Féin. Nevertheless, I will address some of the comments that Ms Anderson in particular made — *[Interruption.]* Hold on a tick. Here we go — reinforcements have arrived. For one minute, I thought that I would have to talk to myself. It would not have been the first time that I have done that.

I would like to put forward some really important issues. I listened intently to the speeches in the debate. I find it strange when people say, as Sinn Féin tried to argue, that there must be equality above all else. Surely, need must come into it. Surely, if someone is in dire straits and has an absolutely obvious case for help, we should help them first, regardless of whether they are Catholic or Protestant, white or black, from these shores or not. Surely, the whole essence of civilization and having a responsible attitude is to look after those who are in most need. I am not saying that equality is not important: I am saying that it is just one of a collection of needs that we have to try to address.

Mr McCallister: I am grateful to the Member for making a contribution to such a small audience. Does he agree that we focus on equality too much? We have some of the most robust equality legislation and measures in the European Union, probably, yet we also have one of the most divided societies in the European Union. We are not going to achieve everything by equality alone.

Mr B McCrea: The Member makes the useful point that we should be looking at outcomes. Can we find a way of doing more than issuing just nice words? I heard Mr Spratt speak

most eloquently on the subject. The issue is highlighted by looking at the official position, which concerns how we treat people, regardless of race, background, sexual orientation or any other circumstance. Mr Spratt repeatedly said that we have to address such issues, not just by word but by deed. We have to show our society that we are prepared to work together, that there is a real issue about leadership being shown by those of us in the Assembly and beyond.

I take this opportunity — I hope that I do not speak out of turn with my party colleagues — to say that there has been a lot of discussion of late in the press about various issues. Certainly, Tom Elliott and I have discussed such matters, and I want to put it on the record that Tom works extremely hard in his constituency to bring communities and people from all backgrounds together. He really works at that, and anybody who tries to make mischief out of such things completely misunderstands and misrepresents the reality on the ground.

The issue that I have with the motion and the reason why I stand before you is to say that I believe absolutely in a shared future because I think that it will make all of us stronger. In another place, I argued that, from my political perspective, the Union is stronger when it is a Union for everybody. We should seek to bring people together in our tent to tell them that their contribution is welcome.

Few people have a monopoly on the issue. It is not something about which one party can say that it is the party of equality, of equal opportunity or of this, that and the other. It is about collectivism, it is something that we must do together because that makes us all stronger. We all felt a little sympathy for Danny Kinahan during his speech because we have all experienced not quite getting our papers together. However, Members who listened to what he said heard a first-rate speech that all of us could support. Given the opportunity, I advocate continually that we need to see leadership from the Chamber — genuine leadership — and some form of generosity of spirit. It is a mistake for people to sometimes try to make a party political issue out of a matter that is all-embracing.

Way before my time to speak is up, I will conclude by saying that we will support the amendment and the motion, but we will do so on the basis of the good intent that has been

expressed by Members in the debate. Perhaps, all of us could use language a little better; however, collectively, we are the better for it.

Mrs D Kelly: Our party will support the Alliance Party amendment, which not only adds to the motion but serves to highlight the deficiencies in the CSI strategy.

It is most alarming that reconciliation is not mentioned once in the strategy. It is even more alarming to hear Martina Anderson's comments. I am glad that she has now joined us. Where in republicanism was apartheid ever mentioned? They are trying to create a North that, according to their ideal, is separate but equal. Perhaps that explains to some extent why there are more peace walls throughout the North. Perhaps we should simply build peace walls around all our towns and villages to segregate communities, because that appears to be Martina Anderson and Sinn Féin's vision.

Ms M Anderson: Will the Member give way?

Mrs D Kelly: Not just yet; I will give way later. I wish to address a few other points that Ms Anderson made. She challenged the SDLP about what it has done. We have done quite a lot. Where, in fact, were Martina and her comrades in the 1960s, 1970s and 1980s, when the SDLP was arguing for a reconciled North of Ireland? Where were they when we said that the only way to build equality and good relations was through peaceful political dialogue and not through violence? We welcome the fact that, in parts, Sinn Féin is on the same page as the SDLP today. However, it has performed more U-turns than the Iron Lady. Sinn Féin has much to explain to the nationalist community.

Sinn Féin also has much to explain to the section 75 groups that are not mentioned in the strategy. Sinn Féin cannot have it both ways. Either, as Robin Newton said yesterday, it is a strategy to deal with sectarianism and racism, or it is not. When Sinn Féin and the DUP produced the document, they said that it related to all sections of society and would create a better, fairer and more inclusive Northern Ireland. Yet, outside of their contributions and proposals, young people are abysmally and appallingly dealt with in the document. Victims are not mentioned at all. People who live in marginalised areas and feel marginalised as members of society are not represented. There is no mention of people with disabilities. The document contains no response on gender

identity and nothing for the LGBT sector. Indeed, women are excluded entirely from the strategy. Therefore, it is rich of Sinn Féin to point to section 75, when it is clear that it has no understanding of what section 75 is about.

I listened to Daithí McKay, who comes from a constituency that includes Rasharkin, which is hardly a prime example of how people can live in a spirit of good relations and equality. It is win or lose, and, currently, all the people of Rasharkin are losers, because their problems are not being dealt with. We are not giving political leadership, and we are not building a shared and reconciled society.

The Good Friday Agreement was about reconciliation and finding a better way forward. On behalf of the SDLP, I say that the cohesion, sharing and integration strategy should have been about the solidarity that must exist among all people who live here. We must have interdependence among all people who live here, because, without going forward together, we will not go forward at all. Therefore, the strategy must include everyone. As I outlined, however, significant sections of our society are excluded entirely from the cohesion, sharing and integration strategy. I remind Members that it is almost a year since Sinn Féin produced its own version of the strategy following its little spat with the DUP on the subject.

In tabling the motion, the SDLP is intent on building a reconciled future. Margaret Ritchie, in her campaign for party leader, made it one of her main commitments. She made it clear that it was one of the main pillars on which she would base her efforts to take our party and the community forward. No voices from the wider society are being heard, yet people who attended the consultation meetings are champions of the cohesion, sharing and integration strategy.

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

Mrs D Kelly: Sinn Féin should have listened to us a few months ago when it was making a mess of the parades legislation. It should listen to us now and it would not have orange egg all over its face again today.

2.15 pm

The junior Minister (Office of the First Minister and deputy First Minister) (Mr Newton): I

am grateful for the opportunity to respond to the debate. I thank the Members who tabled the motion because it has given the Assembly an opportunity to debate the content of the cohesion, sharing and integration consultation document rather than some of the more spurious aspects of the issue that have been thrown around the Chamber today.

I will begin by quoting the document's opening paragraph:

"We have entered a new and hopeful period in our history. Our vision for this new era is that, working together, we will build a shared and better future for us all. We want to build a society where everyone shares in and enjoys the benefits of a more peaceful society."

It is a positive statement, which stands in stark contrast to the extremely negative attitude that the SDLP has displayed. The aim of the document, which is our aim, is a shared future: not separate, but equal. The strategy makes clear our aim for shared spaces; shared celebration of cultural expression; and shared neighbourhoods, workplaces and educational opportunities. Executive agreement of the draft programme for cohesion, sharing and integration should be seen as a significant moment in our ongoing effort to build a shared and better future for all. I welcome the opportunity to reiterate its importance and to call on the Assembly, as a whole, to give its full support to the draft programme.

Dolores Kelly mentioned what I said in the House yesterday. I must point out to the Member for Upper Bann that reconciliation is mentioned in the document. I advise her to go away and read the document before she comes to the Assembly to speak on it. I emphasise again what I said in the House yesterday: the SDLP and, indeed, the Ulster Unionists, I am afraid to say, failed to produce anything during their time in the posts of First Minister and deputy First Minister. They could not get agreement, even on a high-level policy, so it is striking to listen to the leader of the SDLP dismiss the Executive consultation document with such disdain. Since she became an MP, she has been taking lessons in how to be more insulting. That is the way in which she came across. She was very professional in her insulting contribution. That negative view exists only in the imagination of the SDLP and has no place in this discourse.

Mrs D Kelly: Will the junior Minister give way?

The junior Minister (Mr Newton): I am sorry, but I have only 15 minutes, and I have to get all my remarks made.

I said yesterday that I had attended several of the public consultation events. Not only did I attend them, but I spoke to at least one third of the audiences at each event before it began. I spoke to individuals, table to table, about their concerns about the consultation document. Therefore, I will not take any lessons on consultation from the SDLP.

It is important to realise that the draft programme is intended only to be a framework document for improved co-ordination of policy across government and the community and voluntary sector. That will ultimately ensure a more efficient, effective and focused response to the challenges of sectarianism and racism. The draft programme for cohesion, sharing and integration sets out a vision for a new era in which all of us can work together to build a shared and better future, a future in which fairness, equality, rights, responsibilities and respect are acknowledged and accepted by all.

Mr A Maginness: Will the junior Minister give way?

The junior Minister (Mr Newton): I have only 15 minutes. I agree with the Member for East Belfast Mr Lyttle. It seems that, despite his little time in the Chamber, he has a more thorough grasp of the document than the much more seasoned and mature campaigners on the SDLP Benches, who should be able to analyse documents and put forward arguments, not arguments that are somewhere out of the ether but arguments that are focused on the document and the policy. That makes it even sadder that the Alliance Party has tabled an amendment to the SDLP motion.

The strategy represents a high-level strategic direction, and, once we get agreement on that framework and take into account what we hear during the consultation — I expect to hear lots during the consultation — we will seek final Executive agreement and start to work urgently to develop detailed and robust actions in all the specified areas. Likewise, we recognise all the valuable work and the critical role that is carried out in very difficult times by the Community Relations Council. I challenge Ms Ritchie's allegation that the Community Relations Council is absent from the strategy. In fact, the CRC

appears no fewer than 16 times throughout the document.

Mr Bell: She missed it.

The junior Minister (Mr Newton): She missed it.

Mr Spratt: Rose-tinted glasses.

The junior Minister (Mr Newton): Rose-tinted glasses. I welcome the recognition by my colleagues Mr Spratt and George Robinson that the publication of the strategy has been a significant and positive development in our efforts to tackle the scourges of sectarianism and racism in our community.

Ms Lo: Will the junior Minister give way?

The junior Minister (Mr Newton): I have already —

Mr Deputy Speaker: Order. The Minister has made it consistently clear that he does not wish to give way. Please respect that.

The junior Minister (Mr Newton): I speak to all Members of the House when I say that intolerance, prejudice, division, separation, hate and violence cannot be resolved by the publication of one document. This strategy represents a high-level commitment, but everyone in the Chamber and the Assembly needs to work together with the community groups and with each other to continue to bring about real and positive changes on the ground. Indeed, that is particularly true of the party leaders. Peter Robinson, DUP leader, made it clear yesterday during Question Time that this document offers leadership to the entire community. Taking the negative approach will do no one in the community any good. Indeed, that attitude will create further divisions in the community. I do not know what the SDLP's contribution will be to the consultative process, but I urge it to make a positive rather than a negative response. As Ms Anderson said, the draft programme acknowledges that good relations cannot be built on inequality and that the promotion of equality of opportunity is essential to build good relations.

I welcome Mr Kinahan's contribution, and, for that reason, I am disappointed to learn that the Ulster Unionists will support the SDLP motion. I welcomed Mr Kinahan's contribution, which was to say that the Ulster Unionist Party will work constructively to contribute to this process. It is difficult to see how that party can support a motion with such negative content given that,

when Mr Kinahan was on his feet, he spoke very positively about supporting the process. I agree with him: we must tackle the deprivation that contributes to bad community relations. However, I reiterate to Mr Kinahan that actions and targets must follow agreement on the overarching strategy. If we are not able to reach and implement a strategy, there is not much sense in having targets.

I will respond to Basil McCrea's comments. The process has been about trying to identify need and find the appropriate actions to address the need. There is a need to urgently address sectarianism throughout the community and to encourage greater sharing by tackling the barriers to that. That includes not only physical barriers but those that exist in the mindsets of people who would engage in hate crimes, sectarianism and racist activities.

The motion affirms the need for strong political leadership and for independent voices to challenge government to progress lasting change. The draft CSI programme aims to do precisely that. It is a draft document and is not cast in stone. The draft programme sets out plans for the establishment of a ministerial panel, which will be chaired by OFMDFM Ministers and will include all Ministers. Therefore the SDLP, the Ulster Unionist Party, the Alliance Party, Sinn Féin and the DUP will all sit round the table. I assume that they will make a positive contribution. There will be key decision-makers from other statutory agencies and representatives of the community and voluntary sector, and that mechanism will be driven by strong political leadership to progress the work on what are complex and difficult issues and to ensure that it remains at the top of everyone's agenda. Members will be aware that we have increased funding for work to promote good relations and good relations practice by one third for the period 2008 to 2011. Funding for youth and interface workers has also increased by one quarter.

CSI is a framework. Instead of criticising the draft programme as a whole, I ask Members to see it as a foundation on which we can build a new vision for a shared and better society here that is more cohesive and in which we can respect and tolerate each other's cultural identity in a context of fairness, equality, respect, rights and accepting our own responsibilities.

Mr Deputy Speaker: As Question Time commences at 2.30 pm, the House should take its ease until that time. The debate will continue after Question Time, when Mr Stephen Farry will make a winding-up speech on the amendment.

The debate stood suspended.

2.30 pm

Oral Answers to Questions

Social Development

Affordable Housing: Strangford

1. **Mr McNarry** asked the Minister for Social Development for an update on the availability of land for affordable housing in the Strangford constituency, particularly in the Comber area. (AQO 149/11)

The Minister for Social Development

(Mr Attwood): I thank the Member for his question. I can confirm that there are a number of sites across the Strangford constituency, many of which the Member will be aware. There are 33 new homes on a site at Dunsy Way, which is being taken forward by the Fold Housing Association. A further site on the Newtownards Road is being taken forward by Connswater Homes, which expects to start work on 12 new homes later this year. There are a range of other sites in the constituency where housing associations have expressed an interest. The Housing Executive and the Department are working with the housing associations to try to put those new homes into future work programmes.

Mr McNarry: I thank the Minister for his helpful answer. He used the term “expressed an interest”. What access are housing associations being given to secure land for such projects, for example, land beside Upper Crescent in Comber, of which the Minister should be aware as it is directly beside a recently completed development?

The Minister for Social Development: I am not aware of that particular site, and I will come back to the Member with the details. However, I can confirm that Connswater Homes has an interest in building eight new homes in Londonderry Avenue, and Trinity Housing plans to build 10 new homes on the Belfast Road. Obviously, that is subject to all the necessary approvals and appraisals being completed. All that complements the 50 new homes recently completed at Upper Crescent in Comber by Helm Housing. I think that is what the Member is getting at. The real issue is whether the

social housing budget will provide new homes to people in need and disadvantaged communities, and work for those in the construction industry who have no work. Will that budget line have a higher priority and protection in budget negotiations?

Mr Bell: Given that many in Strangford are facing the first elements of repossession, what advice would the Minister's Department give to people who are struggling with their mortgage arrears, particularly in relation to correspondence on a recent high court judgement? What support can be given to people so that they do not have to leave their homes and go into the social housing market?

The Minister for Social Development: I thank the Member for his timely question. There are three pieces of advice. First, people who find themselves in mortgage difficulties should seek advice immediately. One of the great features of Northern Ireland society is the quality, range and expertise of those who give advice, especially in the independent and community advice sectors. Secondly, my Department, through a scheme run with the Housing Rights Service, gives advice to people in acute mortgage arrears, even at the door of the Chancery Court, in an effort to try to avoid repossession and to deal with the mortgage debt. Thirdly, on a number of occasions, I and my predecessor, Margaret Ritchie, proposed to run a scheme to try to help people in mortgage arrears. That issue was highlighted again yesterday by people in negative equity in the Village area. As far as we can, my Department, the Department of Finance and Personnel (DFP) and the Executive must try to scope out that issue to see whether there are any interventions that might help people in those circumstances.

Mr McCarthy: The Minister spoke about the Comber and Newtownards area. Will he comment on the villages on the peninsula? People in Ballyhalbert have been waiting for about 20 years for six houses, and those in Kircubbin have been waiting for about five years for seven houses. It is the small pockets where we have land —

Mr Deputy Speaker: Question, please.

Mr McCarthy: When will we see houses on the ground in those villages?

The Minister for Social Development: I cannot answer specifically on one site or another at

this stage. On a general note, a large number of newbuilds will be built in the Strangford constituency in the coming year. The plan is to build 484 new social homes there, and, although I am unsure whether that will affect the sites that the Member named, that demonstrates that the housing need — it has always been about housing need — is being addressed through the Department's housing programme.

I do not deny that there will be pockets of need and general need in that constituency. Indeed, there are over 4,700 on the housing transfer list in Strangford, and, of those, 2,500 are in housing stress, with 156 in great need in Comber alone. What all of that demonstrates is that, whatever the top line may be from London during the negotiations for Budget 2011-15, the bottom line must be that those areas of need, be they villages in the Strangford constituency or elsewhere in the North, must be addressed through the budget for newbuild housing.

Warm Homes Scheme

2. **Mr T Clarke** asked the Minister for Social Development why his Department changed the criteria which allowed people in receipt of rates relief to benefit from the warm homes scheme. (AQO 150/11)

The Minister for Social Development: I thank the Member for his question. He highlights a particular issue, and his question gives me an opportunity, either on behalf of the Department or the Housing Executive, to hold our hands up. There is an error, which is now being corrected, in the information that has been put out about the warm homes scheme.

In one way, the error was understandable, because it involved a complex and technical matter. Rates relief is given to people in the private sector who live in properties with excessive rates but who do not qualify for the warm homes scheme because of their income levels. Those who live in private properties and are entitled to make applications under the warm homes scheme qualify for rates rebate, which is different from rates relief. As a result of that difference and the misunderstanding and confusion that arose over it, there was, as I understand it, an error made in the information about access to the warm homes scheme. That error is now being corrected. However, a more important point is that the qualifying criteria that

were laid down in 2009 have not changed one iota over the past couple of years. Yes, I am currently reviewing the warm homes scheme, but the qualifying criteria have not changed. I apologise for the mistake that was made.

Mr T Clarke: Rates relief/benefit was one of the qualifying criteria for the warm homes scheme, and people in private homes who may be living in fuel poverty have been discriminated against because they cannot apply for the scheme.

The Minister for Social Development: As I said, rates relief is not a qualifying benefit or entitlement for accessing the warm homes scheme, the reason being that it is a consequence of high rates being paid by homeowners rather than them necessarily being on low incomes. There is a difference.

The warm homes scheme has been very successful, and I hope to be able to tweak and develop it over the next number of years. If money is to be spent on the scheme to deal with the up to 30% of people who are already in fuel poverty and the 40% plus who could be in it this year and next, it seems highly appropriate that that money should be targeted. The best group to target is those who live in low-income households, who are just beyond the threshold for housing benefit and who get rates relief. Targeting those moneys at those who are in the greatest need and on those levels of incomes seems to be a more judicious and proportionate use of resources.

Mr P Maskey: Go raibh maith agat, a LeasCheann Comhairle. I appreciate that the Minister has stated that he made a mistake, but he has not told us when that mistake will be rectified. That is an important point, because there are those, including elderly people in his own constituency, who are being pushed into fuel poverty. When will that issue be addressed? Will the Minister rectify the situation as soon as possible?

The Minister for Social Development: I did not concede that I had made a mistake: I accepted that a mistake was made between the Department and/or the Housing Executive. I am accountable, as Minister, and, therefore, I accept the responsibility. I may not have made the mistake personally, but it comes back to me in my collective capacity.

People are not being pushed into fuel poverty because of this matter. The qualifying criteria

for the warm homes scheme have not changed. Therefore, the mistake had no bearing on any individual application to the warm homes scheme. In that regard, the Member is in error. The real issue is that three factors give rise to fuel poverty; income, suitable home insulation and the cost of heating. Those are the three factors that drive people into fuel poverty. Fuel poverty is not a consequence of an error in a document. It is a consequence of those three factors.

If we are to have a Budget that is fit for purpose, and that lives up to the needs of those living in fuel poverty, disadvantage, stress, alienation and deprivation, the Executive have to make a value choice — every party and every Minister have to make a choice — that, when it comes to the warm homes scheme, we will not only protect the budget line but enhance it, so that, when we have a Budget, it is a Budget that protects those in need. That is the real issue. It is not a question of an error in one word; it is a question about a fundamental value choice. I hope that the Member, and all Members, will answer that question positively.

Mr Armstrong: Will the Minister update the House on the potential introduction of a boiler replacement scheme?

The Minister for Social Development: I thank the Member for that very important question. A boiler scrappage scheme was announced by the London Government. However, that scheme did not apply to Northern Ireland. During the consultation on taking the warm homes scheme forward, which finished last week, I put in a question explicitly about the boiler scrappage scheme. In my budget bid, I have said that I would like part of the warm homes scheme, which I referred to in my answer to Mr Maskey's question, to include a boiler scrappage scheme. However, any scheme that I recommend will not be based on the model used in England, which took a first come, first served approach. If there is going to be a boiler scrappage scheme here, it needs to be based on the broader criteria of those who are in most need and those who would enjoy most advantage. That is the sort of scheme that I intend to take forward, and I hope to make an announcement about that in the near future.

Mrs M Bradley: Will the Minister give an assessment of how the warm homes scheme has contributed to the alleviation of fuel poverty?

The Minister for Social Development: I thank the Member for her answer. *[Interruption.]* Let me repeat that: I thank the Member for her question.

I can confirm that, in the previous financial year, because of the work of Margaret Ritchie, the Department, the Housing Executive and others, we exceeded our target and assisted more than 9,000 households with energy efficiency improvements. That is devolution working on behalf of those in need. At the time when people made their applications and were assessed for the warm homes scheme, they also got a benefit check. Therefore, as a consequence, there may have been a greater take-up of benefit entitlement by those in need.

In this financial year, £20.5 million has been committed to tackling fuel poverty. However, the issue is whether I will have £20.5 million, or more, next year, so that another 9,000 people, or more, can qualify under the scheme.

Egan Contracts

3. **Mr Butler** asked the Minister for Social Development whether expected budget restrictions will impact on the delivery of Egan contracts in the near future.
(AQO 151/11)

2.45 pm

The Minister for Social Development: We cannot anticipate whether there will be further changes to the in-year budgetary situation because there are still six months of the financial year to come, and there may be further budgetary pressures on the Northern Ireland Executive in that period. However, in the absence of further changes, and if we are able to roll out the Budget, and the Egan-style contracts in particular, as we anticipate at the beginning of the financial year, £30 million will be allocated to Egan-style contracts for a significant number of maintenance and repair works. Subject to that caveat, that is what I intend to do, and I anticipate that it will happen.

Mr Butler: I thank the Minister for his answer. I understand that the Minister met those involved in the Egan contracts recently. He is aware that any reduction in the money available to the Egan contracts would impact greatly not only on those whom they employ but on many small businesses that avail themselves of the moneys that come from his Department. I am glad that

he is not rolling over in the current climate of Tory cuts, and I hope that he will fight any reduction in his budget. I also hope that he has taken on board the fact that the Egan contracts play an important role in the housing sector.

The Minister for Social Development: I appreciate what the Member said. He will appreciate that, given that nearly 40,000 people are on the housing transfer list, of whom almost 20,000 are in housing need, my priority and that of Margaret Ritchie is the building of new social homes. I welcome the Member's indication that he supports me in protecting my budget lines; I hope that that sentiment will prevail over the next number of months and years.

I was pleased to meet the Egan contractors. I have ensured, and I make no apology for doing so, that the release of moneys for Egan-style contracts is conducted at a proportionate pace over the course of the year. There was the potential for far too much money to be released earlier in the year, which would have given rise to a situation in the latter months of the financial year in which there would be no money or new contracts. The release of money on a phased basis — £19 million of a £30 million budget had been released by the middle of September — seems to me to be a proportionate and reasonable release of moneys to provide the much-needed improvements to people's homes.

Mr D Bradley: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as na freagraí a thug sé go dtí seo. Will the Minister detail the funding that has been available to the Egan contracts over the past two years?

The Minister for Social Development: I thank the Member for his question. As I said, the budget line is £30 million, of which £19 million was released in the first six months of this financial year. There is a balance of £11 million to be released. I expect that that will be released and that the full budget line will be discharged. That is on top of the £40 million that was released for Egan-style contracts last year. Given the situation on which Saville reported, namely that 0.2% of social housing in the Housing Executive sector was unfit, that is a measure of the Housing Executive's commitment to maintaining its housing stock and ensuring that people have homes of a decent standard.

Mr Ross: The Minister may be aware that people living in 40 or 50 homes in the Monkstown estate were under the impression that they would benefit from new schemes for replacement windows and kitchens this year. Those people have now been informed that they could be waiting for up to three years. I know that the Minister has agreed to visit Monkstown and meet some of those residents. Is he able to give any assurance that he may be able to bring some good news when he visits?

The Minister for Social Development: I went out of my way to ensure that I had the opportunity to visit Monkstown. I used to travel through the Monkstown and Rathcoole estates on my way to school years ago, so I am very familiar with the area. I am glad to accept Mr Ross's invitation to visit.

I will have to come back to the Member on the issues of replacement windows and the like, but my predecessor and I are not minded to go down the road of multi-element schemes for Housing Executive stock — the Housing Executive carrying out a large number of improvements to every property in a locality. We are trying to protect the budget lines that the Member talks about for new windows, improving home insulation, new boilers and new kitchens. Such budget lines are a proper use of the public purse rather than multi-element schemes, which upgraded all properties, regardless of whether they were in the same level of need.

Welfare Reform

4. **Mr P J Bradley** asked the Minister for Social Development for his assessment of the impact of UK welfare reform proposals in Northern Ireland, in the next three years.
(AQO 152/11)

The Minister for Social Development: I thank the Member for his question. It is timely, given that yesterday afternoon at 5.00 pm, I left my latest meeting with the Welfare Minister, Lord Freud, in London. The detail will be aired more fully in the debate that will follow Question Time, but there are two strategic issues and threats to welfare and to those who are on benefits in the North. In the longer term, it will be the outcome of Iain Duncan Smith's consultation on twenty-first century reform of the welfare benefits system. I anticipate that the fog will clear on 20 October, by which stage we will know where the balance of power will lie in the Department

for Work and Pensions and the Treasury on the future shape of welfare. I will reserve comment on that until the debate on the issue.

The second issue is the immediate period between now and the end of this financial year and the next two years before welfare benefit reform might be imposed in 2013. I raised a range of issues yesterday with Lord Freud, including cold weather payments, the change in mortgage interest rates for people on benefits, the extension of the 2009 mortgage relief scheme, which is due to end in January, and the migration of people from incapacity benefit to employment and support allowance (ESA) and how that could adversely affect people who are legitimately ill and on benefits. Northern Ireland is still in recession, and it will continue to be so until 2012. There may be fewer public sector jobs, and we face the possibility of a double dip in the neighbouring economy in the Republic of Ireland. Through no fault of their own, people are not in work; therefore how can they be penalised, given the adverse economic conditions in Northern Ireland? That conundrum, that inconsistency and that threat to people on benefits are at the heart of my negotiations with Lord Freud, Iain Duncan Smith and his colleagues.

Mr P J Bradley: I hope that the Minister does not ask me to repeat all that he told me. Will the expected cost associated with welfare reform be adequately reflected in the forthcoming Budget?

The Minister for Social Development: We do not know the anticipated costs for the roll-out of welfare reform, although we will know them in the near future. However, the question is appropriate because all the figures suggest that a big change to the welfare system would cost excessive amounts upfront. Therefore, if the London Treasury and Iain Duncan Smith get their way for a radical shake-up of the welfare benefits system, vast sums of money will have to be paid upfront to put it in place.

If something will cost that much money up front at a time when we have been told that there is less money generally, it seems that the inevitable and logical consequence will be more savings up front in headline benefit rates. That seems the natural conclusion of the conversation that appears to be taking place between the Treasury and the Department for Work and Pensions. Although the Treasury

says that it will fund a radical shake-up of the benefits system, it will penalise the Department in respect of benefits rates. The bottom line is that that will impact on a vast number of people in Northern Ireland.

Mr Brady: Go raibh maith agat, a LeasCheann Comhairle. The Minister has already mentioned people on benefits who have problems paying their mortgages. A large number of people who get help with their mortgages and are in receipt of benefits have already been affected. Does the Minister accept that people's homes could be in danger? Will he explain to the House whether he intends to take action sooner rather than later? Obviously, we await the outcomes of various negotiations and talks about budgets, and so on. A large number of people are already in danger of losing their homes.

The Minister for Social Development: I thank the Member for his question. My reply has two elements. The first concerns policy, which I mentioned earlier. Yesterday, I argued with Lord Freud that the Labour Government's 2009 assistance scheme for people who became unemployed and had difficulty in paying their mortgages should be extended beyond January 2011, when it is due to finish. Furthermore, I argued that the reduction in the rate of mortgage interest that would be paid by people who are on benefits and still paying a mortgage — given that there will be a reduction of the interest rate payment to around 3.65% — would result in 7,000 people in Northern Ireland being penalised. I said that that was unjust, inequitable and would penalise people who are trying to keep their homes in a way that would put them under further financial pressure and result in the loss of their homes.

In respect of the second element, I refer to my previous answer. Dozens of people have been helped by money that we have put into housing rights to help those who, often, are at the doors of the court and face repossession. I believe that we have been able to help around 15% of people who have appeared before the chancery division to avoid repossession, but I will verify that figure. If it is correct, it suggests that that is a useful intervention. Let us build on that. Let us provide additional money for mortgage protection schemes, which the Executive have not funded to date, and for housing rights advice to enable people who get into debt to better manage their funds and to better negotiate

with their building society or bank to reduce the stress that they are in.

Mr McHugh: Go raibh maith agat, a LeasCheann Comhairle. Can the Minister tell me why much welfare reform attacks less-well-off people and, indeed, the National Health Service, which was the envy of Europe because it provided support from cradle to grave? It will now need to be paid for from conception to grave. That attack is aimed at less-well-off people in particular.

The Minister for Social Development: I broadly concur with that sentiment. Whatever spin the Treasury puts on the emergency Budget, the hard and cold fact is that a middle-of-the-road organisation, the Institute for Fiscal Studies, concluded that the emergency Budget in June had a disproportionate impact on the poor. Around four weeks ago, the BBC confirmed that research that it commissioned showed that areas of Northern Ireland and Britain that relied heavily on the public sector would suffer disproportionately when it comes to public service cuts. That is pretty self-evident.

The TUC's recent research confirmed that all indications, particularly reports that the Chancellor was trying to cut an extra £4 billion from the benefits system, would have a disproportionate impact on poor, needy and disadvantaged people. Therefore, I conclude that there is still a Tory wolf in the London Government, who masquerade as a coalition Government in grey suits.

If we do not measure up to the negotiation with London over the next number of weeks on minimising welfare impact on the North and maximising the budget, that situation might deepen.

3.00 pm

Agriculture and Rural Development

Rural Development Programme

1. **Mr Ross** asked the Minister of Agriculture and Rural Development for her assessment of the level of funding currently committed under axis 3 of the rural development programme. (AQO 164/11)

The Minister of Agriculture and Rural

Development (Ms Gildernew): Go raibh maith agat, a LeasCheann Comhairle. Resources to the value of some £12.5 million have been committed in letters of offer that have been issued under axis 3 of the rural development programme. That is across all six measures within the axis, including farm diversification, tourism, rural business and village renewal. In addition, a further £9.7 million of grants have been approved, and letters of offer are being prepared. Therefore, a total of £22.2 million has been committed, so far, in the axis. It is worth noting that in excess of £15.4 million of that £22.2 million has been committed in this financial year. Although that is good news, I am not complacent.

It is my strong belief that axis 3 spend needs to be increased significantly, and I am concerned about the slow progress of that axis compared with the rest of the rural development programme. The progress has been slow, despite the fact that we have made available a very large amount of financial resources for the administration of axis 3. Nevertheless, it appears that large numbers of applications are not moving to letter of offer stage quickly enough. Additionally, some applications are being withdrawn, and the local action groups do not always know why. All of that has led to a disappointing amount of funds going to rural communities by way of hard cash. That is not satisfactory. I have asked my officials to find out what and where the blockages are and to report back to me as a matter of urgency.

The Member will know that, when I set up the local action groups, I asked councils to look after the administration and finance. At that time, the review of public administration was imminent, and we were expecting that there would be a solid agreed cluster of councils, which would be in a position to look after the axis and to integrate it into a new and innovative local government structure. That has not happened. The clusters are a loose amalgam within the current 26-council structure. It is right, therefore, to assess the viability of continuing with such a system, and I intend to do so. My main concern, however, is to ensure that those funds get to the rural communities who need assistance, particularly in this difficult economic climate. I will look critically at the working of the axis. I have asked officials to produce the relevant facts and figures for me, and I will not shirk from the hard decisions that

will ensure that the funding gets to the people for whom it is meant as quickly as possible.

Mr Ross: I thank the Minister for her comprehensive answer. She alluded to the disappointment in the rural community over how funding is getting to the people. What is the projected spend for the closure of the project in 2011? If all the moneys are not spent by the end of the project, will they be rolled over to a new scheme, or will they have to be returned to Europe?

The Minister of Agriculture and Rural

Development: I assure the Member and the House that I do not intend to hand money back to Europe. At this point, it is my absolute desire to see all the money identified for axis 3, which is £100 million, to be spent within that axis. Therefore, it is appropriate and timely to review progress to ensure that everything that can be done is being done or that we change things in time to get the spend out, if change is needed. I am also looking at the other challenges that exist in getting match funding from the banks, for instance, and at whether planning permission is a problem. I recognise that there are complex reasons why people do not progress to letter of offer stage, but I will look at those in great detail and do everything that I can to ensure that whatever decisions need to be made to get to that magic figure of £100 million will be made.

Mr Leonard: Go raibh maith agat, a LeasCheann Comhairle. How much of the money committed is for investment in farm diversification? How much has been spent?

The Minister of Agriculture and Rural

Development: I am having difficulty finding the correct notes; that shows how organised I am. Gabh mo leithscéal, a LeasCheann Comhairle. I apologise to the Member. Farm families have welcomed the opportunity to increase farm incomes through diversification projects, and the measure is becoming well subscribed.

To date, 172 letters of offer have been issued for diversification projects to a value of over £4 million. Projects are moving ahead, and almost £1 million has already been spent on them. That is where we see the benefits of axis 3, which include creating more work on farms and creating the possibility of further employment. Some of my best days out have been to farm diversification projects around all constituencies, where I have seen how

innovative and creative our rural communities can be in bringing forward ideas that benefit not only our tourism potential but the services that are available for local rural communities.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht an fhreagra sin. I thank the Minister for her answer. She, quite rightly, identified slow progress. Will she explain how much of that slow progress was on the part of the Department? I remember from my time on the Committee that we had inordinate waits for the Department to make progress in getting money and investment out into the community so that we could see development and jobs being created. Can the Minister clarify whether the criteria were tweaked or changed by the Department during their evolution?

The Minister of Agriculture and Rural

Development: As I have said many times in the House, I am determined to cut bureaucracy from my Department, and that includes in this scheme. However, money spent in axis 3 is public money, and the Member will know that it is money that comes not only from the Assembly but from Europe, and the Commission, as we heard yesterday, demands tight inspections and controls. I have given the House an undertaking that I will ensure that, if there are hiccups caused by my Department, I will find them, wherever they are, and — to use the word that the Member used — I will tweak the scheme to ensure that there are no difficulties at Department level.

Given the history of the scheme, the fact that the RPA was not as successful as we had hoped it would be has probably led to some difficulties. I know that there are very good people working on the scheme. As a European obligation, it is a bottom-up scheme. I accept that it has taken longer than I would have liked to get that scheme up and running properly, but I am hoping that the pace will take off now and that we will get more letters of offer out and get hard cash into the communities that need it most.

Mr Beggs: Given that axis 3 and axis 1 funding involves rural development and economic development in the countryside through tourism, community development, good relations etc and that, as the Minister has said, the RPA failed to go through, how is she ensuring that duplication — the structures do not match together — is avoided in local government and confusion is

avoided, so that we get value for money with this expenditure?

The Minister of Agriculture and Rural

Development: That is why I am looking at the progress that has been made to date. If there has been duplication, I want to know about it, and I will undertake a wide-ranging review to ensure that no unnecessary levels to go through are preventing spend on projects. I recognise that it took a while to get us where we want to be. If we do not see those schemes going ahead, I will be asking why. It is important that people who come forward with good ideas get the support that they need from the local action groups, the joint council committees and the Department to ensure that their ideas are progressed, they get the letters out and they spend the money to benefit not only the rural community, through making services available, but the rural economy.

The Deputy Speaker: The Member who tabled question 2 is not in his place.

DARD: Budget

3. **Dr Farry** asked the Minister of Agriculture and Rural Development to outline her plans for her departmental budget over the forthcoming comprehensive spending review period. (AQO 166/11)

The Minister of Agriculture and Rural

Development: As the House is aware, the prospects for the public finances are very difficult, given that the British Government have made tackling the fiscal deficit their number-one priority. DFP has made a number of working assumptions about the level of cuts that might be needed to balance the books and fund cost pressures. I have been given the opportunity to submit bids for new proposals and pressures, and I have done so. At the Executive, we have already had discussions about the evolving Budget position. I expect that to continue into the autumn and beyond before the funding decisions can be made. We have begun to plan internally, but it is too early at this stage to say how we will deliver any savings that the Executive finally decide on.

Dr Farry: How much further into the future does the Department need to project to take into account the risk of a further EU disallowance in relation to single farm payments? Is that not a

major opportunity cost problem in the context of a tight public expenditure round?

The Minister of Agriculture and Rural

Development: The issue of disallowance was covered significantly yesterday, as was the fact that the impact of the disallowance will not be felt by DARD's budget. As the Member knows, we have bid for an amount, and the CSR period runs over four years. Many of us talked to the trade unions that were in the Building today about how we can fight cuts and try to work together. I know that the First Minister and deputy First Minister are in London today to speak to the Chancellor. It is important that we fight cuts as best we can. I assure the Member that internal planning is being undertaken, but it will be some weeks before we are ready to make those plans public. It would be imprudent of me to offer up savings that might have a knock-on effect that damages the rural economy when I might not have to offer up those savings at all.

Mr McElduff: Go raibh maith agat, a LeasCheann Comhairle. Will the Minister detail her Department's attitude to the possible relocation of its headquarters? I wish to flag up Omagh as a suitable location. I know that my colleague Martina Anderson has often flagged up Orchard House as a suitable location for any expansion project. However, Sperrin House and Omagh have a strong public sector tradition. Will the Minister outline her views on the matter?

The Minister of Agriculture and Rural

Development: Anybody who has ever been to our headquarters at Dundonald House will be aware that the building is coming to the end of its useful life. During the Budget period, I anticipate that new accommodation will need to be identified. That presents the Executive with an opportunity to address the recommendations in the Bain report on the relocation of public sector jobs and to consider the benefits of ensuring that quality public sector jobs are available in rural communities.

It would be symbolic and practical if the Executive addressed the recommendation that at least one departmental HQ should be considered for relocation, and the report identified DARD's headquarters as the most suitable option in that respect. However, I do not want to get involved in a fight between Ms Anderson and Mr McElduff about where the headquarters should be located. That is one decision that I hope that I do not have to make.

If relocation goes ahead during this CSR period, it would genuinely benefit rural communities.

Mr P J Bradley: As food production remains one of our key industries, what assurance will the Minister give that those involved in production and processing cycles will be given special protection by her Department in the forthcoming spending review?

The Minister of Agriculture and Rural

Development: I can give the Member absolutely no assurance about that, given the cuts that we are looking at and the savings that the Executive will have to make. It would be absolutely foolish of me to stand here and say that we intend to ring-fence a certain sector. We must look at everything. Nothing is not on the table, and difficult decisions must be made. It would not be right if I stood up here today and said that I was going to ring-fence a certain sector in my Department. However, what I can say to the House is that I am absolutely committed to protecting front line services for the benefit of farmers and rural communities.

Mr Kennedy: Given that it is anticipated that the Minister's Department will see a £10 million year-on-year reduction, will she detail precisely what savings she envisages her Department being able to make before any cutbacks impact on front line services?

The Minister of Agriculture and Rural

Development: As the Member is aware, delivering savings of that magnitude will be difficult for DARD, given that so much of what my Department does is either a statutory obligation or a direct service to our customers. The savings proposals that I will consult on must be realistic and sustainable, and it is important to get them right. I want the savings proposals to be as fully formed as possible before I consult stakeholders. I am aware that identifying options for savings could alarm customers and staff, and I do not want to cause concern by releasing material prematurely or by putting forward options that will not be needed. Rest assured that, when I am ready to release material, I will consult rural stakeholders and take account of their views.

3.15 pm

Single Farm Payments

4. **Ms Lo** asked the Minister of Agriculture and Rural Development for an update on the

disallowances levied in relation to single farm payments.
(AQO 167/11)

The Minister of Agriculture and Rural

Development: The Member will be aware that I made a full statement on the issue of single farm payment disallowance yesterday, and I refer her to the detailed content in Hansard.

As I explained in my statement, we are working hard to resolve the disallowance issue in three main areas: challenge, compliance and enforcement. One important aspect of that challenge is an approach to the European Court of Justice to have the Commission's decision annulled. A critical area for compliance is the introduction as soon as possible of a revised mapping system, and the Department is also strengthening its inspection arrangements. On enforcement, I want farm businesses to know that it is vital that they ensure that their farm maps are correct and that they are claiming only eligible land. The Department can provide support and advice if the farmer approaches it, but, if the Department comes to the farmer to carry out an inspection, the penalties for negligent or intentional breaches are severe.

During the questions that followed my statement yesterday, I pointed out that farm businesses that have proactively notified changes to their farm maps will have the changes applied from this year only. Indeed, that is the situation at present. However, I want to add the caveat that the Department has an obligation to recover eventually any moneys due from previous years. It remains the case that any penalties that may result from such retrospective calculation are likely to be significantly less than would be the case following an inspection.

Overall, this is an important body of work, and we continue to work with farmers and their representatives to make the process better. I appreciate the support that my Assembly colleagues have given, and I will keep them updated on progress with the mapping project and the other disallowance issues as they arise.

Ms Lo: I thank the Minister for her thorough reply. Does she accept that the underspend in her departmental budget that was redirected to cover disallowances could have been surrendered in monitoring rounds and reinvested in the education system and in health services?

The Minister of Agriculture and Rural

Development: Again, we covered that issue yesterday. It is not possible to identify some underspends early enough in the year, given that we are an outward-looking Department and some of the underspend was for, for example, animal disease. We had worked hard on trying to eradicate diseases such as TB and brucellosis. We had bid for compensation for a period in the future. It was later in the year when the work that we had done towards eradication proved to be successful, so we did not need as much compensation. Our Department is not the only one that had underspends, and we have been lucky that we have been able to use past underspend to deal with the situation. Over a number of years, all Departments have tightened up, and much less underspend is being announced at the end of the year now than was the case previously. Nobody wants to see underspends. We all want to see every penny spent. However, it can be difficult when we do not know what the implications of disease outbreak may be for the Department and its budget.

Mr Kinahan: I was concerned yesterday when I heard the Minister be rather indifferent to the potential of a fine of £100 million being imposed, as the money was coming from the Treasury rather than the Executive. Will the Minister detail what discussions she has had with the Chancellor of the Exchequer or what discussions she is planning to have?

The Minister of Agriculture and Rural

Development: My discussions on the matter have primarily been with colleagues in DEFRA. I say again that at no point did I feel that I was being indifferent to the House. This is a huge issue, and, on more than one occasion yesterday, I said that I regretted that, because of the way in which we have handled the situation, there is an impact on the Treasury's spending power. At no point was I indifferent. I know that that is not a view shared by my colleague from Fermanagh and South Tyrone Lord Morrow, but that is probably more of a constituency issue than a genuine reflection of what I said in the House yesterday. I refer the Member to Hansard to see what I said.

This is a serious issue. A huge amount of money is involved: £64 million in the past, and we have bid for £40 million as a prudency measure, although I am hoping that we will not use it. Therefore, the figure of £100 million is

not necessarily a fair one. However, I accept that even £64 million is an awful lot of money that is not available to the Treasury, and that is regrettable. I repeat what I said yesterday, and I assure the House that I have not been indifferent on the matter at all. I take the situation very seriously.

Fisheries Forum

5. **Mrs O'Neill** asked the Minister of Agriculture and Rural Development for her assessment of the recommendations of the Fisheries Forum and how she will take these forward. (AQO 168/11)

The Minister of Agriculture and Rural

Development: The forum, which represents a wide spectrum of experience and expertise from the fishing industry and the marine environment, was set up to advise me on a long-term strategy to develop a sustainable and profitable future for the sector. I welcome the forum's report, and I fully support its vision of having a sustainable, profitable and self-reliant seafood and aquaculture industry.

The forum has presented a practical and realisable vision for the industry, and I am fully committed to helping it to achieve that vision. To that end, my Department has developed an implementation plan with a clear timetable to deliver most of the report's recommendations. Financial resources will also be made available through the EFF to ensure the effective delivery of the changes that are needed.

The report is not just about what government should do. Change can happen only through greater partnership between government and industry and between the sectors in that industry. That is reflected in the implementation plan, which contains actions for all stakeholders in taking forward the report's recommendations.

A key issue that the forum considered was the size of the fleet and the fishing opportunities available to it. There is evidence to suggest that the current balance is not right, and it has been recommended that my Department develop a decommissioning scheme to reduce the size of the fleet. I agree in principle that decommissioning should be examined further, and, as we enter the autumn negotiations on opportunities for 2011, I am very aware of the impact that further cuts in quota and fishing effort will have on our fleet. It is an emotive

issue, and many in the industry have concerns that such a scheme could have unintended consequences. I am particularly aware of the concerns of the fish processing sector and of the need to ensure that supplies of raw material are maintained. Therefore, I asked my Department to prepare a business case to examine critically the need for decommissioning, its value for money, the design of possible schemes and the impact that such schemes would have on all sectors of the industry.

I believe that the forum has provided a unique and valuable opportunity for the wide range of interests in the fishing industry to come together to tackle the challenges that it faces. I want it to continue to be involved in the implementation of the report's recommendations. I take this opportunity to thank the members of the Fisheries Forum for their very valuable work.

Mrs O'Neill: I thank the Minister for her detailed answer. What assistance is available for fishermen under the EFF?

The Minister of Agriculture and Rural

Development: The European Fisheries Fund is worth about £28 million and is available for the development of the fleet. Just under £4.7 million has been committed to projects so far. The fund's vessel modernisation measure is now open, and that will provide some £2.5 million of grant support. Under that measure, grants of up to 60% are available to improve fishing vessels that are less than 12 m long and use static gear. Larger vessels that use trawls and other mobile gear can receive grants of up to 40%.

A number of projects received 100% EFF support when they were undertaken by the industry rather than by individual fishermen. An excellent example of such collective action is the provision of £260,000 of grant support towards fitting the entire fleet with larger square mesh panels and cod ends to improve cod conservation.

The collective actions measure of the EFF remains open for applications, and the £700,000 small-scale coastal fishing measure will be opening on receipt of economists' approval of the business case. That approval is being sought.

Mr Bell: I thank the Minister for the work that is being done to help the fishing industry, on which

my Strangford constituency is so dependent. What are the Minister's views on the quota system? Many in Strangford want to make their and their family's livelihood in fishing. Is the quota system fair, or could we be doing better for Northern Ireland? Secondly, if only £4.5 million of the £28 million is being used, is there any way to make the system less complex, so that we can get a better uptake?

The Minister of Agriculture and Rural

Development: We are not dealing with the same timescales on EFF, and it has not been open for as long as the rural development programme, for example, which we heard about earlier. Therefore, the spend is getting out there relatively quickly, and I am content with that.

As the Member is aware, the quota system is not a scheme of our making, and it is difficult at times for us to fight our corner in Europe and insist that we need a quota that people there do not necessarily agree with. We work closely with scientists. They go out on fishing vessels, and they work closely with the industry to come up with a figure that is realisable, achievable and sustainable. We have to have that sustainability or we will not have any credibility in Europe. As I said, other Fisheries Ministers and I go out to Europe in November and December and argue our case, but that is a yearly process. Obviously, the main part of those talks happens at the end of the year, but we go out and put our case to the Commission.

The quota system has been difficult. As I said, the scheme was not of the Department's making, and it has been challenging for our fishing industry. However, we are committed to sustainable fishing communities, to the jobs that are onshore as well as offshore and to the benefit to coastal communities, particularly the three fishing villages. I will continue to work with the industry and scientists to fight our corner in Europe and try to minimise the impact of the quotas that are being applied to our fleet this year.

Ms Ritchie: I thank the Minister for her initial answer. First, what timescale does she envisage for the publishing of the business case on decommissioning? When will that report be coming back to her? Secondly, given the difficulties faced by fishermen and those in the fish processing sector in the three fishing villages in County Down, will she outline the discussions that she has had with the DEFRA Fisheries Minister and representatives of the

European Commission on the different method of calculation that will be used for quota allocations at this year's annual TAC debate in Brussels? Thirdly, what is her assessment of the availability of mackerel and its potential to our fishing industry?

Mr Deputy Speaker: Minister, you have a choice of questions.

The Minister of Agriculture and Rural

Development: I could be facetious and say "December", which would cover me. However, out of deference to my colleague, I will not do that.

It is hoped that the business plan will be completed by December. Discussions are ongoing, not just with the DEFRA Ministers but with those from the devolved regions and, obviously, the South. I have meetings scheduled with all those Ministers in the coming weeks and months. In a few weeks, I will host an event in Belfast at which all the Fisheries Ministers and the industry will get together to discuss this year's negotiations in November and December and the tack that we will take.

I did not hear the Member's third question, but I am sure that the House will want me to proceed.

DARD: Orchard House

6. **Mrs M Bradley** asked the Minister of Agriculture and Rural Development how many permanent staff have been employed by her Department in Orchard House, in each of the last three years.
(AQO 169/11)

The Minister of Agriculture and Rural

Development: DARD staff based in Orchard House comprise those in both the grants and subsidies payments and single farm payments business branches. Those branches are part of the rural payments division in the service delivery group in DARD.

Over the past three years, the following numbers of staff were employed in a permanent capacity by my Department at Orchard House: there were 145 in April 2010; 147 in April 2009; and 149 in April 2008. The figures have remained fairly consistent over the past three years.

Mrs M Bradley: I thank the Minister for her answer. Has she agreed to any reduction in staff

numbers at Orchard House or to any relocation of her staff to other centres of employment?

The Minister of Agriculture and Rural

Development: I assure the Member that there are no immediate plans to reduce the number of staff as a consequence of the comprehensive spending review, nor are there immediate plans to move staff out of Orchard House. The Member can be assured that things will stay as they are.

Horse Mussels

7. **Mr Lunn** asked the Minister of Agriculture and Rural Development what steps she is taking to protect horse mussels in Strangford Lough. (AQO 170/11)

The Minister of Agriculture and Rural

Development: Over the years, my Department has introduced various measures to offer protection to the Strangford Lough modiolus population, including the banning of dredging in parts of the lough in 1993 and a complete ban throughout the lough on fishing using mobile gear and dredges, which was imposed in 2003 and remains in place. Those measures already provide a significant degree of protection for modiolus against the most damaging forms of fishing activity.

My Department, along with DOE, has also developed a modiolus restoration plan, which has a number of short, medium and long-term objectives. Short-term objectives include a modiolus restoration project, which is being carried out under contract by Queen's — Queen's University that is; I knew that that would prick people's ears up — to identify and map modiolus in the lough, assess areas for restoration and to trial restoration methods. The modiolus restoration group is due to report its findings early in 2011.

That report will help inform the development of appropriate and feasible restoration measures to ultimately restore the modiolus biogenic reef to favourable conservation status.

3.30 pm

My Department and the Department of the Environment have also been working closely to finalise non-disturbance zones in Strangford Lough to give greater protection to areas containing the best remaining modiolus communities. The establishment of non-

disturbance zones is a requirement of the restoration plan agreed with the European Commission. The location of the zones has been complicated by the need to take account of the latest modiolus mapping data and by the need to try to reconcile opposing views from stakeholders about the measures needed. We have had draft legislation ready since last September to introduce sea-fishing exclusion zones, and the Bill will quickly be introduced as soon as the location of non-disturbance zones is finalised.

Once we have acted to introduce fishing exclusion zones — the Member will not have a chance to ask a supplementary question, so I am giving him my whole answer — it will be for other Departments to assess the impact of activities for which they are responsible and take action, or introduce appropriate measures if modiolus are affected. I have spoken to other Ministers about that.

My Department has also worked closely with the Strangford Lough Fishermen's Association. I will tell you what: I will give it up at that.

Mr Deputy Speaker: You have anticipated well, Minister. There is no time for the Member to ask a supplementary question. That concludes Question Time.

Private Members' Business

Equality and Good Relations

Debate resumed on amendment to motion:

That this Assembly acknowledges that there will be no good relations on this island without equality, and no equality without good relations; recognises that people who are socially disadvantaged suffer most from sectarian division; affirms the need for strong political leadership and independent voices to challenge government to progress lasting change; believes that government must tackle the origins and manifestations of sectarianism and racism through a robust Executive strategy; notes the publication of the programme for cohesion, sharing and integration; and believes that the consultation document fails to provide an adequate framework to enable progress towards a shared and reconciled society. — [Ms Ritchie.]

Which amendment was:

At end insert

“; and calls on the Executive to ensure that a revised programme includes a clearly articulated vision of a cohesive, shared and integrated society and an action plan covering policies, resource allocations, targets, timetables and evaluation criteria.” — [Mr Lyttle.]

Dr Farry: I am tempted to defend good relations for horse mussels.

I declare an interest as a member of the Community Relations Council (CRC). I also wish to set the record straight, in that the CRC is not a state body but is independent. *[Interruption.]*

Mr Deputy Speaker: Order, please. Allow the Member to be heard.

Dr Farry: Independence for the CRC is not one of the options for the delivery mechanisms.

The Alliance Party supports the SDLP's motion and welcomes the comments that Margaret Ritchie and other Members made about moving beyond the concept of the two communities. We encourage the SDLP to follow through on that, particularly on matters such as Assembly designation and how we monitor ourselves as a society.

To be fair to the SDLP, concerning the attack from the Ulster Unionists as to the intent of the wording of the motion, I do not think that the motion was aimed at achieving a separate

but equal society. I am sure that the SDLP will reinforce that point when winding on the motion.

I welcome Chris Lyttle's maiden speech, which was very well received by the House. Of course, he has already made numerous interventions and asked many questions.

Let me be clear about the Alliance Party's position. We respect the progress that has been made on the issue. However, although we recognise that there are some very positive themes in the CSI document as it stands, it is flawed in many respects. Our amendment adds to the SDLP's motion by teasing out what those flaws are. They are primarily a weak vision and the lack of an action plan, including all the various elements that one might expect to find in such a plan. It is our hope that the consultation exercise will be treated seriously by the Office of the First Minister and the deputy First Minister (OFMDFM) and the rest of the Executive, and that the responses to the consultation will be reflected in a final document.

We are not rejecting the CSI programme — far from it. It is a floor on which to build, but there is a great deal of work to be done to make sure that we get the house right.

Mr Deputy Speaker: Order. Far be it from me to discourage conversation between Members, but I need to hear the Member speak.

Some Members: Hear, hear.

Dr Farry: Thank you, Mr Deputy Speaker.

I note Jimmy Spratt's remark that this is the beginning of a process and that it is about achieving political agreement at the highest strategic level. However, we should not settle for something weak and based on that perspective. We acknowledge what has happened. All past initiatives on good relations occurred under direct rule — integrated education, the Community Relations Council and A Shared Future — but it is better that we have ownership of the development and delivery of policy through our own institutions.

There was nothing wrong with A Shared Future, but we accept that, when they assumed office as part of the restoration of devolution, the DUP and Sinn Féin wanted to shape their own document. That is democracy. The problem has been the three years of drift. It is not acceptable to have a strategic vacuum and to have

independent decisions taken by Ministers over funding and over what can be done. We need a proper, robust framework. We must push on.

We welcomed the agreement between the DUP and Sinn Féin in February, but what was agreed was a reconciliation of those parties' positions. The Executive as a whole released the document for consultation in July. It is important to make it clear that a number of parties had reservations about the content at that stage.

I welcome the comments made by Danny Kinahan and the Ulster Unionists, particularly those warning of the dangers of a Balkanised society. Again, there is a challenge for the UUP to follow through on that. I hope that, under the leadership of Tom Elliott, who I congratulate, they will do so.

I was concerned about some of the comments made by representatives of Sinn Féin. Martina Anderson said that equality could not be built on good relations. If that is true, it is a profoundly worrying statement of intent from Sinn Féin. I fear that the concept of good relations coming from that quarter has been misunderstood, and we were trying to tease that out. Sinn Féin seems to regard good relations as being something cited to stop people exercising their rights and culture in case it upsets someone. The same thing happened in Switzerland with the referendum that banned the building of minarets, because it was viewed as a threat to cohesion. That is wrong. Good relations are about a shared society; not a society of unequals. To the Alliance Party and many others, equality and good relations are completely interdependent. I dare say that the situation would be helped if OFMDFM would define what it means by "good relations", "cohesion", "sharing" and "integration".

The debate is an important one, and it is important that we take heed of the consultation and, as a government and an Assembly, reflect the views of the people. We must ensure that we follow the lead set by the people of Northern Ireland who want to live in a shared society.

Mr Deputy Speaker: Your time is up.

Mr McDevitt: I thank all Members who participated in the debate, whatever their argument. The Assembly is meant to be built on the principles of partnership and reconciliation. This great House on a hill stands out to many of our younger generation as a beacon to a new

North and a new Ireland, yet, inside these halls, too many cannot seem to shake off the mistrust of generations. Despite hearing some very positive contributions today, we should all reflect on the fact that some people's contributions have been guided more by mistrust of the past than by a positive vision for tomorrow.

Sectarianism and the legacy of conflict linger, even here in this Chamber. Some days, the politics of division chokes our work. Sometimes, despite our diversity, it gets in the way of us being able to envisage a shared and better region.

I met some young men and women in the Great Hall just over an hour ago. They did not come here looking for a history lesson from one of the newer MLAs. They wanted to know what we were doing about education and jobs. They wanted to know what we were doing to protect their identity but celebrate what we share, and yet I had to admit that, all too often, what they hear coming from this Chamber is not talk of those things but of the past and, unfortunately, of a future built on the worst prejudice of that past. Many of us will have days when we wake up and think that we could do that generation a much better service than we achieve.

Minister Newton and Allan Bresland spoke about the need for leadership, but leadership must be about more than just being a gatekeeper to your community. Protectionism in any form feeds prejudice, blocks partnership and prevents leaders from envisaging a better future with a common goal of sharing with respect and an understanding that equality and good relations are both necessary conditions for trust and reconciliation.

That thinking is particularly evident in the proposed cohesion, sharing and integration strategy that we have been debating this afternoon. I agree with George Robinson, who said that he was committed to equality and good relations, but the problem with the document before us is that it ignores the basic reality that there can be no equality without good relations, and no good relations without equality.

Ms M Anderson: Shame on you.

Mr McDevitt: That is not a statement of shame but of proud confidence, because good relations, to me, mean solidarity. Good relations mean having the courage to understand that my rights come with some pretty big responsibilities

that I owe to fellow men and women. I must understand that there are people with whom I share any space — this space, this island, these islands — who have different needs from me. I must not simply look at them, decide that a “two for you, two for me” solution will meet my needs and theirs and try to convince myself that that is an act of solidarity. That is no act of solidarity; it is an act of selfishness. That is the issue at the heart of the debate, and it is the one issue that one party in the Chamber chooses to ignore.

Good relations are about solidarity, trust, inclusion and charity. I agree with Mr Farry that we should properly define “good relations” in the document. If we do, good relations will become the basis on which we can move forward. Paragraph 13 of the Good Friday Agreement states:

“The participants recognise and value the work being done by many organisations to develop reconciliation and mutual understanding and respect between and within communities and traditions, in Northern Ireland and between North and South, and they see such work as having a vital role in consolidating peace and political agreement. Accordingly, they pledge their continuing support to such organisations and will positively examine the case for enhanced financial assistance for the work of reconciliation. An essential aspect of the reconciliation process is the promotion of a culture of tolerance at every level of society, including initiatives to facilitate and encourage integrated education and mixed housing.”

That is what we mean. That is not a statement of shame. Those are the words that the overwhelming majority of the people of this island endorsed. They are a reflection of modern Irish republicanism and the most positive expression of modern Ulster unionism. That is what the House should build on, not reject.

The strategy does not tackle the real issue. Instead, it proposes a bureaucratic maze to cover up the lack of strategy. At a time when we should be focused on tackling the cost of division, which is estimated at more than £1 billion a year, we are being offered a costly package of new panels, groups, action plans and funders' contracts. I will give Caitríona Ruane this: she offered up some savings this year. The only problem is that she offered them up from her community relations budget.

To ignore the link between equality and good relations is a denial of the real challenge that is posed by sectarianism and an abdication of the politics that sent us here. As Danny Kinahan pointed out so eloquently, it is equally dangerous to ignore the correlation between areas of social disadvantage and high levels of sectarian conflict. The First Minister and deputy First Minister's shelves creak under the weight of expensive research into the complex causes, impacts and outcomes of such multiple disadvantages. However, none of that thinking is evident in the strategy. It reminds us of Albert Einstein's definition of insanity as:

“doing the same thing over and over again and expecting different results.”

Junior Minister Newton has been left alone. I hope that junior Minister Kelly has not been taken unwell. If he has, I am sure that the House will want to extend its best wishes to him. If he has not been taken unwell, he has chosen to absent himself from the debate. That is a true signal of what a shared future would look like under a DUP/Sinn Féin partnership Government. From coequal office, in which they are joint junior Ministers, only one has bothered to turn up. Mr Newton, left alone, will ask us to do the same thing again and again and to expect a different outcome.

We did not come here simply to oppose. We came here because we believe that, over the past decade, much good work has been done to try to understand better how to build a shared society. Such work recognises some of the following cross-cutting concepts and principles:

“the management of diversity by policy makers and politicians will be of the utmost importance in the immediate years ahead ... policy makers should work proactively, garnering societal diversity for the good of all society ... it is important that a ‘language’ of diversity is taken further, not just for semantic purposes, but rather to underpin policy and provide a public discourse that will aid achievement.”

The report in question also states that we should “no longer be consumed” by the two-community analysis of our problem.

Those are not my words. They were written by Dr Billy Leonard in his academic years, in 2001. I just wish that he could have a conversation —

3.45 pm

Mr Leonard: Will the Member give way?

Mr McDevitt: Yes, I will. *[Laughter.]*

Mr Leonard: This is —

Mr Storey: Orangeman.

Mr Leonard: Republican: that is the label. OK.
[Interruption.]

Mr Deputy Speaker: Order. The Member will resume his seat. All remarks must be made through the Chair; otherwise, some people may find that they will not be here for the vote.

Mr Leonard: Go raibh maith agat, a LeasCheann Comhairle. Through the Chair, you got the label wrong: republican. Will Mr McDevitt accept that those written words do not automatically rubber-stamp the view that he is taking today?

Mr McDevitt: I will take my extra speaking time.

Mr Storey: You do not get extra time.

Mr Devitt: I do not get extra time? Unbelievable.

I never suggested that they did, but I know this: they are words that make some sense. If those words were reflected in the document that we are debating, it would be in my opinion, and, I hope, in Dr Leonard's too, a better document. Mr Deputy Speaker, in the brief time available to me —

Mr Deputy Speaker: You have, literally, eight seconds. *[Laughter.]*

Mr McDevitt: May I just thank Members for coming to the House today? I commend the motion. *[Laughter.]*

Mr Deputy Speaker: Your time is now up.
[Interruption.]

Order, please. I am glad to see everyone smiling again.

Question, That the amendment be made, put and agreed to.

Main Question, as amended, put.

The Assembly divided: Ayes 30; Noes 56.

AYES

Mr Armstrong, Mr Attwood, Mr Beggs, Mr D Bradley, Mrs M Bradley, Mr P J Bradley, Mr Durkan, Mr Elliott, Dr Farry, Mr Gallagher, Mr Gardiner,

Mrs D Kelly, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Chris Lyttle, Mr A Maginness, Mr McCallister, Mr McCarthy, Mr B McCrea, Mr McDevitt, Mr McGlone, Mr Neeson, Mr O'Loan, Mr P Ramsey, Ms Ritchie, Mr K Robinson, Mr Savage, Mr B Wilson.

Tellers for the Ayes: Mrs D Kelly and Mr McDevitt.

NOES

Mr Adams, Mr S Anderson, Ms Anderson, Lord Bannside, Mr Bell, Mr Boylan, Mr Brady, Mr Bresland, Lord Browne, Mr Buchanan, Mr Butler, Mr T Clarke, Mr W Clarke, Mr Craig, Mr Easton, Mr Frew, Mr Simpson Gibson, Ms Gildernew, Mr Givan, Mr Hamilton, Mr W Humphrey, Mr Irwin, Mr G Kelly, Mr Leonard, Mr A Maskey, Mr P Maskey, Mr F McCann, Ms J McCann, Mr McCartney, Mr I McCrea, Mr McElduff, Mrs McGill, Mr McHugh, Miss McIlveen, Mr McKay, Mr McLaughlin, Mr McQuillan, Mr Molloy, Lord Morrow, Mr Moutray, Mr Murphy, Mr Newton, Ms Ní Chuilín, Mr O'Dowd, Mrs O'Neill, Mr Poots, Ms S Ramsey, Mr G Robinson, Mr Ross, Ms Ruane, Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr S Wilson.

Tellers for the Noes: Mr Bresland and Mr McKay.

Main Question, as amended, accordingly negated.

4.00 pm

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

Private Members' Business

Welfare Reform

Mr Deputy Speaker: Order. Members should resume their seats or leave quietly. The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes to propose and 10 minutes to make a winding-up speech. All other Members who wish to speak will have five minutes.

Mr Hamilton: I beg to move

That this Assembly acknowledges Northern Ireland's high dependency on social security benefits; supports reforms which are aimed at simplifying the social security process and helping people to get back to work; and calls on the Minister for Social Development to continue his dialogue with the Department for Work and Pensions, stressing the need for the special social and economic circumstances of Northern Ireland to be carefully considered and urging the introduction of appropriate measures to ensure that the proposed welfare reforms do not have a disproportionately negative impact on Northern Ireland.

This is one of those very rare motions that I am involved in during which I will not assail the Minister or attack anyone but will try to encourage him. I am going weak and soft; there is something wrong. I am sure that I will find some opportunity at a later stage to attack the Minister. However, on this occasion, I will try to be nice and encouraging to him in the very difficult job that he has ahead — *[Interruption.]* I am being called all sorts of names, Mr Deputy Speaker. You will have to rule some people out of order.

We are all very much aware of the very high level of dependency on social security in Northern Ireland. One analysis that I looked at when developing the motion was that of Graham Gudgin from Oxford Economics. He analysed one of the Varney reports — I think it was the second one — that showed how the number of benefit claimants here is 50% higher than in Great Britain and is higher in every benefit type. As we know, the economic inactivity rate in

Northern Ireland is in and around 28%, which is the highest of all the 12 UK regions.

Much of our dependency is generationally ingrained. About 40% of our unemployed are long-term unemployed, and over half of our income support claimants have been claiming that benefit for five years or more. We are also afflicted at another level because our average income poverty rates are higher than anywhere else in the United Kingdom. That fact has been acknowledged by the new Secretary of State for Work and Pensions, Iain Duncan Smith, in his foreword to a report entitled 'State of the Nation Report: Poverty, Worklessness and Welfare Dependency in the UK', which looks at poverty and worklessness across the United Kingdom.

Given that backdrop, it is entirely understandable that there is a lot of fear and trepidation and a severe sense of unease across Northern Ireland about what the latest round of welfare reforms might bring. I could be cynical and say that I have heard every Government at Westminster in my lifetime talk about how they will get stuck into welfare and slash welfare bills yet the graph has gone up. However, I think that the new Administration have a different intent.

We all know that the origin of the impending changes comes from the coalition Government, and, to give a bit of context, we can all recall how, in the election campaign, the new Prime Minister, David Cameron, singled out Northern Ireland and lambasted and bemoaned us for our high level of public spending. Subsequently, the Chancellor of the Exchequer, George Osborne, has talked about making crude £4 billion cuts to the overall welfare bill.

If we were to get our percentage of that, as I fear might happen, there would be a reduction of £100 million to Northern Ireland. That is a sizeable amount, equivalent to the budget of some of our Departments. Clearly, when the welfare reforms that Iain Duncan Smith proposes are viewed in the context of what the Prime Minister has done in singling out Northern Ireland as a special case and what the Chancellor has said about crude £4 billion cuts to the welfare bill, there is a great deal of unease and feeling of dread for many people.

Before discussing my specific concerns, I want to make two things perfectly clear. First, I do not fear reform. In fact, I welcome it. I welcome reform when it is targeted at getting those

who are able to work back into work, and I welcome reform when it seeks to break the benefits trap that has ensnared so many in our society. I welcome reform when it is targeted at simplifying a system that, for many, including many Members, can, at times, be impenetrable.

I do not welcome reform that, far from aiding the most vulnerable in society, can afflict them the most. I do not welcome Northern Ireland's being given its share of £4 billion of social security cuts in some sort of arbitrary and crude way regardless of the circumstances of Northern Ireland or the consequences that it might have for our people.

It is undeniably the case that Northern Ireland has more than its fair share of problems with generational unemployment, economic inactivity and a sense of hopelessness among many. I warmly welcome any reforms that are targeted at helping those who can work to break those shackles of despair that they have been bound in for, perhaps in some cases, generations. Employment can find a way out of poverty, and everybody will acknowledge that the best path out of poverty is a good, well-paying job.

Breaking the benefits trap should be the focus and first objective of any welfare reform, and, in many cases, that is as much about recognising the need to ease people back into work as it is about making the system much more simple and straightforward. In that respect, there are intriguing elements of the consultation document, '21st Century Welfare', which has been put out by the Department for Work and Pensions (DWP).

Welfare is not something that should be a lifestyle choice; the social security system ought to be a safety net, not a comfy sofa for someone to laze around on. It is there to help people who find themselves out of work, to help people get back into work and to help those who are on low incomes and those who are ill and chronically ill. It is not there as a lifestyle choice for someone to live on forever and a day. Therefore, anything that tackles generational underachievement or hopelessness and despair and which gets people back into work should be acknowledged and welcomed.

Secondly, in the context of all welfare reform, I place on the record my personal and my party's commitment to the maintenance of the parity principle when it comes to social security. Although there is scope for Northern Ireland's

special circumstances to be taken into account by DWP in ways that it has been in the past, I do not want to see any opting out or any derogations for Northern Ireland that would put parity and the comfort and security that comes with it broken or put at risk in any way. That is a no-no.

Bit by bit, we are gaining something of an insight into what DWP or, more pertinently, the Treasury might have in store for all of us. As I said, DWP has a consultation out, and it will take some time to see exactly what the conclusions of that will be. That is something for another day; I am more concerned about some of the immediate cuts that might happen, including the £4 billion that could quite crudely be applied to Northern Ireland and the other regions and the disproportionate effect that that might have on Northern Ireland. From listening to some of the Minister's media comments, I know that he is well aware of some of the rumours. Medical assessment for all claimants of disability living allowance (DLA) has been mentioned.

If we set aside the cost implications for the Northern Ireland Budget, have Northern Ireland's special circumstances, the legacy of the Troubles and the impact that that has had on mental and physical well-being been assessed or taken into consideration by the Treasury or by DWP? We hear about cuts to the winter fuel allowance. How on earth will that help us in Northern Ireland to fight fuel poverty and get people out of their desperate situations, given our chronic levels of fuel poverty? That is the more immediate concern on which we should focus.

The motion calls on the Assembly to empower the Minister for Social Development to resist, on the one hand, welfare reforms that would have a disproportionately negative effect on Northern Ireland by stressing our special social and economic circumstances, while, on the other hand, seeking the introduction of appropriate measures. I already made my point about breaking with parity, and I hold fast to that. However, surely there is scope, as there was in the past, for Northern Ireland's special circumstances. I am talking about our high level of dependency on social security, our reliance on the public sector and our position in the economic cycle as being the only region in the UK that is still in recession and for those to be given some weight when welfare reform is being implemented.

Consideration should also be given to how any reform system is administered in Northern Ireland. Consideration should be given to childcare concerns, for example, which are not the same as they are across the water; for the running of proper and appropriate pilot schemes in Northern Ireland to find out how some of the reforms would impact here; and for the pertinent situation in which we spend our Budget on the administration of all those reforms but the entire savings go back to Westminster. What amount, if any, can be kept and what incentive can be given for us to keep that money.

Our first argument must be to resist the changes that have a disproportionately negative effect on Northern Ireland. The impact of what the coalition Government may bring forward could be devastating for Northern Ireland if it is done in the crude, arbitrary way in which I fear that it might, where we get our fair share or our percentage cut of £4 billion of reductions in the overall welfare bill.

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

Mr Hamilton: With that in mind, we should empower our Minister to do what he has already done and will continue to do and give him the full backing of the Assembly to fight the case for Northern Ireland.

Mr Brady: Go raibh maith agat, a LeasCheann Comhairle. The motion calls for support for reforms that are, apparently:

“aimed at simplifying the social security process and helping people to get back to work; and calls on the Minister for Social Development to continue his dialogue with the Department for Work and Pensions, stressing the need for the special social and economic circumstances ... to be carefully considered and urging ... that the proposed welfare reforms do not have a disproportionately negative impact”.

Those statements and sentiments are laudable, but the reality is that we are talking about parity legislation in relation to social security. The Minister assured us that he will attempt to stretch the flexibility of parity to its limit. However, we are not sure what that means and what it will entail. For example, Simon Hamilton said that pilot schemes would be run in Britain but not run here, which negates the idea of parity immediately. Is the Minister really capable of making a silk purse out of a sow's ear? I am sure that he will expand on that later.

The Welfare Reform Bill is the biggest change to the benefit system since its inception in 1948, and some might consider it to be a major step towards dismantling the welfare state. The legislation will have far-reaching consequences for many of those in receipt of social security benefits. Those most affected will be vulnerable groups such as lone parents, people suffering from mental illness, autism and those with learning difficulties, those caring for an ageing relative and someone suffering from a range of disabilities.

It is certainly praiseworthy that people should be encouraged back into employment. However, there is a presumption in the intent of the Welfare Reform Bill that those who are economically inactive and in receipt of benefit are quite content to remain unemployed, and it does not take into account the many and varied reasons why people find themselves in that situation. Rather than simplifying the system, the thrust of the Bill is sanction-led and has more to do with penalising those on benefits than developing a system that promotes and encourages people back into employment.

4.15 pm

I have been dealing with the social security system for over 30 years, and I have rarely, if ever, come across anyone who wanted to be on benefits or was content to be so. For many it is simply not a lifestyle choice. It should also be remembered that the legislation is being introduced at a time of severe economic restraint and recession when any kind of meaningful employment is almost impossible to find.

Lone parents are one group that will be most affected by the changes. The changes will also have an adverse effect on their children. The age range of dependent children, which determines whether a lone parent is expected to seek employment, will continue to decrease, and that will seriously impact on the level of care that a parent can give to his or her children. The level of childcare provision here in the North is also woefully inadequate, and, until proper provision is put in place, the children who are affected by the legislation will continue to have difficulty.

Unfortunately, parity legislation for social security continues to be the accepted norm. Sinn Féin attempted to introduce a number of reasonable amendments to the Welfare Reform

Bill, but those were not accepted. If we cannot change parity legislation, we should ensure that it is properly administered to ensure that those who need and require benefits receive them in a reasonable time from the date of claim and do not have to wait for a number of weeks. That is happening at the moment, and it is putting people, many of whom have worked for many years and who have not made the lifestyle choice to be on benefits, into penury and hardship.

We must continue to monitor carefully the legislation, which is becoming more complex rather than simpler. Almost all the leading voluntary organisations that gave evidence to the Social Development Committee on the Bill voiced some serious opposition. The motion must be considered in the overall context of the Welfare Reform Bill, which many, including myself, think is not beneficial.

Mrs M Bradley: I am under no illusions that there are serious difficulties ahead for us all in the near future, but particularly for those who are the most vulnerable and who totally rely on benefits. There is an air of foreboding when we speak of the forthcoming welfare reform, but I am confident that the Minister will fight Northern Ireland's case as an exceptional one. Our long troubled history, coupled with our poor economic recovery rate paints a dire picture.

The many contributors to the debate have robustly stated their concerns and will continue to do so. I have no intention of reiterating those issues, but it is worth overstating some points. I am sure that all Members could recount the ever-increasing numbers of people who come through their constituency offices with similar complaints about their housing benefit and the removal of DLA from genuine recipients. The lack of childcare adds to the problems for lone parents and the parents of younger children.

Given the proposed cuts to the welfare system, it would be foolhardy of any of us to presume that Northern Ireland will be insulated against the anticipated effect, and, ultimately, benefit allocations must be curbed. However, we must also be careful that we do not marginalise or punish the genuine cases who cannot survive without the state's help.

The Minister has voiced on record his concerns about how the fallout of the emergency Budget will affect Northern Ireland's welfare system. The Minister has voiced and will continue to

voice those concerns to Iain Duncan Smith and to Lord Freud.

Due to the economic situation and the resulting continuous fallout, we must be mindful of those who are classed as the working poor and who are struggling to make ends meet because they work. I represent an area in Foyle that is classed as one of the highest-ranking areas of deprivation in Northern Ireland and which, as a result, has one of the highest rankings for benefit dependency. I am also mindful of those who are perceived to be lucky enough to have a job, but who are teetering on the edge of financial ruin simply because they work. Those families are continuously overlooked in the British Government's plans and receive no financial help or assistance. Unlike the bankers, they cannot depend on generous bonuses to help them to pay their bills, and, unlike the bankers, they did not contribute to the situation that they find themselves in.

I also have grave concerns for those who, as a result of welfare reform, will be moved from income support to jobseekers allowance. Foyle has already haemorrhaged thousands of jobs and continues to do so, and I am unsure where those affected will find jobs. However, that question is for another Minister on another day.

I ask the Minister to continue with his endeavours to state the case for Northern Ireland. I have full confidence that he will do that and that he will deliver a fair and appropriate system of welfare reform that considers all our people and all our unique difficulties, which cannot be swept under the carpet. I support the motion.

Ms Lo: I thank the Members who brought forward the motion. It is very timely, given that the Minister is having conversations with his counterpart in DWP. I assure the Minister that the Alliance Party supports his efforts to minimise the negative impact that welfare reform may have on Northern Ireland.

Although I support the principles of welfare reform, during the passage of the Welfare Reform Bill, I expressed a number of concerns that reform proposals may push those who are already marginalised further into the margins of society. Due to our specific social and economic circumstances, Northern Ireland has a high dependency on social security benefits. We are a post-conflict region that is still suffering from the legacy of a higher prevalence of mental and

physical health problems. The costs of division and segregation are estimated to be £1.5 billion a year. We have the lowest average income in the entire UK. The proportion of people in Northern Ireland who are not in paid work is higher than in the rest of the UK. During the recession, that proportion has risen further and faster than in any other region. Compared with the rest of the UK, our recovery from recession is expected to be slower. Around 20% of people in Northern Ireland live in low income households.

Simplifying the social security process is, of course, important, and it would make it easier for people to access their benefits and understand what they are entitled to. However, any change to the system must be properly planned and considered, and it must be implemented effectively. The employment and support allowance (ESA) system has not worked smoothly. I have a constituent who had repeated problems with original documents being lost and who had to wait four months before receiving any payment. That is just one example of many. Effective communications between the different agencies that deal with social security benefits is also essential, but we are not seeing that as a matter of course.

Although we acknowledge the serious consequences of breaching parity, there has to be flexibility in the system so that our particular needs can be recognised. Reform is necessary if we are to break the habit of welfare dependency and if we are to support those who can work to get back into the workplace. However, reforms must be backed up by strategies that support those who will be affected.

We still have no strategy on childcare or early years. One in five households in Northern Ireland is a single parent family, and lone parents cannot simply return to work. They need measures to address the lack of nursery provision and affordable childcare, the cost of which is one of the main issues preventing parents returning to work, especially as three in four single parent families in Northern Ireland live in poverty. It is important that we recognise that parents who make the choice to stay at home with their children are also making a contribution to society. Surely, therefore, they are entitled to benefits to enable them to do that.

As Mickey said, the majority of people want to work if they are able to get a decent job. It is important, therefore, that we help those people get enough qualifications to help them to get a decently paid job so that the pay makes it worth their while to go out to work rather than be dependent on social security.

Mr Easton: I thank my two colleagues for bringing the motion before the House. I am deeply concerned for many of my constituents in North Down who are in receipt of social welfare benefits. I deal, daily, with people who are unable to work for medical reasons; people who want to work but are unable to find jobs; single parents who struggle to make ends meet; and, especially, those who find it difficult to fill out benefits application forms, which, in my experience, are incredibly difficult and deliberately cumbersome.

We, in Northern Ireland, have a special case. The number of families with children in receipt of benefits totals 119,000. To put that into perspective, 68% of claimants have children and have been in receipt of benefits for the last two years; that is a worrying statistic. We must work with the Minister for Work and Pensions to protect the people of Northern Ireland who are reliant on benefits for good reasons. It is important that we see that the commitment of the coalition Government to simplify the benefits system comes to fruition. The system is complicated, even for those who have been in it for a long time. It changes constantly, and it becomes more complicated every time that it is changed.

As of November 2009, 21% of our working age population was claiming a key benefit. I have no doubt that that figure will rise as, in the recession, many people are laid off and those on unemployment benefit are unable to find work in the competitive job market. I and my constituents are very worried about the soundings from Westminster about cutting welfare benefits by £4 billion. When times are tight and our nation faces a huge deficit, which is what the coalition is trying to reduce, people become more reliant on benefits. People lose jobs and require help from the state during any recession. Any benefits cuts must bear that in mind. It has always been the philosophy of our nation to help those in most need. Jobs are hard to come by, and those who apply for positions face considerable competition, which reduces their chances of success.

The special circumstances of Northern Ireland have been highlighted by the Minister for Work and Pensions in the report that was commissioned by his party and published by the Centre for Social Justice. It identifies a range of deep social issues in Northern Ireland that have been made more difficult by the legacy of conflict. I know of many people on benefits who served in the security forces. They suffer from physical and mental illness as a result of having worked to defend democracy and secure peace. We must not forget those people now that we are in a period of peace; we must provide for them. Others who served our Province lost their lives, and we must remember the families that they left behind.

I am passionate about this issue. I entered politics to make people's lives better, and I want us, as an Assembly, to achieve that. I, therefore, support the motion wholeheartedly and urge other Members to do the same.

Ms M Anderson: Go raibh míle maith agat. Éirím chun tacaíocht a thabhairt don rún. I support the motion, particularly its reference to the high dependency on social benefit. As some Members have outlined, there are undoubtedly elements of welfare reform that have potential. The removal of benefit complexity, for example, can only be a good thing for many of the people whom we represent. However, there are areas about which Sinn Féin representatives have consistently raised concern, particularly the use of sanctions such as the removal of benefits for the most trivial of reasons.

Many in the Chamber will be aware of people who, for a whole host of reasons, were not able to turn up for an interview and, as a result, had their benefits suspended for anything from one to eight weeks. During such suspensions, I know that a number of people have to rely on families and friends simply to survive. There is clearly something wrong with a system that allows people to be forced into such untenable situations.

The benefits system should not be about looking at ways of stopping the benefits of people who claim entitlements. It should be about ensuring that people who need help can avail themselves of it without being stigmatised or criminalised. Furthermore, the aim of welfare reform is clearly to have one universal benefit system. I have concerns about that; it could lead to more centralisation and a dilution of

front line services, and it will inevitably lead to job losses in social security agency offices, perhaps in places such as Derry.

Having said that, I welcome the Minister's comments earlier this month following a meeting with the British Tory Minister Iain Duncan Smith, when he insisted that welfare reform should not be used as a means to attack people on benefits and to load the burden of Tory Budget cuts on to the most vulnerable people in our society. Those are very welcome words indeed, but we need to see more action rather than relying on the goodwill of the Tory Minister in London. The Minister and, most importantly, the people whom we all represent would be much better served by working towards breaking parity with Britain. We would all do much better and would be much better served by taking control of our financial destiny and of our benefits system so that we can shape the kind of reform that is needed for the people whom we represent here in the North.

4.30 pm

The Minister rightly made the point that there are unique circumstances in the North of Ireland, such as the high level of deprivation and the legacy of the conflict. Mary Bradley spoke about the higher levels of deprivation in places such as north and west Belfast and Derry, and we all represent constituencies in those places. Therefore, it makes sense to have a benefits system that is designed to meet the needs of this region rather than one that is conceived for and largely administered from England.

We may be tied to parity, but we should not be in any rush to implement many elements of the legislation. Clearly, the benefits system here needs reforming. Without doubt, there are many problems that I am sure all representatives are dealing with in their constituency, sometimes on a daily basis. However, a read-across Bill from Britain that we have been asked to implement in the North is not the answer. We need our own Bill, and we need our own system — I am relating particularly to the text of the motion — which needs to be designed to meet the needs of the people whom we represent.

Although I welcome the sentiments of the motion and support it on that basis, it does not go far enough as far as Sinn Féin and I are concerned. I would like to see the Minister doing much more than simply continuing his dialogue with his British counterparts. I would like to see

him taking control of our destiny. The only cuts that he should be implementing are those that sever the apron strings from Britain.

Mr Craig: I welcome the opportunity to speak to the motion. It is genuinely worrying to see how many people depend on social security benefits and, primarily, on jobseeker's allowance. In the past two years in my constituency in Lagan Valley, the figure has risen from 900 to more than 2,000, which is a clear indicator of how the economy in Northern Ireland is performing. It is also worrying that roughly 10% of the population are in receipt of disability living allowance. A large percentage of those people receive both care and mobility components. Eight per cent of our population are in receipt of housing benefit, and the majority of claimants live in the private rented sector and not in social housing.

That said, I see that the Tories are planning to introduce severe cuts to the whole welfare system. As someone who was looking for employment in the 1980s, I can say that I am not surprised by that. There was a period of deep recession then; in fact, if I were honest about it, it was almost deeper than the current recession in some respects. At that time, there was a Tory Government, and their response to the recession was not really a jobs creation Budget but rather a severe attack on the welfare system. Therefore, I stand here as someone who has learnt from that period of history, and I am not surprised that it is repeating itself with yet another Tory Government. It will have catastrophic effects for people who are in receipt of benefits and rely on them.

Whether we like it or not, Northern Ireland has a special case to make. I was interested to hear the Minister talk about his meeting with Iain Duncan Smith on the radio the other day. It is good that the Minister is at least making an effort to uphold that special status. Northern Ireland has endured a troubled period of more than 30 years. There has been conflict and violence. There is no point in sticking our heads in the sand and saying that it did not occur. It did occur. It had severe economic repercussions for all of Northern Ireland. It is only right that that be taken into account, as well as the effects of the UK Government's reduction of certain benefits and the implications that that would have for the entire social justice system in Northern Ireland.

I fully accept that there are issues and problems with the welfare system. I am not against welfare reform. In fact, if anything, I would say that certain aspects of the welfare system almost need to be scrapped and started over again. When I look at the 84-page document that needs to be filled in for DLA, I believe that not only have we created a welfare nightmare for the Government, but we have gone one step further and created a system to support applicants to the welfare system. Strangely enough, as taxpayers, we pay not only for the DLA system but for the support system that aids people to apply for that benefit in the first place. That is a ludicrous situation for any country to have got itself into. Unfortunately, that is where we are in the UK welfare system. Elements of that system need to be addressed. However, they need to be looked at in a sensible and sensitive manner by the Government. Will that happen? Have I any faith in a Tory Government to deliver sensible reforms to the welfare system? I stand here as someone who experienced the recession of the 1980s. I am sorry, but my experience tells me that that will not happen. It is up to the Assembly to voice its strong objection to the ludicrous suggestions that are coming forward, which will cost the block grant an absolute fortune. We can be sure that the only beneficiary will be the Treasury in London. I support the motion.

Mr Gallagher: At the outset, I want to thank the DUP Members who brought the motion on this important issue to the Assembly. I also want to commend the Minister for his initiative in going to London to try to persuade the UK Government of Northern Ireland's particular problems. Most of us understand that he has a difficult task in that regard, and we wish him well in it. Unlike Martina Anderson, those of us who live in the real world realise that there are limitations to what he can do. He certainly does not have a magic wand at his disposal.

The number of benefit claimants paints a good picture of the grim situation that exists throughout Northern Ireland. There is a big challenge in getting those people off benefits and back to work. The SDLP believes that there should be no cutting of benefits. That clearly would not work to change the situation for people who are caught in a cycle of poverty and unemployment. We can look at other ways to break that cycle, such as providing part-time work, and try to move to a situation in which people who try to take employment, even on

a part-time basis, are not caught up in a tax net that makes the entire exercise pointless. We also need to look at how we can arrive at a situation in which those people can do a bit of work but have their benefit entitlement protected.

We need to look at other areas that relate to work capability assessments. That is particularly important with DLA, but it is also essential with ESA. Mickey Brady highlighted the delays in the payment of benefits here. Indeed, many households here find themselves in the very worrying situation of having no bread on the table.

The capability assessment element of ESA needs to be looked at. In the area in which I live, I find that claimants send in their claim with certificates signed by their doctor stating that the claimant should be off work for three months and, in some cases, four months. However, within the same system, another assessor may say that the claimant is not entitled to the benefit in question. There is something badly wrong there, and we need to look at that.

A Member on the opposite Benches mentioned a problem relating to a childcare strategy. It is clear that we will not attract people back into work and encourage them to leave the benefits system unless they have affordable childcare. OFMDFM has a clear role in dealing with that problem through its strategy on childcare. However, we have not seen any action on that.

All those initiatives need to be backed up by the necessary funding. The Minister has been in London talking about the importance of making that funding available. However, there is also a responsibility on the Executive, through their arrangements, to be aware of the people who are on benefits. After all, those people are on benefits through no fault of their own. They are on benefits because of the actions of a small number of reckless, greedy and irresponsible people who brought about the financial crisis that we are in. We do not want the people who had nothing to do with that and who are suffering the most to be left without any support.

Ms Ní Chuilín: Go raibh maith agat, a LeasCheann Comhairle. I also support the motion, and I commend the DUP for tabling it. However, when Simon Hamilton mentioned Varney in his introduction, I had to shudder. He knows my party's view on Varney. It reminded me of a discussion that we once had in the

Health Committee about John Appleby, who is another economist and one who never appreciated the differences and distinctions in the North when it came to poverty, ill health, inequality and the legacy of the conflict that it has come through. There was a notion that something that operates in an area such as Bradford in England, which has similar issues, can be transported here and that it will work. It will not work. It has not worked in the past, and it will not work now.

Our party's views on welfare reform are on record. We tabled amendments to the Welfare Reform Bill, which was before the House in June. Our amendments were unsuccessful, but, at that time, the Minister acknowledged that they were not mischievous but could have a mischievous effect so far as parity is concerned.

Setting political differences aside, this is the first debate that we have had in a long time where practically everyone is saying the same thing. That is to be welcomed. People are arguing that there is a special case here when it comes to dealing with welfare reform. Like other Members who have spoken, I do not always think about cuts whenever I hear the word "reform". However, that is exactly what welfare reform from a Tory Government will mean. Is there room to make efficiencies? Is there room to do things better? There is, but it is up to us to decide what efficiencies need to be made and what room there is for doing things better. It has to be down to us and our local experience. That is where the whole system will be turning on its head.

4.45 pm

The Minister said in June that he would try to stretch parity to its limits. I would like to see some proposals, if he can share them with us, because it is important to get cross-party support. I was encouraged by the responses to Iain Duncan Smith's vision of social justice; it is not the sort of social justice that we need. Jonathan Craig, Mickey Brady and others mentioned DLA, which has the lowest percentage of fraud of any benefit here. It is for people who are sick, needy, vulnerable and disabled, and that is what we are talking about cutting. Those are the people who will be directly affected by any change or cut in the welfare system.

Winter fuel payments were also mentioned. It is vital that we take a cross-party message to

the British Treasury that we cannot support the proposed welfare reforms; but what does it mean? I have no doubt that the Minister will say that he is hamstrung by parity, yet DLA forms were — still are — notoriously long, but we had the ability locally to administer the benefit and change the forms. Without sounding naive, I suggest that, if a certain percentage comes out of the block grant for people who are unemployed, sick or cannot work, it is up to us to administer that locally, but that absolutely does not mean administer cuts. If anything, because of the economic situation, people will be more reliant on the welfare system.

Tommy Gallagher mentioned the childcare strategy. That was the point that we made in our proposed amendments to the Welfare Reform Bill, which, unfortunately, his party failed to acknowledge. It is all very well politicking now, but that is a fact. His party also attempted to block the Financial Assistance Bill, now the Financial Assistance Act 2009, because of the very issue that we raised. We made the point about lone parents, welfare reform and people going back to work with no childcare. Whoever has responsibility — the First Minister and deputy First Minister or someone else — it needs to be sorted out because it prevents people from going to work. I want to put that on the record.

I support the motion and think that we have had a good debate, although it is not over yet. I will listen to the Minister, but we need to come back to the issue, and, if that means an all-party group or an all-party meeting on it, I am offering our support in taking those discussions forward.

Mr S Anderson: In supporting the motion, I commend my colleagues Simon Hamilton and Michelle McIlveen for tabling it. It was only a short while ago that the then leader of the opposition, now Prime Minister, David Cameron, singled Northern Ireland out as top of his hit list for cuts. Indeed, there are Members in the House who spoke in his defence at that time. They also actively campaigned in support of those cuts and sought election in May on the basis of being inextricably linked to him. Indeed, had they been elected they would have been at Westminster championing those cuts.

It is estimated that, when the cuts are implemented, they could be up to the tune of £2 billion. That being so, the motion is timely and raises important matters that deserve

close attention. The first thing that needs to be admitted on all sides is that Northern Ireland has a high dependency on benefits. Most people acknowledge that, but there are some factors that we need to keep in mind. We need to consider, for instance, the fact that no other part of the United Kingdom has such a high proportion of its population who will carry with them for the rest of their life the physical and mental scars inflicted on them over several decades of cruel terrorist attacks. That is just one factor, but it is a very important one.

As I said, most people acknowledge that there is a high dependency on benefits in Northern Ireland. Therefore, it is only right that we consider ways to help people back to work. That should be our goal. However, it depends on the existence of jobs that people can apply for. Northern Ireland is at a different place in the economic cycle from the rest of the United Kingdom, and it will, therefore, take us longer to emerge from the recession. It needs to be remembered that the very cuts agenda advanced by David Cameron and, as I said, supported by some Members of this Chamber will, in all likelihood, mean that more jobs will be removed from the marketplace here than elsewhere in the United Kingdom, proportionally, because of Northern Ireland's high level of public sector employment. Those factors must be taken into account seriously. We cannot run away from them. However, as we take those factors into account, we should also seek to assist as many people as possible out of benefits and into work. Everyone deserves the right to have a job, and we should do everything that we can to help them to achieve that. I echo the motion in calling for the Minister, in his discussions with the Department for Work and Pensions, to continue to stress the particular economic circumstances that pertain to Northern Ireland, while seeking to reform the benefits system and help get people back into employment.

Mr G Robinson: I thank my two colleagues for bringing this motion to the Chamber. As the motion states, far too many residents in Northern Ireland, through no fault of their own, depend heavily on social security benefits. Although that is a sad fact of life, I have found that the complicated benefits system has been, at times, a barrier to people claiming the much-needed benefits to which they are entitled. The motion calls for a simplified system to be introduced. That would prevent people from

losing out on their entitlements and would ensure that they are given as much help as possible, including retraining to get them back into the workforce, which would be a positive step.

The Department for Work and Pensions must be made fully aware of the implications for Northern Ireland should it make changes that have a disproportionate impact here. Given that Northern Ireland has a large public sector and a higher number of benefit-dependent households, any changes made would have a greater impact here, if the end result is that the Minister cannot secure acknowledgement of Northern Ireland's special circumstances. There have been business closures and job losses in every constituency throughout Northern Ireland, and it will take time to build up employment again in the current economic downturn. To ensure that that happens, we need the DWP to take appropriate measures to ensure that all families are protected as much as possible from the forthcoming cuts.

We have a willing and hard-working workforce in Northern Ireland, and people are prepared to retrain or re-enter education to ensure that they get employment when the economy picks up. However, it is essential that the support that enables them to do so is maintained. That must be a central part of our plan for the future. I am happy to support this worthwhile motion and hope that all Members of the Assembly do the same given these dire economic times.

Mr Armstrong: The Ulster Unionist Party and Assembly Members at large acknowledge Northern Ireland's high dependency on social security benefits and support the reforms. However, I am somewhat concerned that the Members who tabled the motion are in two minds. In many ways, the motion appears to be a hokey-cokey approach to welfare reform.

In Northern Ireland, we have entrenched patterns of worklessness and child poverty that undermine prosperity and opportunity for too many people. There is nothing compassionate about a welfare system that removes the initiative to work. A recent Centre for Social Justice report highlighted the numerous problems that we face. For example, Northern Ireland has the highest economic inactivity in the United Kingdom. Over half of the people who claim income support have done so for more than five years, and long-term unemployment is estimated at 40% of total unemployment.

We now have a welfare system that is extremely complicated and discourages people from getting back to work. People, including parents, are often better off staying on benefits than finding a job. In such circumstances, it is understandable that they do not seek work. If we are to have a more socially mobile society and if we are to break long-term cycles of poverty, we must make work pay and the welfare system simpler. Those who advocate the status quo appear to be prepared to abandon too many citizens to welfare dependency and worklessness.

The Ulster Unionist Party is primarily a pragmatic party. Welfare reform must work in tandem with the revitalisation of the economy. It must work alongside early intervention, an improved education system and reformed childcare. That is why, as we face the inevitable spending cuts that are coming from the comprehensive spending review, we must be in a position to improve what we do locally, as well as ensuring that Westminster offers us proportionate protection. The UK coalition Government must bring forward proposals for economic reform in Northern Ireland as soon as possible. Giving people incentives to work will be successful only if jobs are available. We also need to ensure that people have the necessary skills to gain long-term employment.

The Ulster Unionist Party wants to ensure that Northern Ireland is not disproportionately affected by welfare reforms. However, there has to be an element of reality to this debate. The parity principle, which we support, dictates that the Minister for Social Development will implement the reforms introduced from Westminster or face potentially significant financial consequences.

Yesterday, I noticed that Sinn Féin called for the Social Development Minister to cut the apron strings from Westminster. Bearing in mind the amount of money that Westminster provides to the local welfare budget, I have to say that it is not the apron strings that we would be cutting but the benefit cheques. Westminster is the key to welfare and welfare reform. Therefore, I hope that the DUP, in particular, will be raising the issue in Westminster and that today is not merely a grandstanding operation.

Mr Irwin: I welcome the opportunity to contribute to the debate on the motion tabled by my colleagues. The motion is clear on one fact,

which is that Northern Ireland is highly reliant on social security benefits. Part of my role as an elected representative involves assisting in benefits issues and charting a course through the benefits process for my constituents.

There are many people out there who are disabled or unwell due to a number of conditions and are certainly unfit for work. In my opinion, it is important for the Minister to stress to that group that their rights to benefits will be protected. There is a lot of uncertainty among people who are on disability benefits, and I have spoken to a number who are worried that their benefits will be drastically cut or, worse still, removed. The Minister must reassure those people that DSD is not on a crusade to slash benefits and leave people who are genuinely unable to work without the means to have a reasonable standard of living.

Of course, in any society, there are those who are cheating the system and are in receipt of benefits where no benefit is deserved. Those people could be deemed to be eligible for some type of employment. In that light, therefore, our benefits system requires reform in order to ensure that the money is going to those who need it most.

With regard to my experiences with the Social Security Agency, I believe that there must also be a review of how certain benefits are administered, particularly employment and support allowance. I have had worrying cases where constituents were without any form of income due to issues with the processing of their particular benefit. On one occasion, the applicant sent important information by recorded delivery; yet, somehow, it was lost by the agency, and that added many weeks to the application process. I would like the Minister to explain how such important and confidential information is mislaid and to tell us whether he is concerned about such a loss.

I also have a problem with the length of time that the disability living allowance appeals process takes. Applicants may have to wait many weeks for an appeal hearing date. My constituents are particularly concerned about all those issues, against a backdrop of coalition cuts and a drive to reduce the number of people on benefits.

5.00 pm

I understand the economics of DWP's desire to reduce the social security bill. However, we must be very careful not to pile more disadvantages on those who, through illness, are already at a disadvantage in not being fit or able to work. Steps could be taken to encourage more people off benefits and into work. However, in tandem, we must realise that Northern Ireland has come through a rough and troublesome past whose legacy has affected a number of people and families to a higher degree than in any other part of the United Kingdom.

I wish the Minister well in his challenge in dealing with the Department for Work and Pensions and I hope that there will be recognition of our unique circumstances.

Mr McHugh: Go raibh maith agat, a LeasCheann Comhairle. I did not expect to take part in the debate because of the long list of people who were due to speak before me. I agree with the motion, and it is good to see it coming from the DUP. It is good to see that we have moved on, and that the attacks by the Conservative Government on the weak and vulnerable are no longer supported by people in this Chamber.

The Minister has a big job in trying to challenge the cuts. However, the noises here are about working within the cuts, rather than challenging them. It is almost as if we have taken a 10- or 20-year leap from the conflict to where we are now. We have a special case here, and will for quite some time, in respect of our financial situation as a result of the legacy of the conflict. That legacy has many aspects, and it will take at least 30 years to overcome.

The benefit support system has become ingrained and entrenched in particular areas. Billy made conflicting arguments about that, and why people should be forced back to work, which the Conservatives pretend is their mantra. However, we cannot force people back to work if there are no jobs. There are no jobs in Ireland, north, south, east or west, for those who are well capable of doing them. There was pressure even on those who were unable to go to work to do some sort of job. There are no jobs for anyone at the moment, and that has to be taken into account.

We had a debate earlier about equality. That plays a part, because there is a legacy of inequality between the west and the east,

by which I mean Belfast. There was always inequality in where jobs were placed, and that still goes on. People from Fermanagh and South Tyrone, even recent graduates, still have to go in this direction or further afield if they want to take up employment in their chosen career — or they have to leave the country altogether. That has gone on for decades.

We talk about the financial situation here almost as if it was something that happened in the North. A lot of our difficulties with the British Government originated over there as a result of their financial dealings and failings. That has not been taken into account, and they have managed to escape that issue very well, including at the last election. Those who voted for them now face the cuts as well, so there is certainly something amiss with the people over there who voted them into power, knowing that this was coming down the pipe.

So-called progressive reform of the welfare system over the years has made things much worse for the weak and vulnerable, every time. Applying for their benefits was made more difficult and they were cut back more. I know from my own office staff, who do a professional job in filling in forms and dealing with people's difficulties every day, that it is very difficult to get disability living allowance or any other benefit. As someone mentioned, there has to be a cost to delivering that. So, we are paying for it from several directions.

People are very fearful; they fear for their pensions and for their futures, and they have to depend on welfare. In the South, a single person receives €200 a week in unemployment benefit; here, it is £60 or less. There is a great disparity there. At least the South is willing to recognise that people need a certain amount of money to live on. There are people who have to survive on £60 a week, which has to be taken into account.

To the Minister, I say that, although there is a conflict here about how to approach the financial situation, Sinn Féin is probably taking the right approach by challenging the cuts and trying to negotiate them. That is important because young people will increasingly get into drugs or violence or become dissidents — or whatever people want to call it — if deprivation in their areas is not addressed.

The Minister for Social Development

(Mr Attwood): I thank everybody for their broad

and particular endorsements. One Member said that he would be nice and encouraging; another said that there would be welcome words; another said that she had full confidence in me; and someone else said practically the same. Although, in one way, that might cause us to suspend disbelief, in another way, I welcome it, because, since I came into post in May, I have had a very clear view of what is being proposed through welfare reform.

Whether that reform comes in the form of the proposals for 2013 and beyond that will emerge over the next short period of time or whether it comes in the form of the benefit cuts that have already been announced by the Chancellor — with possibly more to come — I have no doubt that it will be the most significant change to benefits for a generation or more. Mr Brady said that the reforms were steps towards dismantling of the welfare state, and there may be an element of truth in that. I spoke to a very senior Tory Minister within the past couple of days. He said that the Tory coalition's proposals would be its enduring legacy and would have the single biggest impact of any decision made by the coalition Government in the lifetime of this Westminster Parliament. That is the scale of what we are talking about. Therefore, I welcome all input, because it scopes out the scale of what we are talking about.

Mr F McCann: Will the Minister give way?

The Minister for Social Development: I will take the intervention shortly.

In dealing with the issue, I have been informed by four principles. The first, which is shared across all parties and all Members, is that, whatever welfare changes are proposed, our argument has to be about the top line when it comes to the block grant and the bottom line when it comes to how we spend the block grant and about protecting those in need, stress and disadvantage and those who may be experiencing alienation. That has to be a core value of government strategy and of the Budget negotiations in the Chamber over the next short space of time.

Secondly, the Northern Ireland conditions have to be taken fully into account. It is a fact that we have had to deal with intergenerational disadvantage and poverty, higher levels of emigration, women in their 40s bearing children, the legacy of long-term unemployment and families with nobody — grandparent, parent or

child — in work. All of that is compounded by the legacy of conflict.

Thirdly, as Simon Hamilton, Mr McHugh and others mentioned, in this part of these islands, we will be in recession at least until the end of 2012 and possibly longer. I met the representatives from the Construction Employers Federation two weeks ago, and one of its senior members believes that we will be in recession after the end of 2012.

Imposing welfare proposals or arguing for welfare changes in the absence of jobs is ludicrous. That is compounded by the fact that if there are public sector cuts but no new private sector jobs, the employment situation will deteriorate further.

The fourth element of my approach has been not just to argue against the immediate welfare benefit changes and against the potential changes over the next two or three years but to scope out all options for how Northern Ireland can be different in its approach to welfare reform.

Mr Brady said:

"If we cannot change parity legislation, we should ensure that it is properly administered"

I agree. If Members have issues with how social security is managed on a case-by-case basis, they should bring them to my attention and I will address them. I have made it clear, through the Social Security Agency, that where things are not managed properly and people are suffering delay in their benefit entitlement, we should address it, apologise for it and correct it.

However, I go further than Mr Brady in managing parity properly. My approach is to maximise flexibilities in and around parity and try to identify opportunities to move beyond it. I am not prepared to compromise the principle of parity per se, because, as I recall, a £3 billion subvention is paid to Northern Ireland annually in benefit payments. Therefore unless we work through very carefully what it means to change, abandon or move away from parity, we will only impose on those whom we are trying to protect greater doubt and greater burden.

As I say, I go further than Mr Brady. I want to find out where the operational flexibilities are, if possible develop pilots to see where we can go beyond parity and, at the same time, negotiate to move beyond parity in a way that does not

have an adverse or disproportionate impact on the people whom we are here to serve.

We can only judge the London Government by what they do as opposed to what they say. The effects of the emergency Budget, according to the Institute for Fiscal Studies, mean that those who are poor and disadvantaged will suffer disproportionately. The BBC's research confirmed that the areas with the highest level of public sector dependency will suffer most from the budget proposals. The TUC said that its scoping out of benefit proposals and London's policy suggests that the disadvantaged will suffer disproportionately.

Those are the hard facts and the brutal reality of what the London Government have already decided. Therefore, I decided that we should not enter into dialogue with Iain Duncan Smith and Lord Freud or the London officials when it comes to welfare and benefits, but that we go into hard and tough negotiations. Those negotiations are still at an early stage and are far from concluded. We have had only three meetings and there is much more work to do; however, I am determined that we will do it.

I approach that work from the following perspective: I agree with Simon Hamilton and Martina Anderson that there is a need for reform. Northern Ireland does reform well. What has been achieved collectively, despite resistance, on policing and politics, fair employment and housing, demonstrates that in our culture we have the capacity to look at the need for reform, and, whether we set about it with enthusiasm or reluctance, we set about it. There is further need for reform in Northern Ireland of prisons, the Public Prosecution Service and housing. I am not opposed to reform, but we have to make a judgement about what the reforms mean to the individuals, families and communities that we represent.

5.15 pm

Ms Ní Chuilín asked precisely what measures I am looking at. I will answer her question in part. I am not going to share all my thinking because those matters are, in some ways, works in progress and are still part of the conversation that I am having with Lord Freud. However, I will give some indicative examples of what I told him yesterday. I told Lord Freud that the proposal to cut housing benefit for people who had claimed jobseeker's allowance for over one year would penalise people generally as well as those who

would like to find work but cannot because of the condition of the job market in Northern Ireland. I told him that, due to the economic conditions that prevail in Northern Ireland, we will be in recession until at least the end of 2012, and so to penalise people still on JSA after one year by cutting their housing benefit by 10% was a punitive and unjustified punishment. I asked him to re-examine that.

I asked Lord Freud to extend the mortgage support scheme introduced by the Labour Party in January 2009 beyond its end date of January 2011. That is because it seems to me that homeowners with heavy mortgages who lost their jobs in communities throughout these islands through no fault of their own as a result of the world recession needed continued mortgage support. Therefore, the extension of that scheme beyond the two years is important.

There are proposals to change the regime around disability living allowance, which could potentially occur before the current scheduled date of 2013. Over 100,000 people in Northern Ireland are on disability living allowance. I asked Lord Freud to take on board the profile of DLA claimants in Northern Ireland, their number and the circumstances that they have lived in, not least because of the legacy of conflict. I told him that I wanted our officials, and right up to ministerial level, to work through how that change would work in Northern Ireland to ensure that the blind pursuit of cutting benefits and the blind ambition of getting people into work did not come back in the face of those tens of thousands of people who, because of their mental and physical condition, are not going to be fit for work now and in the future.

The social fund involves tens of millions of pounds a year in payments to people for community grants, white goods or funeral payments. I put it to Lord Freud that the proposals that have been outlined for England, Scotland and Wales make no sense in a Northern Ireland context. They involve giving responsibility for administering the payments to local authorities. However, our local authorities are of a different nature to those across the Irish Sea in Britain. We already have a localised system of payment of social funds through eight major offices and 26 satellite offices. Therefore, it seemed to me that that model of delivery of the social fund was fit for purpose here, regardless of what might be proposed in England.

In answering Ms Ní Chuilín's question, I am trying to scope out some of the scale of what we asked Lord Freud about yesterday. I am not even going to outline some of the harder issues and proposals that we put to him about some of the immediate benefit changes that the London Government are proposing.

I have two final comments. First, regardless of what happens with the immediate benefit regime changes, Iain Duncan Smith and Lord Freud clearly have an ambition to have more fundamental changes. It is my sense that that argument is currently being resolved in London between the Treasury and the Department that is responsible for welfare, and that it may be the case that we hear sooner rather than later what the scale, character and nature might be of what Iain Duncan Smith is proposing.

However, as I said during Question Time, if there is a proposal between now and 2013 for, as he sees it, a radical regime change when it comes to benefits, including the possibility of a universal benefit system, however that may be managed, the immediate impact of that will be heavy upfront costs. In a situation in which there is, apparently, less money, that must mean that there will be more benefit cuts in the short term. I put down a marker, to anybody in London who may be listening and to everybody in Northern Ireland, that some very severe and serious news is coming. We must guard against that and work against it.

During the top-line Budget negotiation with London, we need to be tough, robust, determined and relentless. We need to keep at it over the weeks and months. That is what I have been doing; I trust that other Ministers will follow that lead and are doing so at the moment. At the end of the day, the bottom line is decided by the Assembly and the Executive Ministers. If the bottom line Budget decisions are not informed by protecting those who are in need, stress, disadvantage or poverty, we will end up with a Government that is not fit for purpose and a Budget that is not fit for purpose.

Miss McIlveen: The rationale behind the motion was to stimulate debate on the current welfare system and its flaws and failings, and to give Members the opportunity to explore options for the future. The consultation paper, '21st Century Welfare', which was presented by the Secretary of State for Work and Pensions, Iain Duncan Smith, has given us the basis for such a debate. The quality of that debate is for others

to judge, but I commend the tone of those who contributed.

Having said that, I was astonished by the comments of Mr Armstrong. I have always found him to be a very caring and compassionate man, so it was strange that he said this afternoon that Northern Ireland needs to cut benefit cheques. Perhaps those are not Mr Armstrong's views, but those of the author of the script. Whoever's view it is, I do not think that anyone else in the House agrees that cutting benefit payments is the answer to Northern Ireland's problems. Perhaps the Tory cat is well and truly out of the Ulster Unionist Party bag.

It is important, in this so-called age of austerity, to ensure that we, as a society, take all possible steps to continue to protect the vulnerable so that they do not bear the brunt of measures that are being implemented to address an economic crisis that was born out of greed and mismanagement. However, it is equally important that the social security system is looked at, reviewed and improved, which would be as true in better times as it is today. Social security is a devolved matter, and, therefore, the responsibility of the Assembly. However, as much as the Members opposite would like it not to be the case, it is an issue that is operated under the parity principle. Therefore, a single system of benefits and pensions operates throughout the United Kingdom.

It is well rehearsed and recognised that Northern Ireland has the highest levels of economic inactivity in the United Kingdom, with around 6.2% of our population not working. The Centre for Social Justice estimates that around 40% of the 56,000 people who are currently unemployed in Northern Ireland are long-term unemployed and that over half of those who claim income support have done so for over five years. Therefore, although the economic problems have added to the unemployment figure in recent years, there is a portion of society that, for whatever reason, is unwilling or unable to work and has been reliant on social security benefits for some considerable time. Indeed, 14% of children live in households in which no one works. Around 50,000 men and women in Northern Ireland do not work because of mental or behavioural problems. There are 42,000 people who claim disability living allowance and about 45,000 who claim incapacity benefit. Those are disproportionately high figures compared with the rest of the

United Kingdom, but one of many legacies of our recent troubled history.

Nearly one in 10 young people in Northern Ireland are not in education, employment or training. As a result, their prospects for future employment are greatly diminished. I commend the work of Bryson Charitable Group and Barnardo's in that regard. I am also aware that the Committee for Employment and Learning is currently undertaking an inquiry into that matter. I look forward to the report and the outworkings of the recommendations.

The Secretary of State for Work and Pensions has published his Department's ideas on revolutionising the social security system across the UK.

As my colleague Simon Hamilton outlined, reforms which make the benefits system simpler and seek to increase economic activity are to be warmly welcomed. However, such reforms must be carefully implemented. The cold, hard reality is that Northern Ireland faces significant problems that will not be encountered by other parts of the United Kingdom.

The legacy of the Troubles is that we have a disproportionately high number of people who are unable to work because of physical or mental impairment, a point elaborated on by Mrs Bradley, Ms Lo, Mr Anderson and Mr Easton. Furthermore, the size of the public sector in Northern Ireland, compared to the private sector, means that the impact of impending cuts will be felt much more keenly here. That may result in an increase in the number of those relying on benefits and even fewer job opportunities for those already seeking work. Increased unemployment inevitably leads to increased numbers of vulnerable people, which, again, was referred to by Mr Easton and Ms Ní Chuilín.

Any radical overhaul is not without its problems, and often changes implemented by Government are the most problematic. It is, therefore, extremely important for the Minister for Social Development to continue his dialogue with the Work and Pensions Secretary to ensure that Northern Ireland's needs are not only recognised but met, and I am encouraged by the Minister's words.

Many Members quoted statistics on the subject of high dependency on social security. Mr Hamilton stated the alarming analysis that the number of benefit claimants in Northern Ireland

is proportionately 50% higher than in the rest of GB. Mrs Bradley and Mr Easton spoke of the number of constituents with whom they deal in their offices, and the broad range of benefits that those constituents claim. Mr Armstrong recognised the high dependency on benefits, yet seemed to think that we have a “hokey-cokey” approach to reform.

Mr Craig said that the Government should be looking at starting from scratch. He highlighted the additional barrier that bureaucracy creates for applicants, which heightens the risk of error. He also spoke about its complex and confusing nature, as did other Members.

Ms Lo supported the principle of welfare reform but was concerned that those already marginalised would be further marginalised, and she gave an example of problems with ESA and so on that had been brought to her office. Mr Easton and others spoke of the cumbersome nature of the current system.

Mr Brady did not appear to support change, even though there is a clear need to encourage people back into work where jobs are available. He highlighted what he believed to be the failings of the Welfare Reform Bill and seemed to feel that it would penalise those on benefits. Although welcoming elements of welfare reform, Ms Anderson spoke of her concerns about certain aspects, for example, sanctions for trivial reasons. She was also concerned about the centralisation that reforms may bring, but she welcomed the Minister's statement and the negotiations that he has had. She attempted to make a case for breaking parity and wanted a Northern Ireland-specific benefit system without taking cognisance of the problems that might be caused by such a system and its outworkings.

Mr Beggs: Does the Member agree that not only would there be great cost in funding any break with parity in terms of the payments, but that the Assembly would also have to fund, from the block grant, an entirely new computer and social security system to back it up, which would be prohibitive?

Miss McIlveen: Absolutely: I certainly agree with the Member's comments.

There is a clear need for Northern Ireland's special social and economic circumstances to be carefully considered. I note that the Minister has been putting Northern Ireland's case forward, and I welcome his efforts.

Other Members — Mrs Bradley, Mr Hamilton, Mr Gallagher and Miss Ní Chuilín — made their own case for Northern Ireland's special circumstances. Ms Ní Chuilín spoke specifically about the need for childcare reform and about the lack of it being a barrier for those getting back to work, particularly lone parents.

In conclusion, I welcome the commitment of the Minister and the work that he is doing, and also his response to the debate. It is fair to say that it is universally recognised in the Chamber that the vulnerable in Northern Ireland should not be made to suffer in the face of cuts and reforms imposed without any recognition of Northern Ireland's particular circumstances. It is important that those making such determinations are fully informed. However, the message must also be delivered that we do not fear reform. Reform is necessary to break the cycle of generational reliance on the welfare system. In that sense, I very much agree with Iain Duncan Smith, who said that we need to:

“end the poverty of aspiration that has trapped too many people for generations.”

Such reform must not come at any price, and it is the duty of any society to protect and support the vulnerable. Therefore, in participating in discussions on the ‘21st Century Welfare’ Command Paper, the interests of those who need our protection must be safeguarded.

Question put and agreed to.

Resolved:

That this Assembly acknowledges Northern Ireland's high dependency on social security benefits; supports reforms which are aimed at simplifying the social security process and helping people to get back to work; and calls on the Minister for Social Development to continue his dialogue with the Department for Work and Pensions, stressing the need for the special social and economic circumstances of Northern Ireland to be carefully considered and urging the introduction of appropriate measures to ensure that the proposed welfare reforms do not have a disproportionately negative impact on Northern Ireland.

5.30 pm

Motion made:

That the Assembly do now adjourn — [Mr Deputy Speaker.]

Adjournment

Social Security Office, Slieveban Drive, Andersonstown

Mr Deputy Speaker: The proposer of the topic for debate will have 15 minutes in which to speak. All other Members who speak will have approximately eight minutes.

Mr P Maskey: Go raibh maith agat, a LeasCheann Comhairle. I thank the Business Committee for accepting the topic for debate. I also put on record my thanks to the Minister of Finance and Personnel — it is not often that I thank Sammy, but there you go — for his letter in response to e-mails that I sent to his private office on 1 or 3 and 6 September. Those related to ongoing security issues in the former social security office in Slieveban Drive, which is in the heart of Andersonstown.

I shall begin by giving a brief history of the place. On 21 May this year, DSD vacated the building to move to modern offices in the Kennedy Centre in west Belfast. Since then, the building has been empty. Initially, it was well secured. Indeed, I went around the site with a couple of residents and noted that the steel shuttering had been well installed and was secure. Unfortunately, adults — not children — removed some of the steel shutters, which required them to use angle grinders, as departmental officials pointed out to councillor Caoimhín Mac Giolla Mhíin and me when we met them on site. I suppose that the adults entered the premises out of greed to steal lead, copper and anything else that was worth money. I reiterate that it was adults and not children who began the process of causing antisocial behaviour in the area.

When we met the departmental officials, it was agreed that the shutters would be reinstalled, and they were. As a matter of urgency, I had asked the officials to remove any valuables that might be tempting to a thief, such as copper and lead, from the site. Perhaps that part of the

problem could have been resolved earlier, but we learn from our mistakes.

The shutters were removed again, allowing younger elements to get into the building and create havoc in the area. The building was set alight, and old furniture was removed to an adjacent playing field where it was set alight. Some young people got on to the roof of the building and threw objects into the surrounding streets, making the area unsafe and frightening many residents. On many occasions in recent months, members of the Fire and Rescue Service, the PSNI and representatives of the safer neighbourhood antisocial behaviour programme have dealt with fires and antisocial behaviour, all of which has put the community under a great deal of pressure that it should not have had to endure.

The current state of the building acts like a magnet for antisocial elements, some of whom come from other areas. Not only do they continue to damage the old offices, but there has been a dramatic surge in crime, including break-ins to homes and the theft of cars from the vicinity. On some weekends, there have been parties in the building, which, again, have acted like a magnet for antisocial behaviour.

I know that, through my correspondence with the Minister, there are now two security guards on the site every night from 5.00 pm to 7.00 am. That is a step in the right direction. I know that there had been issues with the security guard who was previously employed on the site. I am not sure of the details, but I know that some sort of threat had been made; perhaps the Minister knows more than I do. I was not aware of that situation; had I been, I would have challenged those who made any such threat. In his correspondence the Minister said that battery-operated CCTVs would be installed on the premises. CCTV cameras had already been installed there but had been damaged by antisocial elements. It would be of benefit to the residents nearby and the entire community if the security staff were kept in place until a future use for the site is found.

I delivered about 1,000 leaflets in that area last night, and I spoke to residents, as I have done over recent weeks and months, about the issue. The residents have been greatly affected by the situation. They said, however, that, since the security staff had been put in place, antisocial behaviour in the area had reduced. I

give credit where credit is due; however, I urge the Minister to retain the security staff on the site nightly from 5.00 pm to 7.00 am, because the measure seems to be working and it gives residents some peace of mind.

I want now to turn to the future use of the site. I am aware that the Housing Executive and Belfast City Council have expressed interest in it. I have spoken to many residents in the area, and my office has been contacted by others who are concerned about the future use of the site. That part of Andersonstown is a very settled area, and many of its residents have lived there for many years. Many pensioners live in the area, as do many schoolchildren. The people of the area deserve credit for the community spirit that they have built up over many years. The British Army vacated the land that they stole to build a military base right on the doorsteps of local people. The site was known locally as Silver City, but the military base is long gone, and the community has moved on.

Some of the residents expressed concern that there has been no creative thinking on the part of the Housing Executive. They say that, once the plot of land becomes available, the Housing Executive will simply claim it and cram as many houses as it can onto it. I am glad that the Minister for Social Development is here to hear my concerns and those of residents. My party colleagues and I deal day and daily with people who are on the housing waiting list for west Belfast. Andersonstown is one of the most sought-after locations in the west of the city. We need to have a serious debate about how we build extra houses. There is a desperate need to fill the gap and reduce the Housing Executive waiting list.

We cannot just build houses on every available space without considering the infrastructure in the community and in the larger area. There are schools in the vicinity of the site as well as GAA clubs and soccer teams, all of which have a shortage of playing facilities. I mention playing facilities and pitches because there is a Belfast City Council-run pitch and play-park adjacent to the site.

The Minister of Finance and Personnel

(Mr S Wilson): I want to respond later in the debate, but I am not quite clear what the Member is saying. Is he saying that he does not want housing on that site?

Mr P Maskey: I am saying that it could be a mixed-use site, Sammy. As I said, I was in the area last night delivering 1,000 leaflets. Again last night and over recent weeks and months, residents told me that they are concerned that cramming as many houses as possible onto the site would create a bottleneck in the area. There are nursery, primary and post-primary schools in the vicinity, and people are saying that, because it is a well-settled area, the site could be used as a multi-purpose facility. The concern is that, if the site goes to the Housing Executive simply to build houses, the adjacent green field, which is used as a playing pitch, would go because there would be pressure to build houses on it as well.

It is important to have facilities around the area. As I said, there is a great housing shortage in west Belfast, and we lobby daily to get people placed in houses. However, we must use creative thinking when we consider that entire site. If Belfast City Council, other Departments and, possibly, the Housing Executive use creative thinking, we could create a facility that will enhance the local community instead of bottlenecking it with the additional traffic that will stem from the Housing Executive's cramming as many home units as possible onto it. Mixed use of the site, in my view, is the best option. As I said, Belfast City Council has already expressed an interest in it and could take full or part ownership and create a multi-purpose building that will cater for sporting teams, schools and the community sector. Local residents are crying out for facilities that meet their needs.

The Upper Andersonstown Community Forum, which is known locally as Tullymore, is just up the street from the old offices on the broo or dole site. It has recently extended its premises, and thanks must be given to the Department for Social Development for giving money to that. The Minister and the MP, Gerry Adams, were at the opening a number of weeks ago; that is a very positive step. The Tullymore site is probably one of the most proactive and valuable resources in the area and one of the largest employers in Andersonstown. All its staff need to be commended, especially Tish Holland, who has driven the community sector in that area for many years.

Tullymore is maxed out already with the many initiatives that are in place, from childcare to pensioners' clubs, education facilities and after-school projects. There need to be further

developments in the vicinity to cater for the needs of the community, and I urge Minister Attwood to think seriously about that before he allows the Housing Executive to purchase the land simply to squeeze as many houses or apartments as possible onto it. In my view and that of many residents in that area, that will have a detrimental effect on that well-established part of the city. There is also the local library site in Slievegallion, which, unfortunately, closed its doors to the public in July this year. We are working proactively to get library services in the local community centre, and I hope that that will go some way to bridge the gap. That facility could be used by the Upper Andersonstown Community Forum.

Today's debate is important for the local community. There has been a blight of antisocial behaviour in recent months since the building closed. As I said, Silver City was in the heart of the Andersonstown area and on the doorsteps of many people's homes. That community has moved on in a positive manner, and it deserves better than to have a load more houses crammed onto the site.

We need creative thinking, and I urge Departments, councils and any other bodies to consult the local community in that area. That is an important step. However, tonight's Adjournment debate is the first step to addressing the problems. Any Executive Minister who deals with that area should know that I, as a local representative and local resident, will work my hardest to ensure that whatever is done is done right. I will assist any Minister, Department or council that takes on the issue. I support them all, but we must begin consultation as soon as possible. I know that our budgets are under tight constraints, but we must move in a positive direction.

5.45 pm

Mr Attwood: I thank Paul Maskey for bringing the issue to the attention of the Assembly. The debate touches on broader issues about land use, community participation, maximum return of available land and the right profile and balance to take land forward for development purposes. Over and above the Slieveban site, it raises broader themes and issues that can be usefully discussed.

The jobs and benefits office at Slieveban Drive is now closed, and a new facility is open at the Curley's site. I encourage the Minister to visit

jobs and benefits offices, which he will know about from his own experience. The jobs and benefits office at the Curley's site demonstrates that a new facility improves the working environment and customer service. It actually moderates behaviour. People going into a better-managed and new facility that is geared to the needs of individual claimants has resulted in the very few people who misbehave behaving better and generally moderating behaviour and improving the service. There is something that might be worthy of consideration in all of that in going forward with a capital budget.

I agree with Paul Maskey that, with respect to land use, we need to move forward not only with the consultation of local communities but with their participation. That is what DSD and the Housing Executive have been trying to do, for example, with the demolition of the flats at Ross Street, where individual, one-on-one consultation has taken place with tenants and the two homeowners. There is a standard around not only consulting communities but participation that is crucial.

Mr Adams: I do not wish to misrepresent what the Member said, but I found his comments about citizens behaving themselves better in the new benefits centre to be entirely patronising. It misrepresents what people who are subjected to unemployment have to go through sometimes in what is a very difficult process. It may not have been meant the way it sounded, but I think that the Member should reflect on what he said.

Mr Attwood: I note the intervention from Mr Adams. I think that Mr Adams should reflect and read Hansard. I made it clear that the people who misbehaved were the few who did so. That was the language that I used. If Mr Adams were to speak to our social security staff, who are the subject of the highest levels of work-related stress of any employees in the public service in Northern Ireland, I am sure that he would appreciate that the people who are on the front line in social security offices have to take abusive phone calls and comments at desks from the few abusive claimants. If Mr Adams were to do that, he would agree that my comments are very relevant and very accurate. Given my responsibility, in a different role, for social security staff, I do not take lightly any comments that suggest either on the customer side or on the staff side that I have anything other than appropriate respect for all that they have to go through and experience.

I turn back to the debate. There is no intention, as far as I am aware, by the Housing Executive, the DSD or the Planning Service to cram houses into sites. That is contrary to planning conditions and guidelines, and it is contrary to the core strategy of the DSD and the Housing Executive. Therefore, the development of land is not a matter of cramming properties onto sites; it is a proportionate and proper use of the site that is available.

My view as an MLA is that, if there is housing use at that site in the future, the use should be strictly for family homes, and there should not be any suggestion of apartments in what is already a very constrained site. In my own view, indicatively, if there were to be housing on all of that land, it would be up to and no more than 20 housing units, and those would be three-bedroom housing units. That would be an appropriate, proportionate and prudent use of land that is available and, as Members should remember, of land that is in government ownership. Therefore, given the principle of trying to build on land that is in government ownership, the site could be very amenable to all those outcomes.

As far as I am concerned and speaking in any capacity that I might have, I should say that there is no suggestion that there be cramming on any site. There have been examples of such cramming, and Mr Maskey and Mr Adams know full well of the apartment blight on the Andersonstown Road and the efforts that some developers have made to create a similar blight on the Glen Road and elsewhere. Given that experience and given the risk and the threat that arise occasionally as a result of Planning Service decisions, the site is not about cramming. It is about family homes. A moderate number of family homes would be involved, and there would not have to be a disproportionate impact on traffic use and pedestrian safety in the area.

I am concerned about ensuring that government works its maximum for people in west Belfast. Too often, I have seen Ministers go into government but not into power. There is a fundamental difference in culture and outcomes when it comes to the nature of government. That is why, once the land in question became available, the Housing Executive was right to move quickly to scope out whether it was suitable for housing use. It was also right to appoint a housing association to seek proposals

for design in the future. In my view, all that is an example of government moving quickly. However, government working quickly must be consistent with what I said at the beginning of my response about community involvement and participation. Going forward, regardless of whether the site will be exclusively for housing use or for mixed use, it should be done in consultation with the community to maximise the benefit to that community. That should include maximising the benefits to an area that is of high choice among social tenants and where there is already high need and high stress.

Ms S Ramsey: Go raibh maith agat, a LeasCheann Comhairle. This is probably one of the most unusual debates that this Assembly has had, in that we will receive information from a Minister whose constituency remit is in and around the site in question and who will be speaking as a local MLA. It will be useful to get some of that information, which will lead me to make a suggestion to Alex Attwood MLA, the Minister for Social Development, in my comments. I will never miss this opportunity, Alex, to comment on what you said.

I welcome the debate. It is important for the reasons that Paul Maskey and Alex Attwood gave, and I commend Paul for securing the debate. Paul said that antisocial behaviour from the young and, indeed, the not so young in and around the site is to be challenged and that it has been at every opportunity. Everyone in the Chamber is well aware, first and foremost, of the broken window syndrome, so I will not give a lesson on that. We need to ensure that we are not allowing the site to become a magnet or allowing it to continue to be a magnet for antisocial behaviour on a daily, if not a weekly, basis.

Paul highlighted some of the problems associated with the site. Indeed, in the times that we are in, those are problems that local residents, the local community and voluntary sectors do not need. The blue light services in particular do not need to be called out constantly to deal with antisocial behaviour, and that leads to the question of how much those additional call-outs are costing us.

I take this opportunity to praise those in the local area, including those who are involved in the safer neighbourhood project, without whose involvement we would probably be dealing, God forbid, with more serious issues on a regular

basis. I give credit where credit is due to the work that DFP has done to secure the site and to deal with some of the ongoing issues. However, consultation is the key theme in all the points that have been made. We now need the residents and the local community to be informed and kept up to date with the plans or the suggested plans for the site.

Paul voiced the concerns of some of the residents in the area, and those are genuine concerns. It is not a case of not in my back garden; there are genuine concerns about the whole issue of housing in the area. No one for one minute underestimates the need for additional housing in the West Belfast constituency, and no one is suggesting that more houses should not be built there, but we need proper infrastructure first, which is the point that Paul made.

In the letter that the Minister wrote to my colleague, he stated that he received a valuation of the property and would be meeting interested parties within a week. That letter was dated 17 September, and it would be useful if the Minister could indicate who those interested parties are.

Will the Minister also tell the House whether there are any proposals for him to meet with the community sector in the constituency, including, as Paul mentioned, the Upper Andersonstown Community Forum and the West Belfast Partnership Board? We should not lose sight of the fact that there is a vibrant community in West Belfast, which, to all intents and purpose, is up to speed and has a sound mind on some, if not all, of the issues that affect our community. Perhaps the Minister could meet the sector before the site is sold off. It is all right talking to the statutory agencies, but the Minister also needs to speak to the community and voluntary sector in the area.

Alex Attwood contributed to the debate as an MLA for West Belfast. I want to take the opportunity to sneak in a request for him, wearing his ministerial hat and in front of all the MLAs from West Belfast, to provide an update on what DSD's thinking is on the issue. That is not to say that the land will be sold to DSD, but it would be useful to understand the options that the Department has for the site. It would mean we all have the same information from the outset and that we can all be involved in the consultation.

Perhaps Minister Wilson could also tell us whether a request to take the site forward has been received from any other Departments. That is only a request for information so that we can ensure that we do not have to deal with a debacle like those we have dealt with in the past, with bits of information being received here and there. Everyone wants the site to be secured and to have no more antisocial behaviour on it. They also want the site to be used for the benefit of the community in and around that area and for the betterment of the community of the greater west Belfast area.

In conclusion, I want to commend the Minister. I am not sure whether I have a death wish. In fairness, he has a long history of working in local government and of working in partnership with local communities to try to get local solutions to local problems. It is all right saying that DFP will sell off the land, offset it to another Department and that the other Department will take it on. We are now in a collective Executive. We are talking about collective, joined-up government, and that is all about taking a partnership approach. There is no point in us imposing something on a community if it goes against its wishes and creates more difficulties and problems. We must utilise the local representatives and MLAs, because together we can ensure that everyone is happy with whatever is placed on the site.

The Minister of Finance and Personnel: I am happy to respond to the debate at this late stage. It is like being kept in at school; I had to wait until 5.30 pm to respond.

I know from the correspondence that I received that the issue has caused the local community great difficulties. Indeed, Paul Maskey made that clear in the communications he sent to the Department. As always, I have tried to be as helpful as possible, and I am glad that he acknowledged that at least.

6.00 pm

In our roles as constituency representatives, all of us who are left in the Chamber — there are not too many of us — fully understand the difficulties caused by derelict buildings and the horror that the people who have to live, day in and day out, beside them can experience. Many people feel powerless because they have no control over what can be done with such buildings. Many people feel that public bodies do not move as quickly as they should and

that the people who make the decisions do not recognise what local people are going through, wondering, every night, whether they are going to have something thrown at their house or whether they are going to be disturbed.

I have asked departmental officials to try to move the process along as quickly as possible and, where there are problems, to try to address those. That is one reason why today's debate is useful. However, having listened to the debate, I am concerned that there are perhaps conflicting tensions. On the one hand, Members want something done about the problem quickly, and I can understand that. On the other hand, Members want to add in all the other things that people want done — I will come to that in a moment — which, by their very nature, would slow the process down and, therefore, leave us with the problem of the derelict building for longer. There are conflicting tensions.

Mr P Maskey: No matter what happens on the site — whether it is used for 20 houses, as the Minister said the Housing Executive could provide, or a multi-purpose facility — the concern that we all have is that it will take years to get planning permission and financing and for the demolition and building to be done. It is going to take a couple of years to get the site to that stage. If we start now, we could shorten that period and put something on the site that is much needed in that community.

The Minister will know from his days on Belfast City Council that there is a shortage of pitches across the city. With, as I said, a buy-in from Belfast City Council, the pitch beside the site could be utilised and turned into a 3G pitch. In Belfast, 50% of the shortage of pitches is in west Belfast. The site could be used as a sports facility for schools, the local GAA and local soccer teams.

The Minister of Finance and Personnel: I have noted what the Member said about the use of the land. A number of purposes have been suggested, from pitches to multi-purpose business facilities and from community use to housing or recreational land. The site is a not very well shaped 2·3 acres of land. We have to be realistic: it is not the Tardis. It is a fairly small piece of land and, given all the competing interests, we have to be realistic about what can go on the site.

I will outline for Members the factual position. When land is declared surplus to requirements

by a Department, there is an obligation to trawl for interest amongst public bodies and for a valuation to be done. The valuation of the land in this case is £1·1 million, which is significantly less than what it would have been valued at two or three years ago. However, that is what Land and Property Services has deemed the land to be worth on the public market. That puts certain constraints on the use of the land. For example, if we were to put 20 houses on a piece of land that is valued at £1·1 million, it would cost around £55,000 per unit for the land purposes alone. Members can see that, therefore, there would be financial constraints to that. The valuation has been done and a trawl has been carried out among the Departments. Under the rules for the disposal of land, if an interest is shown by other public sector bodies, that interest must be looked at first.

I do not want this to drag on, and I understand Members' points. I have said to officials to let us put the next step in place so that it does not drag on for ever. In conversation with the two bodies that expressed an interest, namely the Housing Executive and Belfast City Council, we now need to ascertain what they intend to put on the site and whether the money is available and do all the tests that will indicate whether it is likely to be a runner. If the two bids remain in place after that exploration, the Minister for Social Development and the Minister of the Environment will have to determine which bid is to be accepted and look at the associated business case. That is the rule.

Sue Ramsey raised the issue of the community sector. Under the current disposal rules, we cannot bring in the community sector until we have tested the interest from DSD and Belfast City Council. I have said to officials —

Ms S Ramsey: Is the Minister saying that it would be possible to bring in the community sector after he tests what DSD and Belfast City Council intend to do with the site?

The Minister of Finance and Personnel: That is possible after the plans of Belfast City Council and DSD have been tested. One of the tests that will be applied immediately is whether the money is available at present. There is no point in DSD telling me that it would like to buy the site, that it does not have any money now but that it might have the money in four years' time. If that were the case, we would not regard that as a real expression of interest, and we would

move on. Those kinds of tests have to be done with the Departments to find out whether we proceed to the next step.

I do not want that process to go on for ever. Members of Belfast City Council will know well that if the matter went to the council's leisure services committee, or whatever it is called now, it could get kicked back five, six or seven times. Indeed, the council could be discussing it in a year's time. The important thing is to set a timetable.

Mr F McCann: Will the Minister give way?

The Minister of Finance and Personnel: I will after I finish this point. I do not know if it is a realistic timetable, but I have asked officials whether we can get the process completed in six weeks. That would give the sort of certainty that the Member asked for. I will give way now.

Mr F McCann: We could end up with what is probably everyone's worst nightmare: another leisure centre just across the road. The discussion about what will replace the building that is on the site at present is interesting. However, one of the difficulties is that that building is a magnet for those who want to destroy their community. Such buildings often lie there and are destroyed, having become hangouts for antisocial elements in the area. Would it not be better if those buildings were flattened and returned to grass? That would mean that there will be a clear site when it comes to building on it.

The Minister of Finance and Personnel: I am getting worried, because I think that the Member may have read my mind. The next point that I was going to make concerned the nightmare that can be left by derelict buildings. I do not imagine that either of the two groups that have expressed an interest, Belfast City Council or the Housing Executive, will want the building to be left on the site, anyway. Those groups will be more interested in the piece of land.

I have said to officials to let us start the process of demolishing the building as quickly as possible. There are a number of steps in that process. Safety checks have to be carried out to ensure that all the services are turned off and that there is no asbestos in the building. A tender then goes out, and the contractor comes in. We hope to complete all that and have the building demolished in about 10 weeks. I hope that that timescale gives some comfort to the

Members who raised the issue. That should also give some comfort to people that, come the dark nights, the building will not be there as the kind of magnet for vandalism that Mr McCann described. As it is likely that any group that has an interest will have an interest only in the site rather than in the building, I do not think that we are taking any risks by demolishing the building. Therefore, that will be the next step.

Mr Deputy Speaker: I ask the Minister to bring his remarks to a close.

The Minister of Finance and Personnel:

In conclusion, I hope that I have, at least, illustrated that we are taking the issue seriously. There are restrictions about how wide we can throw the net. At the end of the day, if the site goes for housing, it will be a battle between Sinn Féin representatives and the Minister for Social Development as to what goes on it.

Adjourned at 6.10 pm.

Written Ministerial Statements

The content of these written ministerial statements is as received at the time from the Ministers. It has not been subject to the official reporting (Hansard) process.

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Office of the First Minister and deputy First Minister

The Report is available for viewing in the Assembly Library or on the OFMDFM website at www.ofmdfmni.gov.uk.

Independent Review of the Dioxin Incident

*Published at 9.30 am on
Monday 13 September, 2010*

The First Minister and the deputy First Minister (Mr P Robinson and Mr M McGuinness): We wish to inform Assembly Members of the publication of the “Independent Review of the Dioxin Incident in Northern Ireland, December 2008”.

A recall of all Irish pork products produced from pigs slaughtered in Ireland was ordered by the Food Safety Authority of Ireland on Saturday 6 December 2008. This had a major impact in Northern Ireland, resulting in a decision by the Executive to commission an independent review of the handling and communications of the incident.

This Review was undertaken by Mr Kenneth J MacKenzie CB, a former senior civil servant in the Scottish Government. Mr MacKenzie’s Report was submitted to the Executive on 9 September 2010 and is being published today. We would like to record our gratitude to Mr Mackenzie for undertaking the Review.

The Report sets out a number of recommendations which the relevant Ministers and key stakeholders will now consider in detail. The relevant Assembly Committees will also wish to consider the Report as appropriate. The Executive will then consider proposals for responding to the recommendations to ensure the lessons are learned and necessary actions implemented in preparation for and in handling any such incident in the future.

Agriculture and Rural Development

Research and Education Advisory Panel

*Published at 2.00 pm on
Thursday 16 September, 2010*

The Minister of Agriculture and Rural Development (Ms Gildernew): Fáilte romhaimh.

I wish to advise Assembly Members on the future of a DARD advisory NDPB, the Research and Education Advisory Panel, known as REAP.

REAP was established in 2005 in response to one of the recommendations of the independent O'Hare Review of the arrangements for agri-food education and research and development in the north of Ireland. Its role, as set out in its Terms of Reference, is to provide independent expert advice on DARD's research, education and knowledge transfer policies.

The Review

In line with best practice in the management of public bodies and an earlier commitment to DFP, I commissioned an independent review of REAP and our interaction with it in 2008.

The review examined the rationale for an independent advisory panel, taking account of the wider political and strategic context; the most appropriate model for that advice, as well as the Panel's performance. The review was completed in consultation with the REAP membership, DARD officials and a range of stakeholders. It also drew on the experience of a range of comparable advisory bodies in Scotland, England and the south of Ireland. I am grateful to those who contributed to the review and helped me reach the decision I am announcing today.

The review acknowledged that REAP had been very productive. The Panel provided valuable scrutiny and input to the development of the DARD Evidence and Innovation Strategy which was well received by the research and wider stakeholder community. REAP also contributed to our thinking on the processes needed to commission, manage and quality assure DARD's substantial research programme. Finally, the Panel has also indirectly influenced our current approach to stakeholder engagement in developing other policies.

The review concluded that DARD still required independent expert advice on its research and education functions; that the existing panel should be formally stood down and a new panel launched later that year. It also made a number of more detailed recommendations on the future structure, operation and reporting arrangements for any new panel.

Following receipt of the report, I accepted the recommendation to stand down the existing panel but indicated my intention to consider further the review findings further before announcing a final decision on the way forward.

Changes in Strategic Environment

Not unexpectedly, the strategic environment for DARD's research and education policies has evolved very considerably since REAP's launch in 2005. In April 2006, we created a Non Public Departmental Body, the Agri-food Biosciences Institute to provide scientific research and services to government, non-governmental and commercial organisations. This was also one of the recommendations of the independent O'Hare Review. In addition, in February 2009, we appointed our first Departmental Scientific Adviser and our Evidence and Innovation Strategy, published in July 2009, is beginning to drive the DARD research agenda. We have also established new internal structures for commissioning and managing DARD-funded research which provide for increased engagement between policy-makers, research organisations and stakeholders in identifying research needs, setting priorities and ensuring effective knowledge exchange. DARD is also strengthening its relationship with other research funders in Britain through various mechanisms, and we are also planning to explore the potential for further cooperation with the south of Ireland on research.

Furthermore, a number of cross-government strategic reviews of skills and innovation have concluded recently and new structures, such as MATRIX and the Food Industry Advisory panel have been established which will help guide the Executive's support for industry in these areas. At the same time, DEL is consulting on a revised Skills Strategy for the north of Ireland, which will provide the overarching policy context within which DARD education policy must fit. And, of course, we also have the benefit of Lantra and Improve, the respective Sector Skills Councils for the land based and food industries, to provide policy input and advice on skills needs.

Finances must also be a consideration, both for any revised body and the associated secretariat support. The Executive faces the significant budget pressures over the course of the coming four years and we will all have to make difficult choices about spending priorities.

It is against this background that I have assessed again the review recommendations and DARD's future need for an independent advisory body on research and education and I have come to the conclusion that REAP should now be formally dissolved.

In reaching my decision, I am mindful of the fact that research and skills remain important to our efforts to help the agri-food industry rise to the challenges of food security, climate change and an increasingly competitive global economy; and in achieving the vibrant rural community and environment, we all want to see. However, I am confident that through the new structures and arrangements referred to earlier, DARD can continue to secure improved quality and transparency in the development and delivery of our research and education policies.

I, therefore, believe the decision to dissolve REAP is the right one, given our present circumstances. My Statement will be available on the DARD website in due course.

Go raibh mile maith agaibh.

Committee Stages

Northern Ireland Assembly

Committee for Health, Social Services and Public Safety

14 September 2010

Sunbeds Bill (NIA 18/09)

Members present for all or part of the proceedings:

Mr Jim Wells (Chairperson)
Mrs Michelle O'Neill (Deputy Chairperson)
Mrs Mary Bradley
Mr Alex Easton
Mr Tommy Gallagher
Mr Sam Gardiner
Mr Paul Girvan
Mr John McCallister
Ms Sue Ramsey

Witnesses:

Mr Craig Allen	<i>Department of</i>
Mr Seamus Camplisson	<i>Health, Social</i>
Mr Nigel McMahon	<i>Services and Public</i>
Ms Julie Stewart	<i>Safety</i>

The Chairperson (Mr Wells): In members' packs, there are responses from Diane Dodds and Jim Nicholson from the European Parliament regarding the compatibility of an outright ban on sunbeds with article 10 of the European Convention on Human Rights. They both express their support for the Bill but are not in a position to offer advice on the matter. We are not opting for an outright ban on sunbeds but have sought advice on the issue.

Before we start the clause-by-clause consideration of the Sunbeds Bill, I will introduce the officials from the Department of Health, Social Services and Public Safety (DHSSPS) and explain why they are here. Craig Allen is from the legislation equality branch, Seamus Camplisson is from the health protection branch, Nigel McMahon is the Chief Environmental Health Officer, and Julie Stewart is from the health protection branch. They are here because, during the summer, the

Irish Republic announced the publication of its sunbeds legislation. I knew about that only because I happened to be doing an interview on a certain radio programme that starts at 9.00 am, and which shall remain nameless, and there was a representative from the public health agency in the Irish Republic who said that sunbeds legislation had been referred to the executive. My ears pricked up at that point.

That legislation largely mirrors what we are doing, with one notable exception: it will place an onus on the sunbed operator to tell those who have a Celtic skin type — red hair, freckles and fair skin, a person who can go under a sun lamp all day and not tan — that they shall not use a sunbed. That struck me as a major divergence from the road that we are going down. It is relevant because someone in Lifford with a Celtic skin type could be told by an operator there that he or she cannot use a sunbed but could then take a 10-minute walk and nip across the border to Strabane and lie under a sun lamp until they were burnt to a frazzle. That struck me as an obvious loophole.

Therefore, we thought that it would be useful for departmental officials to discuss whether they recognise that skin type, if there is potential for damage for those who have it, and whether there is anything that the legislation can do, as proposed or amended, to deal with the issue.

Mr Seamus Camplisson (Department of Health, Social Services and Public Safety): Mary Harney proposed an outright ban on sunbed use for people who are over 18 years of age and who have skin type 1 on the Fitzpatrick classification scale — in other words: very fair skin.

There are four broad questions about that proposal. First, is it workable? Secondly, is it desirable? Thirdly, is it necessary? Fourthly, is it possible? I will be brief in answering those questions.

First, on the question of whether the proposal is workable, specifically with regard to enforcement, some issues would need to be resolved. Who would have the authority to make a decision on a person's skin type in cases in which people with type 1 skin dispute that fact? Primary and subordinate legislation would need to establish robust and fair arrangements for determining an individual's skin type.

It appears that the Republic is considering allowing a sunbed operator the authority to

make a decision on a person's skin type. That would present a clear conflict of interest, because a sunbed operator's primary purpose is to maximise his or her profits by selling sunbed sessions. Therefore, one would have to query the wisdom of a sunbed operator being the person who decides whether someone has a suitable skin type to use a sunbed.

If a sunbed operator does not make that decision, who would? Should it be a GP, a dermatologist or another health professional? If a third party were to make the initial determination — it could be necessary to have a fourth party lined up to deal with any appeals — there would be a raft of other necessary decisions, including how the parties are designated and given authority, who pays them, how the fees are determined and who determines them. Therefore, it would lead to a long list of questions.

We also have to ask whether such a proposal could create the risk of assaults on shop assistants who refuse sunbed use because of their perceptions of customers' skin types. Concerns have been expressed recently about age-related restrictions on sales of products, such as those for the sale of alcohol and tobacco, because of assaults by people who were not happy at being turned away. That is a scenario that you need to be aware of.

It is also a difficulty that skin type can be disguised very easily with make-up, tanning lotion or hair dye. I was not aware that tinted contact lenses are popular for that purpose; I am assured that they are. The fact that it is easy to disguise skin type could create additional problems for the poor shop assistant who is potentially already in a conflict situation.

There is a fundamental problem with the proposal. Skin types, like almost all human physical characteristics, are a matter of degree rather than discrete categories; each skin type shades into other types. The question is not about minor details. The apartheid laws, and all the absurdities that accompanied them, emerged from the idea that there are discrete categories of human beings rather than different but continuous variations in physical characteristics.

Sunbeds legislation in the Republic has not yet been drafted, so, as far as we are aware, we are talking about a proposal rather than a provision. To our knowledge, the proposal has not been tested by legislative draftsmen in the Republic.

It is possible that the problems that I listed are not insuperable and that such a proposal could be made to work. However, at this stage, the Department is not aware of any research that shows that similar provision in legislation has been introduced successfully anywhere in the world. There is a similar provision in Victoria in Australia, but we do not have any evidence about how workable it is. We will consider any evidence that is presented to us on whether such a provision is workable, and we will consider whether there is a case for bringing forward an amending Bill at a future date.

Secondly, and more briefly, there is the question of whether such a proposal is desirable. It raises a basic question about the proper role of the state. The position that underpins the Sunbeds Bill is that informed personal choice is better than disproportionate state control of individual personal decisions. Ultimately, people have to take some responsibility for looking after their health. To some people, it may seem as if the state is trying to intrude on people's personal space. The Assembly should consider that seriously.

Thirdly, is it necessary? The Sunbeds Bill addresses the issue of Celtic skin. The report from the Committee on Medical Aspects of Radiation in the Environment (COMARE), which prompted the Bill and which the DHSSPS and the other UK Health Departments commissioned in the first place, highlights the particular risk for fair skin. As the Bill stands, sunbed operators would have to provide written information about the health risks of sunbed use. Under the proposed regulations, the Department would prescribe the information that operators would have to provide to clients. Although that would be subject to public consultation, our intention is that prescribed information would emphasise the risks for people with fair skin and very fair skin. We will also consider whether compulsory signage should indicate the increased risk for people with fair skin. The Bill also includes a power to introduce compulsory training for staff and to prescribe training when suitable accredited training becomes available. To be accepted, a training course would have to include coverage of the risks associated with fair skin. Therefore, a number of safeguards already exist with fair skin in mind.

Fourthly, irrespective of the merits of the proposal, it is not clear whether it is possible to add such

a provision to the Sunbeds Bill at this stage. The Department has not consulted on the idea. We would certainly have consulted on that if it had been a COMARE recommendation or if it had been recommended or suggested by any other stakeholders. The Committee has not had an opportunity to consider the proposal, and the Department has not asked the Office of the Legislative Counsel to try to draft the amendment or amendments that would be needed. Therefore, in summary, the idea has not been tested or scrutinised to an extent that would justify seeking to add it to the Bill at this stage.

The Chairperson: I get the impression that you are not very happy with the suggestion.

Mr Camplisson: I am not enthralled about it.

The Chairperson: If the Committee decided to seek amendments to the legislation, what would the time consequences be? I assume from what you are saying that there will have to be re-consultation and drafting. What sort of delay would that cause?

Mr Camplisson: If we were to try to stick to the established rules and conventions about consultation and time frames, where 12 weeks is ideal and eight weeks is regarded as the minimum, we would run the risk of losing the Bill and of it not getting through Final Stage before the end of this mandate. If it were agreed that it could be included in the Bill without consultation, Committee Stage, at the very least, would have to be extended to give members an opportunity to scrutinise the proposal closely. Therefore, it would probably add a minimum of one month to the timetable for the Bill, but it could extend the timetable to breaking point.

The Chairperson: Is there another way of dealing with the issue? As you said, the proposal in the Republic is at a very early stage. It may never see the light of day, because the problems that you outlined may also be relevant in the South. Can it be added to subordinate legislation at a later stage, or is it such a major issue of principle that the legislation would have to be amended?

Mr Camplisson: I think that it is too fundamental to shoehorn it into subordinate legislation. It is about denying a particular service. I do not think that many people here are in favour of

that service, but it is about denying a particular service to adults.

You mentioned a note from Diane Dodds — I have not seen it yet — about compatibility with article 10 of the European Convention on Human Rights. We would have to consider compatibility with article 10 and, indeed, article 8 of the European Convention on Human Rights, which is the right to private and family life. That could be brought into play, so we would need to do some writing around that.

My view is that it is probably too fundamental a question to leave to subordinate legislation. What we can do is use the details of the subordinate legislation to beef up the protection for people with very fair skin and ensure that they are aware of the added risk that is associated with Celtic skin.

The Chairperson: Is that an implicit commitment from the Department that the advice that you will give to sunbed operators under clause 5 will include a specific warning that people with what is perceived to be type 1 skin should pay special attention and a recommendation that those people should not be exposed to sunbeds?

Mr Camplisson: We anticipate that strong, clear health warnings will be addressed to people with fair and very fair skin. That will be subject to public consultation, but I cannot see it being a contentious matter. I expect that the dangers will be outlined in the provided written information and possibly in the signage as well. Any training courses that are accredited and accepted for the purposes of the Bill will certainly have to highlight the added risk for people with fair skin.

Mr Girvan: I come to the Sunbeds Bill at a very late stage. I see a straightforward, common-sense approach to moving forward. However, progressing legislation does not always follow a common-sense approach. Clear guidance and warnings would probably be the best method. The legislation should include reference to clear warnings, guidance and adequate training. However, dealing with non-regulated areas will be difficult. It will be fine with council-run facilities, and so on, where the public can be sure that the people running the facilities will deal with the legislation. However, some operators will not follow the proper guidelines, which is where the issue will arise.

The Chairperson: We hope that, after the legislation and subject to consultation, there will be provision for licensing under subordinate legislation. I hope that that will bring all sunbed operators in Northern Ireland under some form of control and district council inspection. Therefore, although that is not in the legislation, we expect to see it in the future.

Mr Gallagher: Chairperson, you referred at the start to the co-ordination of arrangements across the island and the desirability of having a common system. Is the Department in touch with people at the same level in the Dáil in relation to the matter?

Mr Campliss: Yes.

Mr Gallagher: That is essential. There is not much more that the Committee can do other than to write to the Select Committee on Health and Children in Dublin to outline what we will do once we come to a decision. At least we will have informed that Committee of what we are doing.

The Chairperson: What level of contact is there between the DHSSPS and Dublin?

Ms Julie Stewart (Department of Health, Social Services and Public Safety): I have been in contact with the Department of Health and Children. The Bill is at a very early stage, and the draftsmen have not even received their instructions yet. The proposals that they have outlined are being tested at the moment.

The Chairperson: We could keep an eye on what is happening, and, if need be, introduce an amendment or subordinate legislation at a later stage. I was quite surprised that the lady on the radio interview was in a position to announce what her executive were about to consider before they actually looked at the legislation. We do things differently up here, and it may be that some of the issues that we are arguing about may never come to fruition when the Bill is published. I thought that the issue was worth raising because it is fundamentally different from what we are doing. You have convinced me that we cannot stop the whole process to bring us into line with the Republic if its proposed legislation may never happen. The remainder of the issues that the Republic is considering seems to be in line with what we are suggesting, albeit in a different legislative framework.

Mr Campliss: That is no accident, Chairperson. We sent them details of our Sunbeds Bill, so it is no coincidence.

The Chairperson: I was quite amused by your reference to a possible assault on a member of staff. Certainly, if someone came into a premises wearing a Rangers top and was told that he had a Celtic skin type, he might misunderstand what was going on. *[Laughter.]* Let us hope that we do not put staff in that position. I hope that members are happy to let the officials merge into the background and watch the rest of the proceedings from the Public Gallery.

We will now move on to the Committee's clause-by-clause consideration of the Sunbeds Bill.

Clause 1 (Prohibition on allowing use of sunbeds by persons under 18)

The Chairperson: Clause 1 — prohibition on allowing use of sunbeds by persons under 18 — is a fundamental part of the Sunbeds Bill. The clause provides that it is an offence for an operator of a sunbed premises to allow a person under the age of 18 to use a sunbed on a sunbed operator's premises. It also describes circumstances that would constitute the operator of a sunbed premises as having taken all reasonable precautions and exercised all due diligence to avoid the commission of such an offence.

I remind members that, on 24 June 2010, the Committee indicated that it was generally content with clause 1 and with the proposed amendments. Alex, do you have a comment?

Mr Easton: Clause 1 is fine, as far as it goes. However, from my reading, it bans only people under the age of 18 from using sunbeds if they are on sunbed premises. It does not ban private use. I know that we cannot police people who have sunbeds at home. However, even with that, it would be a deterrent if it was illegal for somebody under the age of 18 to use a sunbed. To me, the clause offers a loophole, because people who own a sunbed could, if they wanted to, let all their mates who are under the age of 18 use it. Given that they would not be operating a business, that is a loophole. I do not understand why we cannot include "private use of sunbeds for people under 18" in the clause. I know that that cannot be enforced. However, at least the law would be there, and, if somebody happened to get caught, we could

use it. It makes a mockery of the law that somebody under the age of 18, who cannot use a sunbed in a shop, can use a sunbed at home.

The Chairperson: That issue was discussed on 24 June 2010.

Mr Easton: I know that.

The Chairperson: The Department has taken on board our concerns. We thought that, perhaps, the Children Order 1995 could be used. However, the Department has included a series of amendments, which we will come to later in the discussion, that will subject sellers or hirers of sunbeds to similar requirements as those operating commercial sunbed premises. For instance, they will be asked to provide protective eyewear, to ensure that sunbeds meet technical requirements and to undertake training. Further on in the Bill, the Department has gone as far as it can to address that issue. People who hire or own a sunbed will no longer be able to do what they like if someone under the age of 18 will be using it.

Mr Easton: There are probably hundreds of people with sunbeds across the UK, and there is no regulation for them because they already own a sunbed. There will be from now on in, but Joe Bloggs next door could have a sunbed and could allow somebody who is under the age of 18 to use it, and there is nothing in the Bill to stop that from happening.

The Chairperson: There is: the person using the sunbed would be under exactly the same constraints as a person who has a sunbed establishment.

Mr Easton: We do not know who they are.

The Chairperson: If a sunbed is hired from a reputable company, a record is kept of where that sunbed has gone. If it were to be reported to the council that Mrs Smith from down the road was allowing 12-year-olds to lie under a sunbed all day, a public health official from the council could come out to the premises, inspect them, and if Mrs Smith was behaving differently from a commercial sunbed operator, she could be prosecuted.

Mr Easton: I still do not think that it states that under 18s cannot use a sunbed in a private dwelling.

The Chairperson: My understanding is that the amendment goes a long way to addressing that concern.

Mr Easton: It states that under 18s cannot use a sunbed in a shop. There is nothing to say that under 18s cannot use a sunbed in a private dwelling.

The Chairperson: Perhaps it would be helpful for the departmental officials to come back into the witness box, as it were, as points arise, because they could answer any technical points on how far they believe their amendments go. Seamus, will you come to the table and address that point?

Ms Stewart: As you said, Chair, we have gone as far as we can with the Office of the Legislative Counsel (OLC) and the legislative draftspeople on the private use of sunbeds. It came down to the question of enforcement. We cannot do anything about sunbeds that are already in private premises; we can act and legislate only for those that are bought or hired from now on.

Mr Camplisson: That is correct. It comes down to what can be enforced.

Mr Easton: I accept that it cannot be enforced, but I do not understand why a form of words cannot state that 18-year-olds in private premises are not legally allowed to use sunbeds. Although it cannot be enforced, there is no reason why it cannot be put in legislation.

Mr Camplisson: Who would be committing the offence in that case?

Mr Easton: The owner of the sunbed in the private dwelling.

Mr Camplisson: Would it be the person under 18, the person who owns the house, the person who owns the sunbed or somebody else?

Mr Easton: It would be the person who owns the sunbed.

Mr Camplisson: What would happen if that person was not around when the person under 18 was using the sunbed?

Mr Easton: It would be a deterrent, regardless of whether it can be enforced. As it stands, there is a loophole, and it will be used as such. I will, however, support the Bill as far as it goes.

Ms Stewart: I am not a draftsman, but the legislation has been with OLC and draftspersons, and they keep raising the enforcement issue. That is their advice.

The Chairperson: I need to test the Committee's view on the matter. I see the line that you are going down, Alex. If the Committee goes down that route, it will have consequences for other parts of the Bill. If we agree to take an amendment, we will have to come back in a week's time and consider it. We would also have to stop further consideration of the rest of the Bill, because Alex suggests something that is fundamentally different. Alex, you want a ban on under 18s using sunbeds on private premises.

Mr Easton: Yes.

Mr Gardiner: In the past, advertisements warned about drinking and driving and that smoking caused cancer. Has the Department anything similar in mind, or does anything in the Bill warn people in Northern Ireland that sunbeds can cause cancer?

The Chairperson: That is an important but different issue.

Mr Gardiner: I know, but I do not want to lose sight of it.

The Chairperson: That comes up in a later clause that we will consider, and I will let you speak on it. The problem is that, if we decide to support a ban on the use of sunbeds in private premises by those under the age of 18, as Alex suggests, we will not get to discuss that clause.

Mr Gallagher: I appreciate what Alex is saying, and it is important. However, we must be realistic. Alex acknowledged that such a provision could not be enforced, and there is no point in our trying to make a law that we admit cannot be enforced. We all try to encourage respect for the law, but making laws and knowing that they cannot be enforced is not a positive step. Although the problem that Alex outlined is serious, we must try to address it later in the Bill, as you mentioned, Chair, and close the gaps as best we can. That is the best option. Whatever people are up to behind closed doors, it would not be wise for us to go there.

The Chairperson: Sunbeds will have stickers on them, and the leaflets provided with them will also advise private operators that they should not allow people who are under 18 to use them.

What are the views of the representatives from the Ulster Unionist Party and Sinn Féin?

Mrs M Bradley: On the point that Alex made, we must remember that many young people of 18 now own homes or live in their own flats, where they could allow people of any age to use sunbeds. How are we to know about that? I accept that there is a loophole, but unless we place a complete ban on sunbeds, I do not see any way around that. Mind you, I would not have a problem with a complete ban.

The Chairperson: May I test the views of the Ulster Unionist Party and Sinn Féin?

Mrs O'Neill: I understand the principle behind Alex's point, but the legislation as drafted goes as far as it can. We can act only from this point on. From the legislation's enactment, the operator will be the person who hires or buys a sunbed for private use. That goes far enough, and we cannot do anything else.

Mr McCallister: I raised questions on that issue back in June. I agree with the point, but, at some point, legislation must be balanced to make it achievable, as opposed to making law that can never be enforced. Environmental health officers could not be sent round to peek through the windows of someone's house.

Seamus made the point about who is responsible. I am sure that, if parents were to catch their child using a sunbed in their home, they would not want that child to be prosecuted. They might want the child to be educated about sunbeds, but they would hardly want a prosecution. Parental choice and responsibility are central to many issues. Previously, the Assembly discussed the disciplining of children, including smacking in the home. Whatever one's view, how could a ban be enforced? How can the law on alcohol be enforced in the home? It must be accepted that government cannot intrude on the privacy of a home. We can educate as much as possible, and if the advice is that the legislation goes as far as it can, that is as good as it gets.

The Chairperson: Alex, do you wish to pursue the issue?

Mr Easton: No, I will not pursue it, but I thought that it was important to point out that loophole.

The Chairperson: You have raised it, and you will, therefore, be entitled to table an amendment on the Floor of the House. I would rather that scenario than members who had not raised

an issue in Committee trying to table an amendment.

Mr Easton: So, if I were to decide to table an amendment, you would not take a dim view.

The Chairperson: I would not take a dim view.

Mr Girvan: I appreciate where Alex is coming from, but clause 2(3) clearly indicates a way to ensure that adequate guidance and advice will be given when a sunbed is sold or hired. At that stage, the owner will have to come on board. By creating the offence, we have taken all reasonable precautions to ensure that someone under 18 cannot use a sunbed. There is a difficulty in trying to police that in the home, but all reasonable precautions are covered.

The Chairperson: That information will be on stickers attached to sunbeds when they are hired out. On the basis that Alex does not wish to push the issue any further, we can release the officials again — at least for now.

Mr Easton: Do not go too far.

The Chairperson: The Department has proposed amendments to clause 1. Subsection 1 has been amended to include restricted zones within sunbed premises. It prohibits someone under the age of 18 from going into a restricted zone that contains a sunbed unless he or she has a specific reason for doing so, such as cleaning or sunbed maintenance.

The three new subsections inserted after clause 1(4) — (4A), (4B) and (4C) — provide a definition of a “restricted zone” and deal with an issue that was raised in June. Previously, a public health official who entered premises had to find someone under the age of 18 on a sunbed to be able to pursue a prosecution. That raised all sorts of issues: did we want an official to be inspecting sunbeds when young girls were using them? Now, the official must prove only that the young person is in the restricted zone. Therefore, those amendments are in line with the Committee’s view.

Subsection 5 has been amended to change the fine from “level 4” to “level 5”, an increase that comes up time and time again.

Apart from Alex’s caveat, I remind members that today’s meeting is the last opportunity to discuss this clause.

Question, That the Committee is content with the clause, subject to the proposed amendments agreed with the Department, put and agreed to.

Clause 1, subject to the proposed amendments agreed with the Department, agreed to.

The Chairperson: I have informed the Deputy Chairperson that I have to leave the Committee for a short time to collect a petition at 1.15 pm, but I will come straight back. After clause 2, I will hand over briefly to the Deputy Chairperson.

Clause 2 (Prohibition on sale or hire of sunbeds to persons under 18)

The Chairperson: Clause 2 also relates to Alex’s point. It provides that it is an offence for a person to sell or hire a sunbed to a person under the age of 18. It also describes the circumstances that would constitute the seller or hirer as having taken all reasonable precautions and exercised all due diligence to avoid the commission of such an offence.

The Department has proposed an amendment at clause 2(6) to change the fine from level 4 to level 5, which takes it from £2,500 to £5,000. Again, that indicates the seriousness with which departmental officials view the matter. It is quite a large amount of money. The proposed amendment did not cause any difficulty at the Committee’s meeting on 24 June.

Question, That the Committee is content with the clause, subject to the proposed amendment agreed with the Department, put and agreed to.

Clause 2, subject to the proposed amendment agreed with the Department, agreed to.

(The Deputy Chairperson [Mrs O’Neill] in the Chair)

Clause 3 (Remote sale or hire of sunbeds)

The Deputy Chairperson: Clause 3 provides that, where a sale or hire of a sunbed takes place in circumstances in which the premises that receive an order are not the same as the premises from which the sunbed is dispatched for sale or hire, subject to subsection 3, the sale or hire is to be treated as taking place on the premises where the order is taken. Subsection 3 provides that, where the premises in which the order is taken are not in the North of Ireland, but the premises from which the sunbed is dispatched are in the North of Ireland, the sale or hire is to be treated as taking place

on the premises from which the sunbed is dispatched.

At its meeting of 24 June, the Committee indicated that it was generally content with the clause. No amendments were proposed by the Department or by any Committee member. I remind members that this is your last opportunity to discuss the clause.

Question, That the Committee is content with the clause, put and agreed to.

Clause 3 agreed to.

Clause 4 (Prohibition on allowing unsupervised use of sunbeds)

The Deputy Chairperson: This clause provides that it is an offence for an operator of sunbed premises to allow a person under the age of 18 to use a sunbed without supervision on the sunbed operator's premises. It also provides that there is a defence for the operator of sunbed premises to prove that they took all reasonable precautions and exercised all due diligence to avoid the commission of such an offence.

The Department proposed an amendment to subsection 4 changing the fine to level 5, which the Committee supported. At the meeting of 24 June, the Committee indicated that it was generally content with the clause and the proposed amendment. I remind members that this is our last opportunity to discuss the clause.

Question, That the Committee is content with the clause, subject to the proposed amendment agreed with the Department, put and agreed to.

Clause 4, subject to the proposed amendment agreed with the Department, agreed to.

Clause 5 (Duty to provide information to sunbed users, or buyers etc.)

The Deputy Chairperson: The clause places a duty on operators of sunbed premises and hirers or sellers of sunbeds to provide information about the health risks associated with using sunbeds to those who seek to use, buy or hire a sunbed. It also provides that failure to provide such information is an offence. The Department has proposed an amendment to the wording that will allow the Department to prescribe other information to be provided and

an amendment to subsection 12 changing the fine level from 4 to level 5.

At its meeting on 24 June, the Committee indicated that it was generally content with the clause and proposed amendments. There was some discussion on whether the phrase "may be prescribed" should be replaced by "shall be prescribed" in clauses 5 and 6. The Bill Office has advised that, if we were considering going in that direction, we would have to use the word "must". Alex, perhaps you would like to speak, followed by Paul.

Mr Easton: I will ask Paul's question for him.

Mr Girvan: Away you go.

Mr Easton: Our point is not about the issue that you just raised. Does the amendment "and such other information" mean informing people about cancers and so forth, as Sam mentioned, will be included?

The Committee Clerk: It will include information stating that under 18s should not use sunbeds, outlining the risk to fair skins and any other health information that is legally proven. All of that information about cancers and so forth should be included. All of that information will come back to the Committee, because it is subordinate legislation. You will, therefore, have an opportunity to consider it.

Mr McCallister: Does that give the Department the power to regularly update or change —

The Committee Clerk: It does, as new information comes forward.

The Deputy Chairperson: Are there any other issues? Does anyone want to pick up on that point?

The Committee Clerk: The Department has gone on public record — officials came to the Committee on 24 June, and their evidence is recorded in the Hansard report — as stating that it is working on that information and that it intends to bring it forward within the next 12 months. It is not as though the Department is not working on the information.

Question, That the Committee is content with the clause, subject to the proposed amendments agreed with the Department, put and agreed to.

Clause 5, subject to the proposed amendments agreed with the Department, agreed to.

Clause 6 (Duty to display information notice)

The Deputy Chairperson: The clause places a duty on operators of sunbed premises to display an information notice about the health risks associated with using sunbeds in a position that is readily visible to anyone proposing to use the sunbed on the premises. It also provides that failure to display such an information notice is an offence. The Department has proposed an amendment to the wording, allowing the Department to prescribe other information to be provided and an amendment to subsection 5 changing the fine level from 4 to level 5. At the meeting on 24 June, the Committee indicated that it was generally content with the clause and proposed amendments.

Question, That the Committee is content with the clause, subject to the proposed amendments agreed with the Department, put and agreed to.

Clause 6, subject to the proposed amendments agreed with the Department, agreed to.

Clause 7 (Prohibition on provision or display of other information)

The Deputy Chairperson: Clause 7 prohibits the provision or display of information or material containing statements relating to the health effects of sunbeds other than the information provided by the Department. The effect of the clause is to prevent misleading health claims. Advice from the Northern Ireland Human Rights Commission, which was seen by the Committee on 24 June, indicated that the level of fine prescribed in the clause was proportionate. The Department, lacking confidence that a higher fine would be proportionate, proposed to leave the fine at level 1. At its meeting of 24 June, the Committee indicated that it was generally content with clause 7.

Mr Girvan: For my information, what is a level 1 fine?

The Committee Clerk: I think that a level 1 fine is set at £50. That is one piece of information that I do not have with me, and I will correct that if I have got it wrong.

The Deputy Chairperson: I will send the list of categories of fines to you, Paul.

Question, That the Committee is content with the clause, put and agreed to.

Clause 7 agreed to.

Clause 8 (Protective eyewear)

The Deputy Chairperson: Clause 8 provides that an operator of sunbed premises who does not make available protective eyewear for a person proposing to use the sunbed commits an offence. It also provides that an operator of a sunbed premises should ensure, as far as is reasonably practical, that protective eyewear is worn by users of sunbeds.

The Department has proposed two amendments to clause 8. First, new subsections (3A) to (3D) have been added to ensure that sellers and hirers of sunbeds provide eyewear to their clients, and proposed new subsections (5A) and (5B) will provide a defence for those hirers and sellers. Secondly, the proposed amendment to subsection 6 will change the fine for this offence from level 4 to level 5.

At its meeting of 24 June, the Committee indicated that it was generally content with the clause and the proposed amendments.

Question, That the Committee is content with the clause, subject to the proposed amendments agreed with the Department, put and agreed to.

Clause 8, subject to the proposed amendments agreed with the Department, agreed to.

Clause 9 (Requirements in relation to training)

The Deputy Chairperson: Clause 9 places a duty on operators of sunbed premises to ensure that persons who allow other persons to use a sunbed on those premises meet such training requirements as may be prescribed. Failure to do so is an offence. It also provides that there is a defence for the operator of a sunbed premises to prove that they took all reasonable precautions and exercised all due diligence to avoid the commission of such an offence.

The Department has proposed two amendments. First, proposed new subsections 2, (2A) and (2B) ensure that those persons who sell and hire sunbeds meet the same training requirements as those in sunbed premises, and proposed new subsections (3A) and (3B) provide a defence for those sellers and hirers. Secondly, the proposed amendment to subsection 4 will change the level of fine for that offence from level 4 to level 5.

On 24 June, the Committee was generally content with the clause and the proposed amendments to it.

Question, That the Committee is content with the clause, subject to the proposed amendments agreed with the Department, put and agreed to.

Clause 9, subject to the proposed amendments agreed with the Department, agreed to.

The Deputy Chairperson: I must have all the easy clauses. *[Laughter.]*

Clause 10 (Requirements in relation to sunbeds)

The Deputy Chairperson: Clause 10 places a duty on operators of sunbed premises to make available for use only those sunbeds that meet such requirements as may be prescribed. Failure to do so is an offence. It also provides that there is a defence for the operator of sunbed premises to prove that they took all reasonable precautions and exercised all due diligence to avoid the commission of such an offence.

The Department has proposed two amendments. First, proposed new subsections (2A) to (2D) will ensure that those sunbeds that are sold and hired meet the same requirements as those in sunbed premises, and proposed new subsections (3A) and (3B) provide a defence for those sellers and hirers. Secondly, the proposed amendment to subsection 4 will change the level of fine for that offence from level 4 to level 5.

At its meeting of 24 June, the Committee indicated that it was generally content with the clause and the proposed amendments.

Question, That the Committee is content with the clause, subject to the proposed amendments agreed with the Department, put and agreed to.

Clause 10, subject to the proposed amendments agreed with the Department, agreed to.

Clause 11 (Exemption for medical treatment)

The Deputy Chairperson: Clause 11 provides for an exemption for offences under the Bill where a sunbed is used for the purposes of medical treatment under the supervision or direction of a registered medical practitioner, the sunbed is in, or provided by, a healthcare establishment and the sunbed is made available only for the purpose of medical treatment.

The Department has proposed an amendment to subsection 3 to include a definition of a “registered medical practitioner”. At its meeting of 24 June, the Committee indicated that it was generally content with the clause and the proposed amendment.

Question, That the Committee is content with the clause, subject to the proposed amendment agreed with the Department, put and agreed to.

Clause 11, subject to the proposed amendment agreed with the Department, agreed to.

Clause 12 (Enforcement by district councils)

The Deputy Chairperson: This clause places a duty on district councils to enforce the provisions of the Bill in their area and introduces schedule 1, which makes provision about the powers of authorised officers. At the meeting on 24 June, the Committee noted that concerns about the clause will be dealt with by the proposed licensing amendment. Therefore, members were generally content with the clause.

Mr Gardiner: You said “district councils”. Does that include county councils or the city council?

The Committee Clerk: The word “district” covers those.

Mr Gardiner: OK.

Question, That the Committee is content with the clause, put and agreed to.

Clause 12 agreed to.

Clause 13 (Fixed penalties for certain offences)

The Deputy Chairperson: This clause provides that authorised officers may give a fixed penalty notice to persons whom they have reason to believe have committed an offence. It also introduces schedule 2, which makes further provision about fixed penalties. The Department has stated that the amounts of fixed penalties are subject to subordinate legislation and that, in light of the Committee’s concerns, it would consider the levels of fixed penalties. At its meeting on 24 June, the Committee indicated that it was generally content with the clause.

Question, That the Committee is content with the clause, put and agreed to.

Clause 13 agreed to.

Clause 14 (Obstruction of officers)

The Deputy Chairperson: This clause provides that it is an offence for anyone intentionally to obstruct an authorised officer in the exercise of the officer’s function under the Bill. Subsection 5 has been amended to change the fine levels from level 4 to level 5, and, at the meeting on

24 June, the Committee was generally content with the clause and the proposed amendment.

Question, That the Committee is content with the clause, subject to the proposed amendment agreed with the Department, put and agreed to.

Clause 14, subject to the proposed amendment agreed with the Department, agreed to.

Clause 15 (Registration or licensing of sunbed premises or operators, etc.)

The Deputy Chairperson: This clause provides that regulations may allow district councils to register premises that are being used or are intended to be used as sunbed premises or on which the sale or hire of sunbeds takes place or is proposed to take place. Regulations will also allow district councils to prohibit the use of premises that are not registered in compliance with regulations.

The Department has proposed an amendment to allow regulations to be made for the registration or licensing of sunbed premises and/or operators, including those premises that sell or hire sunbeds. The Department proposes to introduce licensing by regulation, which will be subject to affirmative procedure. The Committee discussed that issue at length. At the meeting on 24 June, the Committee was generally content with the amendment and the proposed way forward.

Question, That the Committee is content with the clause, subject to the proposed amendments agreed with the Department, put and agreed to.

Clause 15, subject to the proposed amendments agreed with the Department, agreed to.

Clause 16 (Offences by bodies corporate etc.)

The Deputy Chairperson: This clause provides that, if an offence under the Bill is committed with the consent or connivance of, or is attributable to the neglect of, a partner of a body corporate, that partner is guilty as well as the partnership. At its meeting on 24 June, the Committee indicated that it was generally content with the clause.

Question, That the Committee is content with the clause, put and agreed to.

Clause 16 agreed to.

Clause 17 (Regulations)

The Deputy Chairperson: This clause contains provision about the required procedures for making subordinate legislation under the Bill. The Department has proposed an amendment to subsection 3 to ensure that regulations that are made under clause 15, which deals with registration and licensing, must be laid before and approved by resolution of the Assembly.

At its meeting on 24 June, the Committee indicated that it was generally content with the clause and the proposed amendment.

Question, That the Committee is content with the clause, subject to the proposed amendment agreed with the Department, put and agreed to.

Clause 17, subject to the proposed amendment agreed with the Department, agreed to.

Clause 18 (Interpretation)

The Deputy Chairperson: This clause defines the terms used in the Bill. At its meeting on 24 June, the Committee indicated that it was generally content with the clause.

Question, That the Committee is content with the clause, put and agreed to.

Clause 18 agreed to.

Clause 19 (Commencement)

The Deputy Chairperson: This clause provides that the main provisions of the Bill come into operation on a later day as appointed by the Department. On 24 June, the Committee indicated that it was generally content with that clause.

Question, That the Committee is content with the clause, put and agreed to.

Clause 19 agreed to.

(The Chairperson [Mr Wells] in the Chair)

The Chairperson: If the worst comes to the worst, I have a defibrillator. If the meeting becomes too intense for members of the Committee, I now have the gear; I am an expert.

Mr McCallister: I am just worried that that was what the petition was about.

Mr Gardiner: It looks to be out of date.

The Chairperson: Are we at clause 20 already? I am aghast at the speed with which the

Committee moves when I am out of the room. I left at clause 2.

Clause 20 (Short title)

The Chairperson: At the meeting on 24 June, the Committee indicated that it was generally content with the clause. I remind members that this is their last opportunity to raise any issues about the clause. However, I suspect that nothing will come up.

Question, That the Committee is content with the clause, put and agreed to.

Clause 20 agreed to.

Schedule 1 (Powers of authorised officers)

The Chairperson: This schedule provides details of the authorisation levels and powers given to an authorised officer in respect of documentation and premises, including warrant procedures. At its meeting on 24 June, the Committee indicated that it was generally content with the schedule. Again, this is the last opportunity for members to raise any issues that they have with the schedule.

Question, That the Committee is content with the schedule, put and agreed to.

Schedule 1 agreed to.

Schedule 2 (Fixed penalties)

The Chairperson: This schedule contains the regulations and proceedings of fixed penalty notices, including details of trials and withdrawals of notices in certain circumstances. Once again, this is our last opportunity to discuss the schedule.

Question, That the Committee is content with the schedule, put and agreed to.

Schedule 2 agreed to.

The Chairperson: That was quite remarkable. I will definitely leave the room more often. I remind members that our next meeting is on Thursday 16 September at 2.00 pm. Thank you very much for your co-operation.

Northern Ireland Assembly

Committee for the Office of the First Minister and deputy First Minister

15 September 2010

Commissioner for Older People Bill (NIA 21/09)

Members present for all or part of the proceedings:

Mr Danny Kennedy (Chairperson)
Dr Stephen Farry (Deputy Chairperson)
Ms Martina Anderson
Mr Allan Bresland
Mr Trevor Clarke
Mr Tom Elliott
Mrs Dolores Kelly
Mr Jimmy Spratt

Witnesses:

Ms Jane Corderoy	Office of the First
Mr Chris McCafferty	Minister and deputy
Mr Stephen Orr	First Minister

The Chairperson (Mr Kennedy): Welcome back to the Committee. Thank you for your attendance today to give advice on the potential gaps in investigatory powers in the Bill. The session is being recorded by Hansard for inclusion in our report.

Ms Jane Corderoy (Office of the First Minister and deputy First Minister): Thank you for inviting us here today. I should like to introduce my colleagues Stephen Orr and Christopher McCafferty from the Bill team. We are here to address the specific issues raised by the Committee at last week's session. If the Chairperson is content, we would like first to address the question of gaps in investigative powers as identified by the Department and what the Commissioner for Older People could investigate. We have prepared a paper for the Committee on that, and I apologise for not getting it to members earlier.

Following last week's discussion, we felt that the Committee would appreciate factual and real-life examples as well as hypothetical cases and those that we had identified through the policy development. To that end, we have had input from several organisations of where they have experienced gaps in provision that could be addressed by the establishment of a Commissioner for Older People. That has taken some time, but we are very grateful to those organisations, including the Law Centre, Citizens Advice, Advice NI, the Centre for Ageing Research and Development in Ireland, Age NI, the Older People's Advocate, the Regulation and Quality Improvement Authority (RQIA) and the British Association of Counselling and Psychotherapy, as well as others that supplied real-life examples. We will speak to the paper, and are happy to take questions on any of the points made and examples provided.

Our counterparts in the Welsh Assembly Government looked at the issue a number of years ago. The key gap identified in provision, which it is envisaged the commissioner will fill, is that of an organisation to provide a unique and exclusive focus on the rights and interests of older people. No single organisation has the range of powers and functions that are proposed for the commissioner. The commissioner will bring together in one place expertise and a focus on improving the lives of older people in society; will be able to guide them through complex complaint mechanisms; will be able to advocate on their behalf; and, where necessary, will investigate issues that do not fall to other statutory bodies.

In our paper, Committee members will see evidence that there are still areas that directly affect the lives of older people where no statutory organisation has the power to act or where a public body has the power to act, but, for strategic or budgetary reasons, chooses not to.

Gaps exist in a number of areas. There is currently no legislation that covers discrimination in the provision of goods, facilities and services on the grounds of age. The Equality Commission has no statutory powers to act on behalf of anyone who is subjected to such discrimination, including older people, but the Commissioner for Older People could look into such cases based on older people's interests, investigate them as required and making recommendations on future conduct.

Much has been made of the Northern Ireland Ombudsman's reach. However, that does not take account of the fact that the ombudsman can look only at injustice as a result of maladministration. He cannot instigate investigations into systemic failures in, for example, dignity and respect in nursing, care or transport. The Commissioner for Older People role is designed to be proactive and preventative. It will be empowered to assess problems and act to resolve them before they impact adversely on older people.

The Human Rights Commission can look only at areas that the Human Rights Act 1998 reaches. It is our understanding that that does not currently include self- and privately funded older people in private and voluntary sector nursing homes. However, the Commissioner for Older People will be able to investigate activity at all nursing and residential care homes, including those in the private and voluntary sector. Again, that addresses a unique niche that is currently unfilled.

Those brief examples demonstrate that the Commissioner for Older People will provide a unique service alongside other existing statutory organisations. The commissioner's role and functions will not impact on those organisations or the proper exercise of their statutory functions; rather it will complement them, filling in gaps in their ability to deal effectively with older people's issues that are complex and, often, time-critical.

The fundamental reason why a commissioner is needed is to concentrate in a holistic and strategic manner on older people's rights and interests. The commissioner will be unique in that no existing organisation has the remit to address the wider impact on older people, inform systemic improvements and influence the wider social policy agenda.

As we said last week, it is important to reiterate that the commissioner's formal investigatory powers are reserve powers. They are to be deployed only in strategic and exceptional circumstances. The commissioner will have a wide range of powers to be deployed in the interest of older people, including promotional, advisory, advocacy, research, educational, communication and outreach powers as well as investigatory powers.

Investigatory powers are reserved to be used exceptionally for critical strategic matters that affect older people's lives. However, it is

important to plan on the basis that when a dedicated commissioner becomes active and identifies issues of strategic importance to older people, he or she has the power and authority to challenge and investigate, leading to changes in policy and improvement in services for older people.

In the paper, we have identified several areas where the commissioner could take action on behalf of older people, including, if necessary, using his or her investigative powers. In the first few pages, we have listed around 30 examples. They fall into three main categories. The first category covers those issues where only the Commissioner for Older People could act — those issue where there is currently a gap. They include looking at isolation among older people and how Government policy responds and whether services are provided in the best way; the dignity of older people in residential nursing and hospital care; issues of hygiene, bullying and neglect; how older people are treated and respected; arbitrary age-based barriers to provision of some services to older people; the issue of top-up fees and direct payments for privately organised care; and the example outlined on provision of policies that relate to palliative and end-of-life care for older people.

The second category covers those matters where an organisation can act, but for some reason does not. That is where the commissioner can bring pressure to bear on an existing oversight body or can work collaboratively with it on issues that affect older people's interests and rights. Those include possible financial abuse of older people; transport issues and the patchy provision of rural and community transport; long-term planning of housing; older people's access to training and apprenticeship opportunities; and malnutrition of older people in hospital, which was mentioned last week. Although all of those issues are relevant now, we know that the proportion of older people in society, many of whom are vulnerable, is increasing. Today, 17% of the population is of pensionable age. By 2041, that will have doubled to 34%.

The third category covers those issues that have been brought to our attention which cut across so many bodies that no one body deals with them. This is the area where the commissioner will add the greatest value through his or her strategic and holistic focus on older people's interests and rights. Examples

of that in the paper include difficulties that face older people when trying to access counselling and psychological services; pension issues and benefit uptake among older people; and bringing focus to the need to fund dementia research.

Mr Stephen Orr (Office of the First Minister and deputy First Minister): Direct payment for social care is an initiative that is being promoted in health where a trust is making arrangements for an older person who needs help, such as meals on wheels services, respite care or a temporary stay in a nursing or residential care home. Instead of the trust's providing the service, the older person or a member of their family can, through the direct payment scheme, be given the money to purchase the service directly.

That is a positive development that enables older people and members of their families to take greater control and be empowered in dealing with the services they need. However, it means that, effectively, the older people are largely opting out of state provision, because the types of service that may be provided may not be covered by any regulatory body, or the individuals may not be covered by any regulatory body such as the RQIA. There is a gap there and, if a problem arises, what oversight body will take responsibility for dealing with it? We think that the commissioner will be well placed to examine that issue, to identify problems or the extent of problems, and to come up with proposals and recommendations on how to address them.

Mr Chris McCafferty (Office of the First Minister and deputy First Minister): There is no public body to address the issue of proactively identifying isolated members of the older community, rural and urban. That has given rise to voluntary befriending organisations, for example, voluntary organisations that phone every day to check on the well-being of older people who they believe are isolated. Anecdotal evidence coming out of those voluntary groups suggests that there are many older people whose issues are not being addressed.

Although many public organisations do good work when they encounter isolated older people, such as social care teams, which are a source of referral for the voluntary groups, nobody is actively seeking out isolated older people. Through outreach and voluntary networking, the Commissioner for Older People will be well placed to measure the extent of that problem,

develop recommendations and solutions, and take them to the heart of government.

That, in many ways, leads me on to a similar issue, which is financial abuse. Recent Citizens Advice figures advise that there has been a 108% rise in doorstep loans. Those are products that are typically targeted at vulnerable older people who will be at home during the day. These are perfectly legal organisations, and they do nothing wrong in offering doorstep loans. However, anecdotal advice again suggests that older people are receiving small loans while on low income with tight margins. A £300 doorstep loan typically attracts a 400% APR. That can lead vulnerable older people into debt.

I emphasise that these are perfectly legal lenders, but the outworking of that for vulnerable older people is debt and depression, which can lead to malnutrition. Again, the Commissioner for Older People could investigate the practices of legal doorstep lenders with a view to measuring the extent of the problem, developing solutions, and, again, taking that to the heart of government.

The commissioner might also use the results of an investigation to expose the damaging effects on older people of such doorstep loans. Anecdotal evidence suggests that older people are signing up to such loans when there is very little discussion over ability to pay them. Older people are also reluctant to declare a health state that would debar them from a loan. Those loans are typically dealt with by doorstep representatives, so in the process of trying to complain about that the first port of call is the doorstep lenders themselves. That is very difficult for older people, and is an area in which the commissioner could intervene. There is nobody else dealing with that type of work.

Mr Orr: The next issue that I would like to touch on is end-of-life care. Studies show that the majority of older people prefer to die at home surrounded by their families. However, over half of all deaths of older people occur in hospital. The Department of Health is developing a strategy in that area. We feel that the Commissioner for Older People, whose legislation and powers will be grounded in the UN Principles for Older Persons, which include care, self-fulfilment and, most importantly in this context, dignity, will be very well placed to examine issues concerned with older people's dignity and respect in the provision of palliative care in their homes. The commissioner could

undertake an investigation across the different types of providing bodies where other bodies do not have the powers to act. The commissioner, focusing on the rights and interests of older people, could act in combination with the RQIA, with its focus on standards of care delivery, to get a better result for older people and to enable those who wish to end their lives at home to do so, with the appropriate palliative care.

The next issue that I would like to touch on is long-term housing planning and how that affects older people. The Older People's Advocate has brought that issue to our attention on a number of occasions, but does not have the statutory powers to investigate such issues. The particular issue arises in relation to regeneration areas. The Older People's Advocate has had a number of older people affected by such schemes. They have found that the balance of housing provision in the area that is being planned for is largely geared towards younger people with families, and that older people's needs, particularly the need for houses that are capable of being adapted to meet their needs so that they can spend as much of their lives as possible in their own homes, are not being met. For example, the provision of bungalows does not tend to be taken fully into account. There is an issue about the extent to which older people's issues are being taken into account when regeneration area projects are being taken forward.

We think that the commissioner will be uniquely placed to take account of the issues of older people and, if necessary or appropriate, to carry out investigation on this issue, to monitor and negotiate, to ensure that there is a balance of housing provision between younger people with families and older people in the area. Many of those people will have lived in the area for a very long time and will have made their own adaptations to their houses as far as they have been able to. The commissioner could use investigative powers to examine the policies and identify whether they have considered fully the interests and rights of older people.

The last example that I would like to talk about is benefit uptake. The particular context for that is the level of poverty among pensioners. The 2008-09 figures indicate that 31% of pensioners in Northern Ireland are living in poverty. That figure has been rising over the years, but the trend in the UK as a whole is downward. Therefore, there is an immediate

issue as to what the causes are and whether the commissioner could investigate that.

Taking the figures as they stand, a research organisation has advised us that it estimates that up to 40% of older people are not even applying for the pension benefit top-ups, such as pension credit. They are a very vulnerable group, and they are not even getting some of the money to which they are entitled.

The Social Security Agency has commissioned Citizens Advice to do some work on increasing benefit uptake. That is a limited, time-bound project. It is an ongoing long-term issue, and we think that the commissioner will have the authority and the legal powers that no other organisation has in that area, given that the commissioner will have a legal duty in the Bill to have outreach programmes for older people, to help identify older people who are living in isolation, and to make services available to older people in areas where they live. The commissioner could investigate that issue, bring together other organisations involved, and develop an action plan to ensure that that vulnerable group of people get all the advice, assistance and money to which they are entitled.

The Chairperson: Thank you for those examples. It is helpful for people in the Public Gallery to get a sense of the type of powers and cases. Of course, Hansard are here to record it as well. Members have a couple of questions, after which I need to speak to you about another couple of issues.

Mr Elliott: Mr Orr mentioned benefit uptake and said that work is ongoing with Citizens Advice. What will the commissioner do in that respect? We know that there is a lack of benefit uptake throughout the community in many areas, not just among older people. How could the commissioner concentrate on developing that?

My second issue is about the Presbyterian Mutual Society (PMS). I would really love to hear how the commissioner could have been of benefit on that issue. A lot of older people have made smaller contributions, and they will be hit hardest.

The Chairperson: I declare an interest; I have a modest amount in the Presbyterian Mutual Society.

Mr Elliott: Yes, but you do not come under the remit of the Commissioner for Older People.

The Chairperson: I am glad that that remark has been recorded by Hansard. *[Laughter.]*

Ms M Anderson: You would do anything for a vote. *[Laughter.]*

Mr T Clarke: I also declare an interest in the Presbyterian Mutual Society.

Mr Elliott: The final issue is housing. It is something that I am well aware of, and I do some work on housing for older people because I feel that there are gaps in that provision. Is there no other way for that to be progressed through the Northern Ireland Housing Executive, particularly in relation to equality impact assessments? Surely, one area that equality impact assessments look at is older people. I suppose that that is relevant to a number of other sectors.

Mr Orr: The feedback that we are getting suggests that there is an absence of knowledge about the extent of the problem on benefit uptake. The first thing that the commissioner should do is attempt to carry out research to find out the extent of that difficulty here and work with existing organisations to come up with an action plan to address it. I do not know the potential outcomes off the top of my head. However, there is an issue of information and how it should be addressed. The commissioner could target that issue for investigation.

Mr Elliott asked about the Presbyterian Mutual Society. Our reference to that was in response to the question that was raised in the debate during the Bill's Second Stage on whether the commissioner could have got involved in that issue. We were just confirming that there is nothing in the legislation to prevent the commissioner from intervening in such a case.

The Chairperson: Can you explain a bit more the type of role that the commissioner could have played on that issue? What approach would the commissioner, had he or she been in place, have adopted?

Mr Orr: The commissioner would have, largely, had a role to speak as an advocate for older people who were affected by the issue. The Bill gives the commissioner the power to make representations and recommendations to any body or person on any issue that affects the interests of older people. We think that that directly empowers the commissioner to deal with issues that affect older people.

Mr Elliott: The commissioner does not need investigative powers to do that.

Mr Orr: No, not if the issue is one in which advocacy is appropriate.

Ms Corderoy: As we said previously, we believe that, in exceptional circumstances, the commissioner needs to have formal investigatory powers when the commissioner is the only body that can act. We imagine that, although the commissioner could, in most cases, use formal investigatory powers, they will probably want to carry out the advocacy role first to try to resolve the issue without using those powers. However, those powers are available if resolution of the problem is not forthcoming.

The Chairperson: Those powers would, presumably, have been used at the resolution. Unfortunately, PMS is not yet resolved. However, assuming that the commissioner had been in place, would his or her role have been one of advocacy on behalf of savers, rather than an investigative role into the structure of the PMS and how it carried out its work?

Ms Corderoy: In that particular case the commissioner would be another voice to give another focus and to represent older people specifically. That is what we imagine.

Mr Orr: On housing planning, the feedback that the Older People's Advocate is getting is that there are ongoing issues. We envisage that the commissioner will work with the Housing Executive on that matter. However, as Ms Corderoy indicated, some of the issues coming up are in areas where there is already a body that has some responsibility but that, for a long period of time, the issue has not been effectively addressed. That is the feedback that older people are giving the advocate. We think that there is a role for the commissioner to take, given that they will have the lead responsibility for older people's issues in relation to housing planning.

Ms M Anderson: Thank you for that very helpful presentation. It satisfied completely any concerns that I had about any of the information that we had before us in which the gaps were not flagged up in the manner that you did today. I thank you for that. I almost feel that we have put you through a lot of work on issues that many of us around the table should know more about. We do know more about those issues, because we are experiencing them. My office

— and, I am sure, every other MLA's office — is inundated with issues around domiciliary care and bed blocking. I know families who are trying to get their loved one out of hospital to bring them home, but who cannot get a domiciliary care package.

We have heard concerns about the duplication of services and we know that there are bodies out there. We carried out a child poverty inquiry, and at times the issues spilled over. At the time, Jimmy was very concerned — not because of his age, I must add — about poverty and deprivation for older people. Yet despite the bodies that are out there, we have concerning levels of poverty and deprivation in the North.

I want to comment rather than ask questions, because I have been pressing and pursuing the people who have been in front of us giving evidence to try to bridge the gaps in our minds. Having been presented with evidence by others, we were concerned about duplication and whether we were in danger of establishing another quango. For example, all of us, as MLAs, are pursuing different bodies to try to get housing adaptations or bungalows. Whatever is supposed to happen around regeneration, we know that the reality on the ground is that is not happening. Therefore, I thank you for presenting us with this evidence, which, in my mind, has assured me that there is definitely a need for a Commissioner for Older People.

I say that as someone whose mother has had Alzheimer's for 11 years. You talked about domiciliary care, and it will be essential for the commissioner to look at whether older people and their carers receive the emotional and physical support that they need to reduce and enhance the quality of their lives. I speak for a family who are doing their very, very best for my mother, but, apart from supporting each other, that support is just not there for us. I want to thank you for presenting that evidence today.

Mrs D Kelly: One of the important points jumping out of all this afternoon's presentations on the Commissioner for Older People is the difference between the advocacy power and the investigative power. Really and truly, that difference is critical. If we are to make a real difference to older people's lives, we need to enable the commissioner to have investigative powers, because all of us should be advocates, and, in many instances, we are. As somebody who used to work in social services, in different

professions, I think that the professional caseworkers should also be advocates for older people's personal care and needs. However, they get caught up in the service delivery. It would be interesting to hear from some of the professional bodies that regulate professional registration about whether they are living up to the role.

There are two points that you used as examples. There is a list of them, although you have not highlighted them in speaking to the report. One was the issue of transport and the provision of passes at age 60 as opposed to 65. That was brought to the attention of the Equality Commission in 2001. You also raised the point about employment and learning. Both cases had merit in terms of the Equality Commission leading the charge, but it appears from your presentation that the Equality Commission did not take those forward. That is a concern. It is all very well having the power, but one needs the resources to act. What I have picked up is that the Equality Commission had the wherewithal, that there was a case to answer, but that it was not taken up. I want your thoughts on that.

Citizens Advice has stated that no one is picking up on the financial activity abuse and the legal doorstep lender loans, while the Financial Services Authority has a role. Surely we should bring that to the attention of the First Minister and deputy First Minister. They should write to the Financial Services Authority to highlight that very case. It is too important an issue to drop at this stage.

Ms Corderoy: The transport example that you cited was supplied to us by the age sector. I am not sure why the Equality Commission did not pursue it. We understand that it was not part of its strategic aim, which falls into the second category. Perhaps resources were constrained or it had a different focus at that time. That matter was resolved, but other issues of transport, and rural transport in particular, were raised throughout the public consultation. I am sure that you know the phrase "We have a bus pass, but there are no buses."

Mrs D Kelly: As someone who lives in a rural area, I am very well aware of the inequalities in access to public transport.

Ms Corderoy: That is certainly something that the Commissioner for Older People could examine and, if required, formally investigate. The Commissioner for Older People could draw

more attention to that issue and feed the findings into planning and service provision.

Mrs D Kelly: With respect, we all know the issue. It has been highlighted time and time again, whether through Noble indicators or stats from the Northern Ireland Statistics and Research Agency, but it is a case of doing something about it. There is a difference between highlighting what we already know and being able to do something about it. People, including me, do not just want another person who will tell them what is wrong. They want to hear how the system will be fixed and what enforceable powers the commissioner will have.

Mr Orr: I am afraid that I am not aware of the Equality Commission's reasons for not getting more involved in the employment and learning issue. The junior Minister has asked the Older People's Advocate to take the issue forward, with the involvement of the Minister for Employment and Learning.

Mrs D Kelly: My general point is that it is all very well knowing the problem, but we need a means of fixing it within the legislation.

Also, I am aware that there are a number of people in the Public Gallery, and I am sure that it is quite hard for them to hear. The microphones might pick up proceedings for the Hansard report, but they do not actually amplify our voices, not that some of us need that.

Mr Spratt: I will not go over all the points, many of which we deal with day and daily. However, there are some interesting issues around regeneration and housing. That is not just about the Housing Executive but housing associations as well. That really needs to be addressed. Isolation is not just a rural problem; it is a big problem in the cities as well. It feeds into community safety and all the rest of it in terms of older people. When I went around during the election campaign, I met older people who had their doors chained at 5.00 pm. Isolation is a major problem all over the place, although, in the city, people may not face the transport element in respect of the availability of bus services and all the rest of it.

The one thing that really concerns me is malnutrition. My wife has been ill, so I have been in and out of hospital over the past number of weeks. I have been horrified to see older folks in the wards with food that is just brought and set down. I cannot believe that

somebody is not dealing with that here and now. I think that you said that there was no other body with investigative powers. Surely to goodness there must be. Food is just set there and, if it is not eaten, somebody takes it away again. There is no encouragement. In fact, I saw a nurse encourage an older person to eat more and to take something else. She just ordered a drink of juice or something, but the nurse brought her soup and something else and she took it without any problem. However, that seems to be the exception rather than the rule. I cannot believe that there is nobody else in the Health Service who investigates that. If not, there is a serious problem, and I think that all of us around the table realise that that is the case. Dolores hit the nail on the head: we need to fix the problem, not just have somebody to tell us that those things are happening.

When we get an older person through the door, we make sure that they are getting all of their benefits. We call it an MOT. It is not until that happens, that somebody comes in about something else, and we run a check. Older people do not claim their benefits. Sometimes, they do not even realise that they are entitled to benefits. They may not have asked for anything before in their lives, and there may be benefits that they do not realise they can get. They are delighted when somebody points them in the right direction. However, as Dolores said, there is no joined-up thinking among healthcare professionals in relation to reporting or passing on information; there are reams of paper every time. All of that needs to be addressed as well. The Departments need to address that among themselves. Let us get to that as well, in terms of seeing how we can join up. OFMDFM needs to co-ordinate that with all of the Departments because it is a big issue, particularly for older people.

Mr T Clarke: If the benefits issue is taken to its conclusion, we are talking about appointing a commissioner to address the problems of which everyone is aware. Taking something as simple as that, the Department for Social Development (DSD) holds all of the details, including financial, of everybody who is registered, so why is it not an automatic entitlement? Why do people have to claim at all? If somebody has certain needs and is entitled to a particular benefit, they should not have to ask for it. We do not need a commissioner to tell us that. It is a problem, and DSD has even put out statements that people do not claim benefits. When it wants to

claw back benefits, it can do that, but it never seems willing to give money to older people or whoever may be entitled. We do not need somebody to tell us about or fix problems of which we are aware already. There are a lot of internal problems in various Departments. People should look at those now because they are being dismissive if they are not aware already that the problem exists.

Ms M Anderson: I agree with all that Trevor said, and everybody has recounted similar stories. We all know about the problems. However, when we go out the door, we will be dealing with whatever issue is brought immediately to our attention. The thing about this is that we know that the problem is there, whether it has been on the radio, in the papers or people engaging with us. We know that all these problems are here, and we know the difficulties. Having a commissioner would focus the Assembly. It could get the action that we need around the outcomes, and we would then be able to measure them, as opposed to someone saying that maybe some programme would deal with an issue. None of us really has the time to focus on one issue, but the commissioner will assist us by paying more attention to a problem and giving it more time. That is not to say that we are neglectful, it is just that other demands land on our table. Of all the sessions today, this one has really nailed the need for a Commissioner for Older People.

The Chairperson: We would do well to make the point that, as Trevor Clarke said, there are departmental responsibilities.

Ms M Anderson: Of course.

The Chairperson: Those should be kicking in already, rather than simply waiting for the appointment of a new commissioner. That is a well-made point.

OK. You have heard the comments, and thank you for that presentation. Last week the Committee raised an issue about a possible clause in relation to criminal acts. We have taken our own legal advice on that and reflected on it. Essentially it was that it would be possible to insert a clause, but that a clause is not absolutely necessary given that the legislation already deals with that particular issue — or rather, a principle in law deals with that issue. Do you have any comment on that?

Ms Corderoy: We sent a letter to the Committee Clerk on Friday. Our Ministers had, like the

Committee, taken legal advice and were of the view that it can and should be dealt with administratively in the same way as it is dealt with in Wales and by the Children's Commissioner here — through training, staff guidance, a staff handbook and that sort of thing.

The Chairperson: Are members content with that information?

Members indicated assent.

The Chairperson: OK. We will move on to consider any amendments that members may wish to propose.

Ms Anderson: What paper are we on now?

The Chairperson: We are going to go through the Bill. Can we clarify that no member is going to raise amendments or separate clauses? If so, we will now carry out the detailed clause-by-clause scrutiny of the Bill, and members will have the opportunity to raise any concerns or suggest any amendments. Members should read the relevant clauses and paragraphs in the Bill along with the related commentary in the explanatory memorandum.

The Bill has 29 clauses and three schedules, and we need to consider each in turn. There are four options for us: to agree that we are content with the clauses drafted; to agree that the Committee recommend to the Assembly that a clause be amended; where a majority of 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; or, finally, to reject the clause as drafted.

I ask members to clearly state their positions during this scrutiny session. If they want to oppose a clause or do not feel that they are able to agree a clause, members will be able to set out their opposition or their proposed amendment. Consideration of the clause may then be deferred until the next meeting. I draw members' attention to the text of the three amendments that have been drafted by the Department following last week's meeting. The letter provided by Gail McKibbin on 10 September outlines the draft amendments:

"that Ministers have 'agreed in principle' to take forward, subject to the Committee's views."

What is agreed in principle? Do you want to confirm that?

Ms Corderoy: With the Committee's agreement, our Ministers are happy to make those amendments to the Bill.

The Chairperson: So that confirms that Ministers have accepted the amendments?

Ms Corderoy: Yes.

The Chairperson: That is just for the record, so that we can hang you later on.

We will have the opportunity to consider the amendments to each clause following the reading of the clause. The report of the Examiner of Statutory Rules on the delegated powers of the Bill was included in the information that members received last week. The Examiner has highlighted clauses 25(6) and 26(2), which make regulations subject to draft affirmative procedure, and clause 28(2), which provides for commencement Orders. The Examiner advises that powers to make subordinate legislation seem appropriate, and that there are no other matters to which he draws the attention of the Committee. In light of the Examiner's report, are members content to proceed with the clause-by-clause scrutiny?

Members indicated assent.

The Chairperson: The Bill seeks to provide for the appointment and functions of the Commissioner for Older People for Northern Ireland.

Clause 1 (The Commissioner for Older People for Northern Ireland)

The Chairperson: Subsections 1 to 4 provide for the appointment of a Commissioner for Older People by the First Minister and deputy First Minister acting jointly. The clause also makes provision for schedule 1, which deals with the establishment and operation of the commissioner and his or her office.

Question, That the Committee is content with the clause, put and agreed to.

Clause 1 agreed to.

Clauses 2 and 3 agreed to.

Clause 4 (General powers of the commissioner)

The Chairperson: Clause 4 is a very famous clause, but that is in another context.

Subsections 1 to 6 set out the general powers of the commissioner. Clause 4 also gives the

commissioner power to carry out a formal investigation in relation to his or her duties. The procedures to be followed when doing that are set forth in schedule 2.

Mr Elliott: Clause 4(4) goes back to the issue of other bodies. I wonder how that will operate in practice with regards to investigative powers that other bodies do not or cannot use. How will it be managed if there is a dispute between two bodies or between the Commissioner for Older People and another body? I know that we touched on that briefly last week, but my query is around the whole process.

Mr Orr: There are some specific clauses in the Bill that preclude the commissioner from acting if another body has responsibility. In addition, we envisage or recommend that the commissioner establish memoranda of understanding (MOUs) with other oversight bodies to deal with the areas that are not specifically limited by the Bill.

Mr Elliott: Does that mean that the commissioner will draw up areas that may not be covered by other bodies?

Mr Orr: The Human Rights Commission, for example, has memoranda of understanding with a range of bodies, including the Children's Commissioner, who has similar powers to the Commissioner for Older People. When the commissioner has been established and is drawing up priorities for a work plan, we envisage that he or she will meet other organisations that are operating in those areas and agree which areas are appropriate for the commissioner to deal with and which are more appropriately dealt with by another body. That is aside from the areas in which there is a statutory limit on the commissioner from acting.

The Chairperson: So you envisage that all of that will be agreed, as is presently the case with other commissioners and similar bodies?

Mr Orr: Yes.

Mr Elliott: That is OK.

Dr Farry: Apologies for my late arrival. I want to follow on from Mr Elliott's point. I appreciate that MOUs can be drawn up and that hopefully their operation will proceed smoothly. However, what will happen in the event that there is a conflict of interpretation of what has been agreed or a failure between commissioners

to agree how to operate? How will disputes of jurisdiction be resolved?

Ms Corderoy: It is very clear what the Equality Commission deals with. The ombudsman deals with maladministration, the Children's Commissioner obviously deals with children's issues and the RQIA focuses broadly on inspections. The experience in Wales, where there is a demarcation, is quite clear. However, they found that some complex issues can come up, which, for example, cover both maladministration and the interests of older people, and they are exploring having joint investigations into those issues. There is a specific power given to the commissioner in one of the schedules about collaborating and co-operating with other bodies.

Dr Farry: That does not really fully satisfy the point. We need legislation that is sufficiently robust and that can take into account situations that may arise. Although I respect what you are saying about the lines of responsibility for most bodies being fairly clearly demarcated — obviously the Children's Commissioner and a Commissioner for Older People do not have an overlap — the main area of concern that has been drawn to our attention is the overlap with the Northern Ireland Ombudsman. That is perhaps the interface that could cause the greatest degree of difficulty.

I think we need to be sure, if we are to pass the legislation as proposed, that there will be a clear demarcation. In the event that there is not, and there is a clash over how investigations are taken forward, there needs to be a methodology for resolving that problem or for giving precedence to one or other organisation. That still needs to be tightened up.

Ms Corderoy: I can reassure the Committee that in the event of maladministration, the Bill prevents our commissioner from investigating it because there is a statutory complaints mechanism. Our commissioner would not be able to intervene on that point.

Mr Orr: The specific clause is 8(2)(b), which prevents the commissioner from carrying out an investigation into a complaint made by an older person where the complaint falls within an existing statutory complaints system. The ombudsman's complaints system is an existing statutory complaints system. There is a clear prohibition on that.

Dr Farry: That takes care of that point.

Mr Elliott: There may be some areas where not just the ombudsman but some other body may say that that is their remit, whereas the Older People's Commissioner may argue that it is his or her remit. I think that Stephen is right in that there needs to be some way of resolving those disputes. I admit that I do not know what it is; I am not saying that I have any answer.

Dr Farry: An ombudsman's ombudsman.

Ms Corderoy: Our understanding through the experience of the Children's Commissioner is that that has not arisen with other statutory bodies; they have not experienced that sort of difficulty.

Question, That the Committee is content with the clause, put and agreed to.

Clause 4 agreed to.

Clause 5 (General review of advocacy, complaint, inspection and whistle-blowing arrangements of relevant authorities)

The Chairperson: This clause sets out the commissioner's power to review a range of activities carried out by relevant authorities.

Question, That the Committee is content with the clause, put and agreed to.

Clause 5 agreed to.

Clause 6 (Review of advocacy, complaint, inspection and whistle-blowing arrangements of relevant authorities in individual cases)

The Chairperson: This clause gives the commissioner power to carry out reviews that specifically look at the effect of those procedures on a particular person or at a particular location.

Question, That the Committee is content with the clause, put and agreed to.

Clause 6 agreed to.

Clause 7 (Assistance with complaints to relevant authorities)

The Chairperson: This clause provides the commissioner with the power to give whatever help an individual needs to enable the older person to bring about a complaint to the relevant authority.

Question, That the Committee is content with the clause, put and agreed to.

Clause 7 agreed to.

Clause 8 (Investigation of complaints against relevant authorities)

The Chairperson: This clause provides the commissioner with the power to investigate the handling of complaints.

Question, That the Committee is content with the clause, put and agreed to.

Clause 8 agreed to.

Clause 9 (Actions which may be investigated: restrictions and exclusions)

The Chairperson: This clause details where the commissioner cannot conduct a formal investigation.

Question, That the Committee is content with the clause, put and agreed to.

Clause 9 agreed to.

Clause 10 (Power to bring, intervene in or assist in legal proceedings)

The Chairperson: This clause sets out the power of the commissioner to bring civil proceedings relating to the law or practice relating to the interests of older persons and to assist or intervene in any legal proceedings that relate to the interests of older people. Do members have any recommendations or amendments?

Dr Farry: I apologise for seeking clarification on this point, as it may well have been touched on before. Just to check again, is this power different or of a higher standard than exists for other, similar bodies, such as the Equality Commission or the Human Rights Commission, in terms of the power to take cases in their own name, or is it consistent with the broader architecture out there?

Mr Orr: It is consistent with the broader architecture. The provision is similar to that held by the Children's Commissioner in relation to children's issues. It will enable the commissioner to bring cases in his or her own name on behalf of older people, to assist with cases or to act as *amicus curiae*.

Dr Farry: OK, thank you.

The Chairperson: Is a lot of this cut and paste?

Question, That the Committee is content with the clause, put and agreed to.

Clause 10 agreed to.

Clause 11 (Assistance in relation to legal proceedings)

The Chairperson: This clause sets out the scope of the commissioner's power to assist an older person in relation to certain legal proceedings.

Question, That the Committee is content with the clause, put and agreed to.

Clause 11 agreed to.

Clause 12 (Conciliation of disputes)

The Chairperson: Clause 12 gives the commissioner the power to commission conciliation services in relation to disputes that may lead to court action. The Department has suggested an amendment to subsection 7 in order to provide a broader interpretation that will include conciliation and mediation.

The proposed amendment is as follows: Leave out subsection (7) and insert—

“(7) In this section “conciliation services” means a service which is provided—

- (a) by a person who is not a party to a dispute,*
- (b) to the parties to the dispute, and*
- (c) with the aim of enabling the dispute to be settled by agreement and without proceedings.”*

Do members have any queries, comments or amendments? Will you explain the basis of, and the need for, the amendment?

Ms Corderoy: After consultation, clause 12 was inserted into the Bill so that the commissioner, as well as doing informal conciliation, will have the power to procure conciliation services separately. In the Committee's consultation, the age sector and the advocate recommended replacing the term with “dispute settlement services”. We were not able to do that because “conciliation services” is the correct term. This alternative wording was used in the Equality Act 2006, is broader and includes conciliation and mediation, which was the reason behind the request from those bodies.

Mr Orr: Currently the Bill refers to “advice and assistance”, whereas the proposed amendment talks about “a service”, which includes advice and assistance but is a wider term.

Mrs D Kelly: You said that the commissioner will have the ability to procure conciliation services. Will the office of the commissioner, therefore, have a budget to have such a tendering process, or will there be staff in the office whose job it is to act as conciliators?

Ms Corderoy: We envisage it being something outside of the commissioner’s office. Arrangements will be set up, and when a case comes up, if required, the office will use those arrangements.

Mrs D Kelly: Will the commissioner’s office bear the cost when, for example, conciliation is required between an individual and a government agency? If it was an issue of malpractice, would it be the agency or the commissioner who would be responsible for paying for conciliation?

Mr Orr: I am not sure about that specific case, but, if the commissioner is deemed responsible, clause 12 will give him or her the power to fund conciliation. We envisage the commissioner acting on an informal basis as a broker or mediator between parties in a dispute involving older people. The purpose of clause 12 is to provide a more formal arrangement when getting everyone around a table informally has not resolved the matter and there is a risk of legal proceedings. To avoid legal proceedings, the commissioner may then offer to engage a third party organisation to act as a mediator. If both parties are in agreement, the commissioner will be empowered to do that, and there will be no issue about the lawfulness of the commissioner’s allocating funds for the service.

Question, That the Committee is content with the clause, subject to the Committee’s proposed amendment, put and agreed to.

Clause 12 agreed to.

Clause 13 (Formal investigations)

The Chairperson: This clause provides the commissioner with the power to conduct formal investigations into the actions of those organisations that are known as relevant authorities. Are there any recommendations for amendments?

Mr Elliott: I just have a query that relates to the next few clauses. Clause 13(5) states that: “Every formal investigation must be conducted in private.”

Some of the other clauses talk about evidence from the formal investigation and further action. If the investigation is conducted in private, what happens with the outcome? I assume that that does remain in private. From later clauses, I note that it is sent to all of the interested parties. Is that then the property of those interested parties, or is the report still under the ownership of the commissioner?

Mr Orr: The commissioner will produce the report. There is a requirement for the commissioner to publish in a register any appropriate recommendations in the report and to make that register available to all interested parties. It is clearly the intention that, if there is a recommendation made as a result of the formal investigation, it will be in the public domain or brought to the attention of as many people as the commissioner considers appropriate.

Mr Elliott: Is that clear in the further clauses?

Mr Orr: Yes, it is.

Question, That the Committee is content with the clause, put and agreed to.

Clause 13 agreed to.

Clause 14 (Formal investigations: exclusions)

The Chairperson: This clause prevents the commissioner from carrying out a formal investigation into a matter in which he or she has previously brought, intervened in or provided assistance with legal proceedings.

Dr Farry: Have we considered the situation in which new material coming to light leads to a closed investigation being reopened?

Ms Corderoy: I am not sure whether it is dealt with in this clause, but it was brought to our attention in your consultation. Our legal people felt that the clauses provided for that, but in situations where new information came to light for an inquiry, it would be up to the inquiry to deal with it. They also felt that there was a risk that somebody might withhold information from an inquiry just so that they could go to the commissioner.

Dr Farry: So that point has been worked through?

Ms Corderoy: Yes, it has.

Question, That the Committee is content with the clause, put and agreed to.

Clause 14 agreed to.

Clause 15 agreed to.

Clause 16 (Further action following report on formal investigations)

The Chairperson: This clause follows on from clause 15 and relates to the follow-up action that the commissioner can take after he or she has published a report on a formal investigation.

Mr Orr: To answer the query about the part of the Bill that makes it clear that the commissioner must make public the recommendations, it is clause 16(5). That subsection states that the commissioner must maintain a register, so there is an obligation to maintain details of recommendations that are contained in reports made under clause 15, which deals with formal investigatory reports.

Question, That the Committee is content with the clause, put and agreed to.

Clause 16 agreed to.

Clause 17 (Evidence in formal investigations)

The Chairperson: This clause sets out the type of evidence or information that a commissioner may have access to in order to conduct a formal investigation.

Question, That the Committee is content with the clause, put and agreed to.

Clause 17 agreed to.

Clause 18 (Powers of entry and inspection for purposes of formal investigation)

The Chairperson: Subsections 1 to 6 provide the commissioner with the power, when carrying out a formal investigation into premises that are managed by a relevant authority, to at any reasonable time enter a building in which an older person lives, is being held, or is receiving care or education.

Question, That the Committee is content with the clause, put and agreed to.

Clause 18 agreed to.

Clause 19 (Obstruction and contempt in relation to formal investigation)

The Chairperson: Subsections 1 to 3 provide a sanction against obstruction of the commissioner as he or she conducts a formal investigation.

Question, That the Committee is content with the clause, put and agreed to.

Clause 19 agreed to.

Clause 20 (Disclosure of information by commissioner)

The Chairperson: This clause provides for restrictions on the disclosure of information obtained by the commissioner during a formal investigation. Do members have any recommendations or amendments?

Question, That the Committee is content with the clause, put and agreed to.

Clause 20 agreed to.

Clause 21 (Review of this Act)

The Chairperson: This clause provides for the commissioner to review the workings of the Bill and send a report to the First Minister and deputy First Minister. The Department has suggested an amendment that would make it a requirement that reviews be carried out at least every five years. That seems to be fairly self-explanatory. Do members have any queries on that, or recommendations or amendments? Is the Committee content with the wording of the amendment?

Question, That the Committee is content with the clause, subject to the Committee's proposed amendment, put and agreed to.

Clause 21 agreed to.

Clause 22 (Privilege for certain publications)

The Chairperson: This clause provides that any report that the commissioner is required or permitted to publish is exempt from challenge under the law of defamation. I wish. Do members have any recommendations or amendments?

Question, That the Committee is content with the clause, put and agreed to.

Clause 22 agreed to.

Clause 23 (Application of this Act: relevant authorities with mixed functions)

The Chairperson: This clause provides that for a general healthcare provider, the “relevant authority” provisions of the Bill apply to only the general healthcare provided by the provider. Do members have any recommendations or amendments?

Question, That the Committee is content with the clause, put and agreed to.

Clause 23 agreed to.

Clause 24 (Application of this Act: matters arising before commencement)

The Chairperson: This clause provides for the “retrospectivity” — thank you for a good word — of the Bill. Do members have any recommendations or amendments?

Question, That the Committee is content with the clause, put and agreed to.

Clause 24 agreed to.

Clause 25 (Interpretation: “older person”)

The Chairperson: This clause defines the use of the words “older person” to mean “a person aged 60 or over”. It also proposes that the commissioner could deal with a matter raised by someone aged 50 or over if it was an issue that raised a question of principle affecting people aged 50 or over. Do members have any recommendations or amendments? Does anyone want to declare an interest? *[Laughter.]*

Mr Elliott: There seems to be flexibility in that to investigate other age groups, or is it only 50 and over?

The Chairperson: You have to be 50 before anything happens, is that it?

Ms Corderoy: In exceptional circumstances, yes.

Mr Elliott: In exceptional circumstances. OK.

Dr Farry: I appreciate the rationale for that, but there may be a tendency towards mission creep, and what is framed as being an exception can very readily become the norm. Is there an objective standard that the commissioner has to meet in making a decision to lower the age to 50? Should we maybe insert words such as “the commissioner reasonably makes a decision”? One could foresee circumstances in which the involvement of the commissioner in a case involving a 50-year-old could be subject to a judicial review, and there may need to be

some sort of reliable clause in the legislation relating to that.

The Chairperson: What is the definition of “reasonableness”?

Dr Farry: Reasonableness in my legal layman’s terms is what you throw in to leave the lawyers to fight over.

Mrs D Kelly: On a similar point, it is my understanding from previous attendance at this Committee that, given the fact that a number of people who have disabilities, in particular some people who have learning disabilities, who would not have had a life expectancy beyond 50 at one stage are now, thankfully, living longer, and that was my understanding, whether or not it needs a greater tightening of the clause to illustrate those facts. I understood that it was in such instances —

Dr Farry: And Travellers.

Mrs D Kelly: Yes, and Travellers, rather than for the general population of the over-50s. I am not going to say whether I declare an interest or not; I am sure that it is well recorded.

The Chairperson: It is. *[Laughter.]* I could not hit your age with three darts.

Mr Orr, rescue me.

Mr Orr: With regard to the question of objective standards, there are two grounds for bringing in people aged 50 and over, and one is “exceptional circumstances”, which, I am sure you will appreciate, is exceptional. The other ground is “a question of principle”. Our legal advice is that that is a term that is generally understood to mean something that must affect a significant number of people to become a matter of public interest, and that it is not just an issue affecting a particular individual aged 50 or over. When it applies across the board it becomes a matter of public interest, and that is why it brings that category of people within the remit of the Bill.

Dr Farry: I am about 90% satisfied with the situation. However, a lot of issues of principle could arise with regard to the 50-plus age group. I have a slight concern that it may be a little open-ended, but I take some reassurance from what has been said.

Question, That the Committee is content with the clause, put and agreed to.

Clause 25 agreed to.

Clause 26 (Interpretation: “relevant authority”)

The Chairperson: This clause defines the term “relevant authority” for the purposes of the Bill. It also includes other organisations that carry out work directly relevant to the lives of older people, which are specifically listed in schedule 3. Is the Committee satisfied that that is an exhaustive list or is not an exhaustive list?

Mr Orr: We consider it an exhaustive list of public bodies, additional health bodies and other bodies that have an impact on the lives of older people. That is the rationale for the list.

Question, That the Committee is content with the clause, put and agreed to.

Clause 26 agreed to.

Clause 27 (Interpretation: general)

The Chairperson: This clause defines a number of terms used in the Bill. The Department has suggested an amendment that would clarify that, in the legislation, when the term “interests” appears in the Bill, it includes “rights”. Do you want to explain that and confirm your rationale? I know that representations have been made on the issue.

Ms Corderoy: There was ongoing lobbying on the issue throughout our consultation. In our response to the consultation and in the debate at Second Stage, junior Minister Kelly confirmed that “interests” was much broader and included rights. However, after representations were made to the Committee, we felt that it was appropriate to put that clarification into the legislation.

Question, That the Committee is content with the clause, subject to the Committee’s proposed amendment, put and agreed to.

Clause 27 agreed to.

Clause 28 (Commencement)

The Chairperson: This clause provides for the provisions to the Bill to come into operation two weeks after Royal Assent.

Question, That the Committee is content with the clause, put and agreed to.

Clause 28 agreed to.

Clause 29 agreed to.

Schedules 1 to 3 agreed to.

The Chairperson: I thank the officials for their attendance today and members for their co-operation. A draft report will be prepared for Committee consideration on 29 September. The Committee is required to report to the Assembly by 17 December, so we are well ahead of schedule. I thank everyone for their co-operation, assistance and help.

Northern Ireland Assembly

Committee for the Environment

28 September 2010

Waste and Contaminated Land (Amendment) Bill (NIA 10/09)

Members present for all or part of the proceedings:

Mr Cathal Boylan (Chairperson)
Mr Patsy McGlone (Deputy Chairperson)
Mr Roy Beggs
Mr Thomas Buchanan
Mr Willie Clarke
Mr John Dallat
Mr Alastair Ross
Mr Peter Weir
Mr Brian Wilson

Witnesses:

Mr Karl Beattie	
Ms Jennifer McCay	Department of the
Mr Denis McMahon	Environment
Mr Donald Starritt	

The Chairperson (Mr Boylan): We will conduct our clause-by-clause scrutiny of the Waste and Contaminated Land (Amendment) Bill. As we do, I will remind members of the key issues that were raised by stakeholders and the Department's response to those issues. After each clause is considered, I will ask members to agree a formal Committee position on that clause. An updated version of the clause-by-clause table is included in members' papers.

Any clauses that are agreed today, as drafted, will be agreed subject to any consequential amendments arising from substantive issues raised by the Department or from other clauses deferred today. The Committee will park and revisit any clause about which members cannot reach agreement today, but I would like to complete as much work on the Bill as possible.

Clause 1 (Fixed penalty notices for offences under Article 4)

The Chairperson: There are five key issues in respect of clause 1, the first of which concerns the shift in the burden of proof from the enforcing authority to the accused. The Department of the Environment (DOE) originally consulted on the inclusion of such an amendment but decided not to proceed when human rights issues were raised.

Banbridge District Council suggested amendments to achieve to changes that it wanted while still protecting responsible landowners. The NIEA (Northern Ireland Environment Agency) agreed that a shifted burden of proof might have made some of its enforcement duties easy in the past, but, for it, the issue was one of proportionality: that is, they focus on large cases, which, by their nature, almost always have implications for the landowner. The NIEA also noted that such an amendment would have no impact on the removal of illegally dumped waste, which may be the more significant issue.

Following last week's discussion, the Ulster Farmers' Union (UFU) submitted an e-mail reminding the Committee of its position on the shift in the burden of proof. The union argues that it is impossible for landowners to fully prevent fly-tipping because such incidents are often unknown to them. The submission argues that simply prosecuting the landowner just because they own the land does little to prevent future incidents, and a landowner could potentially become a repeat offender without committing a criminal act.

The Assembly Research Services has provided members with a comparison of legislation in other jurisdictions. That report indicates that, in all other similar legislation in the UK and the South, the burden of proof lies with the enforcing body.

Having consulted the Office of the Legislative Counsel, DOE pointed out that excluding the word "knowingly" would mean that Banbridge District Council's suggested amendment would have no practical effect. DOE concluded that it would maintain its position of not amending the Bill to include that provision.

Are members content to include the Assembly Research Services' paper on the comparative legislation and the UFU update on its position in the Committee's report on the Bill?

Mr Beggs: I declare an interest: my father owns a legal landfill site. Looking carefully at some of the detail, it is safer for me to also declare that I own 25 acres of agricultural land.

The Chairperson: That is fine.

Are members happy to include the paper from Assembly Research Services and the UFU paper in Bill report?

Members indicated assent.

The Chairperson: Will the departmental witnesses come forward as we need some guidance? The Committee's position, therefore, is that establishing the burden of proof is to remain with the enforcing body. Is that correct?

Mr Donald Starritt (Department of the Environment): That is correct.

The Chairperson: Banbridge District Council formed wording for a proposed amendment. The inclusion of the word "knowingly" would shift the burden of proof onto the landowner. Do members accept the DOE's rationale for excluding that provision or do they require more clarification?

Mr Buchanan: It is important that the burden of proof is not put on the landowner. From what you said, Chairperson, I understand that that burden of proof will stay with the Department.

The Chairperson: Yes. The Banbridge amendment calls for the opposite. Are you clear on that, gentlemen? Do you need any further explanation or have you any other comments to make?

Are members, therefore, content with DOE's rationale for excluding that provision? For clarification: you do not want to pursue Banbridge District Council's proposed amendment. Is that agreed?

Members indicated assent.

The Chairperson: We will move on from the burden of proof to the second issue that was raised under clause 1. Most respondents told the Committee that guidance should be provided outlining circumstances for the use of fixed penalty notices to ensure consistent enforcement across councils. The Department agreed. It indicated that it proposes to prepare guidance in consultation with councils and waste management groups. That is not the protocol, gentlemen; it is guidance. Are members content?

Members indicated assent.

The Chairperson: We will move on to the third issue that was raised under clause 1. I remind members that most respondents told the Committee that fixed penalty notices should be set at a level that acts as a deterrent. One also suggested that two upper limits might be set to differentiate between domestic offences and minor commercial offences, such as £200 and £500. Prior to recess, the Committee agreed that a cap of £200 was too low and that £300 to £400 would be more appropriate. DOE has accepted that the upper level could be increased to £400. However, it remains adamant that the legislation should provide for a range of fines of between £100 and £400, and that consistency between councils should be addressed in the guidance.

Will the Committee will have an opportunity to see its proposed amendment to clause 1(9)(b) to increase the upper fine limit from £200 to £400 while the Bill is still at Committee Stage?

Mr Starritt: Yes. That is fine.

The Chairperson: Are members, therefore, content with the Department's decision? Alternatively, we could prepare amendments to set different maximum and minimum fines and/or to set separate fine ranges for domestic and minor commercial offences. Are member's content with the Department's decision?

Members indicated assent.

The Chairperson: We will move on to the fourth issue that was raised under clause 1. I remind members that the Committee felt that the emphasis of the wording of clause 1(11) should be changed so that instead of implying that offenders would receive a "discount" on prompt payment, they would have to pay an "enhanced" penalty if late.

The Department argues that the wording is consistent with the existing provision for fixed penalties and suggests that the form of wording could be reflected in the guidance on the use of fixed penalties specifically in relation to the format of the fixed penalty notice itself.

Our options are to accept the Department's proposal or to propose an amendment. Are members content with the Department's proposal?

Members indicated assent.

The Chairperson: We will move on to the fifth issue that was raised under clause 1. I remind members that the Examiner of Statutory Rules suggested to the Committee that the power to alter the amount of a fixed penalty notice under new article 4A(10) should be subject to draft affirmative procedure rather than to negative resolution. The Examiner argues that that would be consistent with other Bills that are before the Assembly.

DOE's response indicates that, having consulted the Office of the Legislative Counsel, it believes that that power does not require affirmative procedure because it sets out parameters rather than setting the actual amount.

The actual amendment to make that power subject to draft affirmative procedure would be made by an amendment to article 82 of the Waste and Contaminated Land (Northern Ireland) Order 1997 in schedule 1 to the Bill. I will come back to that particular issue when we deal with schedule 1.

Mr McGlone: Maybe I am just blind to some of this stuff, but I honestly do not know what is attempted to be explained in the Department's submission when it states: "The Department accepts the need for consistency of approach. However OLC — "

Who or what is OLC?

Mr Weir: It is the Office of Law Reform.

Mr McGlone: No, OLC.

Ms Jennifer McCay (Department of the Environment): It is the Office of the Legislative Counsel.

Mr McGlone: All right, some bigwig somewhere. Sorry, right, but to read on there:

"In addition, OLC states that while there may be cases – eg in particularly sensitive or politically controversial areas - where this type of power is subject to affirmative resolution, the majority of precedents are for negative resolution."

To be honest with you, I just have not one clue what that is attempting to explain, and I do not think that I am entirely thick.

Mr Starritt: We were trying to say that, under existing legislation, the existing fixed penalties can be changed by negative resolution. In other words, the legislation can be brought forward,

and unless some prays against it, it would go through.

Mr McGlone: As I said, the submission says that:

"OLC states that while there may be cases – eg in particularly sensitive or politically controversial areas - where this type of power is subject to affirmative resolution, — "

What does that mean?

Mr Denis McMahon (Department of the Environment): When we have a proposal to change some piece of legislation, we would tend to go to the Office of the Legislative Counsel to get advice on how well the change would work with regard to the law and how well it would fit in. I suppose the advice it was coming back to us with was that, if it is something that is particularly sensitive or an issue that will clearly require detailed political consideration and input on every situation, it should be done by affirmative resolution. However, in cases in which there may be political input, in which case people can pray against it in the Assembly, although it may be a more routine issue, the precedent has been to use the negative resolution.

Mr McGlone: It all seems very complicated simply to alter the amount of a fixed penalty.

Mr McMahon: The point was that, because it is not complicated or necessarily contentious, it is better to use the negative resolution procedure.

Mr McGlone: Maybe it is just to me — coming from up the country — that that paragraph was a bit convoluted.

Mr McMahon: Sorry, that is our drafting more than the —

Mr McGlone: Sorry about that, Chairperson. It is maybe a wee bit clearer now.

Mr Weir: That paragraph explains the process of tackling the general situation, rather than its specifics.

Mr McMahon: That is it exactly.

The Chairperson: We will come back to that matter when considering schedule 1. We will wait to see the amendment before formally agreeing to clause 1.

Clause 1 referred for further consideration.

Clauses 2 to 4 agreed to.

Clause 5 (Councils to enforce Articles 4 and 5 of 1997 Order)

The Chairperson: I remind members that several respondents stressed that councils must be given the same powers of entry and investigation as the Department under article 5(7) or powers under articles 4 and 5 will not be deliverable. DOE's response indicates that it intends to propose an amendment that would give councils those powers, so that they would be able to take enforcement action in the event of a failure to present appropriate waste documents.

Mr McGlone: I may be just having one of those days, but it says in the scrutiny table: "which would give councils powers"; it does not say "those powers". Can we assume that it is, in fact, those powers?

Mr Starritt: Yes.

The Chairperson: Are members content with the Department's response?

Members indicated assent.

The Chairperson: Will the Committee have an opportunity to see the Department's proposed amendment to give councils powers under article 5(7) of the 1997 Order during Committee Stage?

Mr Starritt: Yes.

The Chairperson: Well, gentlemen, we will wait to see the amendment before formally agreeing the clause.

Clause 5 referred for further consideration.

Mr Dallat: Clause 6 refers to heavy equipment. Does that mean a Centurion tank or a sledgehammer?

A Member: This is being recorded by Hansard.
[Laughter.]

The Chairperson: Maybe that happens only in the north-west.

Clauses 6 and 7 agreed to.

Clause 8 (Appeals against remediation notices)

The Chairperson: I remind members that the Committee was concerned that there was a risk that the Planning Appeals Commission would be used to buy time for an offender being given

a penalty, especially if there was no charge. The Department's response indicates that existing legislation provides for appeals against remediation notices to be made within 21 days. The Department points out that no fee can be charged by the Planning Appeals Commission, although £100 is chargeable for an appeal heard by a court of summary jurisdiction. There is currently no enabling power for the introduction of a fee for this type of appeal, but the Department would be happy to consider an amendment to the Bill to that effect.

Do members want to recommend that the Department amends the Bill accordingly?

Members indicated assent.

The Chairperson: We will wait for that amendment. Again, could we see sight of it while the Bill is still at Committee Stage?

Mr Starritt: Yes.

Clause 8 referred for further consideration.

Clause 9 (Interaction with other provisions)

The Chairperson: I remind members that the Committee suggested that a timescale should be introduced for the final disposal of illegally deposited waste. The Department's response indicated that it feels that existing legislative provision in this area is satisfactory. Councils can currently serve notices requiring the removal of waste and remedial action within a specified time period, which could be as short as 21 days, and the legislation provides for a fine of up to £5,000 for non-compliance and a subsequent daily fine of up to £500. The Department believes that a set timescale could prove counterproductive.

Our options are to accept the Department's response or to pursue the introduction of a time frame through recommendation or proposing an amendment. Are members content with the Department's response?

Members indicated assent.

Question, That the Committee is content with the clause, put and agreed to.

Clause 9 agreed to.

Clauses 10 and 11 agreed to.

Clause 12 (Commencement)

The Chairperson: I remind members that, although generally supportive of the commencement clause, several respondents were keen to see a requirement for the protocol to be in place before the Bill commences and for a slush fund to be established that councils can access for larger clean-ups in the interim. The Department response indicates that the specific clauses that relate to councils' enhanced waste management powers will not be enacted until a fly-tipping protocol is in place. It is possible that other clauses may require a different commencement date. Also, DOE suggests that the issue of a slush fund cannot be addressed because of resource constraints.

Are Members content with the Department's response or do they wish to look at options to ensure that the commencement of the Bill does not take place until a protocol is in place?

Mr McGlone: Why can a slush fund not be set up?

The Chairperson: Obviously, it is a resource issue.

Mr McGlone: I thought that it was just a dosh issue.

Mr Starritt: It is partly to do with the context of use. I think that the question was about whether receipts from landfill tax may be used. However, that is ring-fenced by the Treasury, so we do not have access to those funds.

Mr McMahon: That comes back as part of the Northern Ireland block grant.

Mr McGlone: Sorry, I am coming to this issue a wee bit late and lack a general grasp of it, so, please, bear with me. As regards the slush fund, I thought that seized assets were the kind of direction in which we were going as opposed to taxes or other stuff that is ring-fenced by the Treasury.

Mr Starritt: I think that I am right to say that the issue was raised in the context of using landfill tax. Other than that, I suppose that it is a resource issue.

Mr McMahon: You are talking about fines and property being seized.

Mr McGlone: Yes, I am talking about assets or something like that being seized.

Mr Starritt: Any fines or fixed penalties levied by councils, fixed penalties, for example, —

Mr McGlone: We will take an example. Say an unidentified car — runabouts and the sorts of things that we see lying round the countryside — with a notional value is disposed of at auction and realises perhaps £100 or £200 or even £1,000. That is the sort of thinking that I have around the issue.

Mr McMahon: I think that we are confusing a number of issues. Money from fines for cars or property would go back to the council, if it successfully prosecutes someone in a case. There is, therefore, no issue with that coming back to the council in question.

I think that we confused matters by talking about the issue of landfill tax, which was raised previously. We were saying that landfill tax does not come back to us as a separate source of money that we can then use to set up an additional central fund. Therefore, if we were going to set up a central fund, it would have to come out of the resources that the Department already has. The question is, therefore, about what we would not do to fund that. There are two separate issues there. However, you are quite right about the fines.

Mr McGlone: Is the second issue, therefore, addressable by making provision for a slush fund elsewhere in what is being proposed here?

Mr McMahon: All that we are saying is that we currently do not have a budget to set up a fund in addition to what is there already. We are saying that the money that councils make from fines, for example, will come back to them. However, we do not have a pot of money in addition to that that is ready to diverge into a central fund.

Mr McGlone: I was not even thinking about diverting money to a central fund at all. Maybe we are reading off two separate hymn sheets. I was talking about cases where councils may identify and scoop up realisable assets that they then dispose of to create a slush fund, just in the same way as assets from crime are seized and then sold off. Is that the sort of thinking that could be adopted? Say a Mercedes were left on council property and nobody claimed it and the council then disposed off it at public auction, what would happen to the moneys realised from that?

Mr McMahon: The moneys would go to the council.

Mr McGlone: I would see that as a slush fund. I am sorry for labouring the point, but I wanted clarity on that.

Mr Weir: I suspect that slush fund is perhaps not the ideal terminology. I appreciate that there are constraints and that there is confusion as people are talking at cross purposes, so I want to make sure that we are all singing from the same hymn sheet. From a legislative point of view, the issue that has been raised here could not be an amendment to the Bill, whatever attitude is taken. Under certain circumstances, the council can retain certain things, but there are restrictions regarding landfill tax, for example. It is out of the picture.

Mr McMahon: Yes.

Mr Weir: I want to try to bridge the gap. Given that there seems to be confusion about the issue, could the Department provide a letter of clarification and assurance to the councils and copy it to the Committee? That could clarify some of the points that Mr McGlone raised about what can be retained. I am not sure whether setting aside a specific fund would be the best way of doing things, but councils do not want to be put in a position where something major has to be done before the protocol is agreed. Could some words of comfort and assurances be given on that? I wonder whether that could be a way forward.

The Chairperson: I want to tease this out. The Committee could proceed through the Bill and propose an amendment to say that the Bill will not commence until the protocol is in place, but that could take 12 or 24 months; it could happen at any point in time. How do we nail it down so that the protocol is in place within a reasonable period to allow us to commence the Bill?

Mr McMahon: We touched on that at the previous evidence session. One of the problems has been that the matter has never had the urgency that the Bill has now given it, but we are confident that we will have the threshold issue and the key elements of the protocol ready to go out for consultation at the end of October. I think that that is the date that we are aiming for.

Mr Starritt: It may take a little longer than that, but we certainly hope that it will be this side of Christmas.

Mr McMahon: The idea is to have it ready to go out for consultation. However, I am not sure whether there is a way of putting that into legislation in advance, because, ultimately, it will come down to a decision following consultation.

The Chairperson: I understand that. If the Committee agrees the Bill as drafted and we know where we want to take it, that is fine, but that still leaves us open to questions about when it will commence. We can only say that we are moving forward together and want it to work. Even if the Committee proposed an amendment to say that the Bill could not be commenced without the protocol in place, we would not know the time period involved.

Mr McMahon: The only thing that I can say is that the Bill has, helpfully, put a lot of pressure on the issue. If the Department were unable to commence the Bill because there was an extended period when the protocol was not in place, it would be in a very difficult position. Therefore, there is a natural incentive for the Department to ensure, with colleagues, that the protocol is in place. That is the best that I can say.

The Chairperson: It is key that the protocol is in place and that the Bill is commenced as soon as possible. Do members have any other comments on that? We can agree the issue today, park it or attach an amendment from the Committee. Basically, it is important that the commencement of the Bill takes place in tandem with the protocol. That could take any length of time. However, the Department has said that it is hopeful that that will come through very quickly.

Mr McGlone: If the protocol is going to come through very quickly, it would make sense to wait and see what it is.

The Chairperson: We need to know what the period of consultation will be.

Mr Weir: It is one of those things that are difficult to legislate for. However, the Committee should send a very clear message that we, and, I am sure, the Department, want to see a robust and agreed protocol in place. Councils are concerned and do not want to get, for want of a better word, dumped on. However, we appreciate that the Department is doing all that it can to make sure that the issue is brought to a swift conclusion.

The Chairperson: Are members happy that the Committee recommends that the Bill is not commenced until the protocol is in place?

Members indicated assent.

Mr Starritt: I want to make a point of clarification. It will be possible to commence certain provisions in the Bill that have nothing to do with fly-tipping. However, we would undertake not to commence the fly-tipping provisions.

The Chairperson: Are members happy with that?

Members indicated assent.

Mr McGlone: As long as it is not a reason for prevarication.

Clauses 13 to 14 agreed to.

Schedule 1 (Amendments)

The Chairperson: I remind members that they agreed in clause 1 to look at the level of Assembly control over a new power in the Bill to alter the amount of a fixed penalty by Order, which, as drafted, is subject to negative resolution. Before deciding, I also remind members that the Examiner of Statutory Rules has drawn to their attention further powers to alter fixed fees by negative resolution. Those powers can be found in the Waste (Amendment) (NI) Order 2007. Unlike the powers in new article 4A(10), which involve a range of fees, those powers refers to specific fees. He also notes that the Order was made with very limited scrutiny, before the restoration of the Assembly.

I advise members that the Examiner of Statutory Rules has also recently drawn the Committee's attention to a similar issue in relation to fixed penalties in the Clean Neighbourhoods and Environment Bill. His report on the Clean Neighbourhoods and Environment Bill has been included for information in the Committee papers. We want to avoid being inconsistent. Therefore, are members content to agree schedule 1, subject to an amendment to make some or all of the powers to alter fees subject to draft affirmative procedure? That gives the Committee an opportunity to scrutinise the matter. I think that that is how we should proceed, but the decision is for the Committee to take. Do members have any comments? If not, are we content with schedule 1, subject to our Committee amendment? The amendment proposes:

"to make the new power, 4A(10), and the existing powers, 5A(10), 22B(5) and 42B(10) to alter the amount of fixed penalty, subject to draft affirmative procedure."

Schedule 1, subject to the Committee's proposed amendment, agreed to.

Schedule 2 agreed to.

Long title agreed to.

The Chairperson: That concludes scrutiny of the clauses of the Bill. I remind members that, after the briefing from the Department two weeks ago, the Committee agreed that an amendment should be proposed to provide enabling powers to allow the Department to put in place targets for the quality of recycled material to be produced by councils. The Department argued that it was trying to achieve the same goal through voluntary initiatives and stressed that no other legislature legislated for quality. The Department informed the Committee that there was a balance to be struck between quantity and quality and was concerned that a singular focus on quality could compromise the North's ability to meet EU recycling targets, which are quantitative.

Do members wish that a Committee amendment be prepared that will introduce powers into the Bill to enable the Department to put in place recycling quality targets at local authority level?

Members indicated assent.

The Chairperson: That concludes the Committee's analysis of the clauses of the Waste and Contaminated Land (Amendment) Bill.

Northern Ireland Assembly

Committee for the Office of the First Minister and deputy First Minister

29 September 2010

Commissioner for Older People Bill (NIA 21/09)

Members present for all or part of the proceedings:

Mr Danny Kennedy (Chairperson)
Dr Stephen Farry (Deputy Chairperson)
Mr Allan Bresland
Mr Trevor Clarke
Mr Tom Elliott
Mrs Dolores Kelly
Mr Francie Molloy
Mr George Robinson
Mr Jimmy Spratt

Long Title

The Chairperson (Mr Kennedy): At the meeting of 15 September 2010, the Committee completed the clause-by-clause scrutiny of the Commissioner for Older People Bill. During that scrutiny, it omitted to agree the long title of the Bill, which is:

“A Bill to provide for the appointment and functions of the Commissioner for Older People for Northern Ireland.”

Long title agreed to.

The Chairperson: The Committee will now agree its report. Do members agree paragraphs 1 to 25?

Members indicated assent.

The Chairperson: Do members agree that appendices 1 to 5 be included in the report?

Members indicated assent.

The Chairperson: Members should note that the date of publication is the date on which the Committee orders the report to be printed. Do

members agree to order the report to be printed today?

Members indicated assent.

The Chairperson: Do members agree that an extract of today's meeting and the minutes of proceedings be included in appendix 1?

Members indicated assent.

The Chairperson: Is the Committee content that the Chairperson agrees the minutes to allow them to be included in the report?

Members indicated assent.

The Chairperson: Is the Committee content with the press release concerning the Committee's deliberation on the Commissioner for Older People Bill and content to issue it when the report is received from the printers?

Members indicated assent.

Northern Ireland Assembly

Committee for Finance and Personnel

29 September 2010

Construction Contracts (Amendment) Bill (NIA 16/09)

Members present for all or part of the proceedings:

Ms Jennifer McCann (Chairperson)
Mr David McNarry (Deputy Chairperson)
Mr Paul Frew
Mr Paul Girvan
Mr Simon Hamilton
Mr Adrian McQuillan
Mr Declan O'Loan

Witnesses:

Mr Stewart Heaney	Department of
Mr Robin McKelvey	Finance and Personnel

The Chairperson (Ms J McCann): We will commence the formal clause-by-clause scrutiny of the Bill. Officials from the Department of Finance and Personnel (DFP) are available to respond to any queries or points that members may have as we work through this. I remind members that this is their last opportunity to comment on each clause. I ask the Committee Clerk to speak to the secretariat briefing paper, which is in members' Bill folders.

The Committee Clerk: Paragraphs 1 to 6 of the secretariat briefing paper provide a bit of background to the Committee's scrutiny of the Bill to date and the Committee Stage. As outlined in the paper, the Bill replicates as closely as possible the originating legislation in GB. The reforms are essentially aimed at further improving payment practices and addressing restrictions with regard to access to adjudication of contractual disputes in the construction industry. At Committee Stage, the Committee placed a public notice calling for evidence, as is standard practice. However, it received no written evidence or responses to that call for

evidence, and no comments were made on any of the clauses during the Committee's public consultation.

Over the summer, the Assembly Research and Library Service prepared a briefing paper that examined the outcome of the consultation in GB. That was done to establish whether any issues raised in that consultation were of relevance to Northern Ireland, and, if there were any such issues, to raise those with DFP. That paper was forwarded to the Department, and DFP officials provided a response, which members considered on 15 September. The only issue on which it appeared that the consultation responses were in disagreement was in relation to a House of Lords judgement. The Committee will come to that when it considers the Bill clause by clause.

The briefing paper summarises the rationale behind each clause and the outcome of the related DFP and Committee consultations in respect of each clause. Stewart Heaney and Robin McKelvey are here to briefly describe the purpose or rationale of each clause as the Committee considers the Bill clause by clause. A composite question on whether the Committee is content with clauses 1 to 9 will be asked at the end. Before considering each clause, the Committee should consider whether it is content with the long title of the Bill, which is actually quite a short title.

Long title

The Committee Clerk: The long title simply explains that the purpose of the Bill is to amend the Construction Contracts (Northern Ireland) Order 1997.

Question, That the Committee is content with the long title, put and agreed to.

Long title agreed to.

Mr Girvan: There is quite a bit of emphasis in the Bill on the payment process and how that is dealt with. I have recently encountered a problem that affects subcontractors. A contractor might be paid by whoever has contracted the work, but, unfortunately, the contractor does not necessarily pass that across to the subcontractor who has been brought on board. The Bill does not mention how subcontractors will be protected. A number of subcontractors have gone to the wall because of that practice. The main contractor has not gone to the wall,

but the subcontractor has done so because he has not received his payments. There is no provision in the Bill for how subcontractors should be dealt with in a contract.

The Chairperson: That issue relates to clause 5. When we come to that clause, I am sure that you will want your points to be noted. That issue is a big problem, and it has been raised at Committee before.

The Committee Clerk: That issue came up in the procurement inquiry. In fact, the Department has advised of a new code of practice in relation to that. We can dig out the correspondence from the Department and copy you into that, Mr Girvan.

Mr Girvan: Thank you.

The Chairperson: I now ask the Committee Clerk to take us through the Bill clause by clause. We will hear members' comments on each clause as we go, and I will then put the question.

Clause 1 (Requirement for construction contracts to be in writing)

The Committee Clerk: As stated in paragraph 9 of the secretariat briefing paper, there was unanimous support for this proposal, and no issues were raised in the evidence to the Committee. However, DFP officials may wish to remind members, very briefly, of the purpose and rationale behind clause 1.

Mr Robin McKelvey (Department of Finance and Personnel): We have found that a high proportion of subcontract agreements are not executed wholly in writing or even in a recognised form of contract. Such arrangements, which, unfortunately, remain common practice in the construction industry, effectively mean that a large number of firms, many of which are small and medium-sized enterprises (SMEs), are excluded from the benefits of the Order. For example, because contracts are not wholly in writing, those firms are excluded from accessing the benefits of adjudication and fair payment procedures, which are inherent in the original Order and the amended version. It is unlikely that the amendments to the Order will affect the preference of any supply chain members for written or oral contracts. We expect that the benefits will apply to contracts in either format.

The Chairperson: Stewart and Robin, we have a lot of new members on the Committee, and that is why I am asking you to give a brief clause-by-

clause overview. Some members will not have been here during previous evidence sessions.

Mr Hamilton: It is useful for the old members too.

The Chairperson: It is useful to be reminded. That is true.

Clause 2 (Power to disapply provisions of the 1997 Order)

The Committee Clerk: Again, no issues were raised in the evidence to the Committee.

The Chairperson: The power in clause 2 is an unusual one, in that it allows for primary legislation to be amended through secondary legislation. Will you briefly remind us why that is necessary?

Mr McKelvey: Currently, an exclusion order can disapply only the whole of the 1997 Order. It is an all-or-nothing power. In 1999, an exclusion order was used to exclude a range of forms of contract; for example, anything within the PFI. Although there are no proposed changes to the definition of construction operations in the 1997 Order, the Bill introduces the ability for the Department to disapply part or all of the Order from a particular class or type of construction contract. That change will ensure that many of the Order's valuable features — fair payment, procedural access to adjudication, the right to suspend, etc — continue to apply, while giving the Department flexibility to deal with any specific issues of direct concern. It will also enable the legislation to respond proportionately to future contractual innovation that may or may not occur.

Clause 3 (Adjudicator's power to make corrections)

The Committee Clerk: Respondents to the DFP consultation broadly welcomed this provision, and no issues were raised in the evidence to the Committee.

Mr McKelvey: Generally, the adjudicator's decision in the adjudication process is final and can be overturned only by legal proceedings, arbitration or agreement. Therefore, without clause 3, an error would effectively be locked in and could potentially render the decision meaningless, unfair or not as intended. The clause makes provision for a slip rule and, in respect of an adjudicator's decision, puts on a clear statutory footing an adjudicator's ability to amend an obvious error in his or her decision.

Clause 4 (Adjudication costs)

The Committee Clerk: No issues were raised in the evidence to the Committee. During DFP's consultation, strong but not unanimous support was shown, with one respondent disagreeing with the provisions in the clause.

Mr McKelvey: Clause 4 will make an agreement about the allocation of the cost of adjudication ineffective unless certain conditions apply.

Clause 5 (Determination of payments due)

The Chairperson: I know that Paul wants to comment on clause 5.

Mr Girvan: Clause 5 has no teeth. What happens between other parties is not necessarily included as part of the head contract and it is difficult to deliver. Some subcontractors will be paid only at the end of the total build, whatever that may be, and I know that a number of them are held right to the very end before they receive their payment. Some subcontractors are going to the wall, because they have not got the cash flow to keep going.

Mr McKelvey: That is precisely the sort of abuse that the original Order was designed to put a stop to. For that reason, if a head contract failed to have the appropriate conditions compliant with the statutory provision, we moved to the scheme for construction contracts, which is a default provision. Therefore, if the original contract between a main contractor and a subcontractor or, indeed, an employer and a contractor fails to have provisions for staged payments and an adequate mechanism, as defined in the statute, that default provision will set aside anything that is in the original contract, and the subcontractor can rely on the scheme as, in effect, the clauses and measures in his contract.

Mr Frew: Who funds that scheme?

Mr McKelvey: There is no need to fund it. The scheme is simply a document and a statutory instrument that was approved and became effective in 1999. If the Bill is successful in the House, we will need to amend the provisions of the 1999 Order in light of the changes that we propose to make to the original Order, but it will be updated in line with that. The scheme does have real teeth, and any subcontractor who has been prevented from or is not receiving interim, staged payments — whether such an arrangement is absent from a contract or is

in a contract but being ignored — can revert to and ask for payments to be made under the scheme's provisions. That is a very firm measure.

Mr Frew: I hear what you say. I agree with Paul that this is endemic in the construction industry at present. When companies, subcontractors or even sub-subcontractors go to the wall, it is not because of a lack of work; it is because of cash flow. It is due to the fact that contractors, some of them very mighty, have not paid their subcontractors on time. I could give many examples of that, and we are talking about not thousands of pounds but hundreds of thousands of pounds. For example, a company asked a contractor for, say, £170,000 that was owed, only to be handed a cheque for £30,000 and to be told that that was all that the contractor could give. That is the problem in the construction industry now. The problem with "full-teeth" legislation is that a subcontractor who invokes the provision could have their company scarred throughout the wider construction industry. How do we get round that? How do we get to the point of encouraging subcontractors to use the legislation?

Mr Stewart Heaney (Department of Finance and Personnel): The member is absolutely right. The issue of non-payment of subcontractors has been a major discussion point for the Construction Industry Forum. The difficulty is that a stigma is attached to a subcontractor taking on a main contractor in Northern Ireland; no subcontractor wants to do that.

As regards public sector contracts, we have identified that issue and put in place measures whereby the individual project manager on a contract will seek from the main contractor information on what payments they have made to subcontractors. The main contractor will confirm that information, and the project manager will do periodic random checks to make sure that, when a contractor says that he has paid a subcontractor, he has done so. So, for public sector contracts, we are dealing with that issue through the centre of procurement expertise. Because of the economic downturn, the non-payment of subcontractors has become much more of a problem than it has been in the past. That brings us back to the scheme, and the fact that legislation exists. However, subcontractors are reluctant to take it forward simply because of the stigma that might be attached to them in the future.

Mr McKelvey: There is also a risk that, if they successfully challenge the main contractor through the mechanisms that exist, which are practical and workable, they will nevertheless end up suffering by not having any further work from that source.

Mr Frew: They will suffer whether they succeed or fail as regards the legislation. There will still be that branding throughout the industry.

The Chairperson: We can reflect our concerns when we are writing our report. We can include that aspect.

Mr McQuillan: It was said that the project manager would get information about when payments were made. Is the project manager not employed by the main contractor?

Mr Heaney: No. The project manager is employed by the public sector client.

Clause 6 (Notices relating to payment)

The Committee Clerk: There was broad support for this proposal from the DFP consultation, and no issues were raised in the Committee's consultation.

Mr McKelvey: This provision amends the original legislation relating to payment notices and provides for the giving of similar notices by the payee. The provision makes it clear that a payment notice, which is a notice that sets out what is owed, must be served even when the amount owed is nil, and it removes restrictions on who can serve such a notice and allows for a third party, for example, an architect or engineer, to issue such a notice.

Clause 7 (Requirement to pay notified sum)

The Chairperson: There were some issues in relation to this clause.

The Committee Clerk: A House of Lords judgement was highlighted in the Assembly research paper. The DFP officials may wish to refer to that. A response from DFP was also provided to members.

Mr McKelvey: This provision substitutes a new article 10 in the original Order and, in doing so, replaces the provision of the 1997 Order in respect of "withholding notices" with a requirement on the part of the payer to pay the sum set out in such a notice. The new article 10 makes provision for the sum in such a notice to

be challenged or revised by the giving of a type of counter-notice.

The provision also limits the effect of the House of Lords decision in relation to insolvency in the case of *Melville Dundas versus George Wimpey*, as regards the circumstances in which a notice of the payer's intention of withholding payment is not necessary. That attracted some objections, particularly from the National Specialist Contractors' Council, which felt that there should be no circumstances in which payment should not be made. However, that was in conflict with the view expressed by the House of Lords in its judgement. We are trying to steer a middle course with something that provides a balanced view, because, in these circumstances, it is not possible to satisfy all interests completely and fully. It is a matter of finding something that represents the middle ground and good practice.

Clause 8 (Suspension of performance for non-payment)

The Committee Clerk: The DFP proposal was welcomed by all the respondents to the Department's consultation. No issues were raised in the Committee's call for evidence.

Mr McKelvey: This clause strengthens the rights of a party to whom payment is due to suspend performance of their obligations under a construction contract in the event of non-payment. That, of course, reads directly back to the line but does not answer the question of the stigma that was mentioned. It also makes the party in default liable to pay the contractor's costs for stopping work. That includes, for instance, the reasonable costs of redeploying staff, removing plant and equipment, and re-mobilising in the event of work starting again.

Clause 9 (Short title and commencement)

The Chairperson: Clause 9 is on the short title and commencement.

Question, That the Committee is content with clauses 1 to 9, put and agreed to.

Clauses 1 to 9 agreed to.

The Chairperson: A draft report will be prepared for our consideration on 13 October, and we can reflect in that some of the concerns that were raised earlier. I thank Stewart and Robin for coming. If there are any other issues, we will be in touch.

Northern Ireland Assembly

Committee for Employment and Learning

29 September 2010

Student Loans (Amendment) Bill (NIA 22/09)

Members present for all or part of the proceedings:

Mrs Dolores Kelly (Chairperson)
Mr Jonathan Bell (Deputy Chairperson)
Mr Sydney Anderson
Rev Dr Robert Coulter
Mr Chris Lyttle
Mr David McClarty
Mrs Claire McGill

The Chairperson (Mrs D Kelly): We move to our clause-by-clause scrutiny of the Student Loans (Amendment) Bill. The Bill will prevent student loans being included in individual voluntary arrangements. The responses to the Department's consultation on the Bill were supportive, as was the single response to the Committee's public notice on the Bill. The Examiner of Statutory Rules has provisionally indicated that the delegated powers in the Bill are appropriate and that a full report will be forthcoming. At its last meeting, the Committee heard from the presidents of the two student unions, and they had no objections to the Bill; correspondence to the Committee from the National Union of Students and the Union of Students in Ireland was also supportive.

The Committee Clerk: As members are aware, the Bill has only two clauses: clause 1 is the substantive provision that prevents student loans being included in individual arrangements; that brings the legislation into line with the provisions for student loans and bankruptcy. Members will recall the member of Legal Services who is attached to the Bill outlining the reasons for the change. It is a technical, amending Bill, and, as the Chairperson said, no

issues were raised with the Committee about any aspect of it. If members are content, we can move to formal clause-by-clause scrutiny, which would enable the Committee to put together its report on the Bill.

Members indicated assent.

Clause 1 (Student loans: effect of voluntary arrangement)

The Chairperson: Clause 1 contains a delegated power allowing subordinate legislation to be made in the form of regulations where the level of Assembly control is negative resolution. The Examiner of Statutory Rules has made a provisional assessment of the delegated power and suggests that it is set at an appropriate level of Assembly control. Are members content with the clause?

Question, That the Committee is content with the clause, put and agreed to.

Clause 1 agreed to.

Clause 2 (Short title)

The Chairperson: Clause 2 is the short title. Are members content with the clause?

Question, That the Committee is content with the clause, put and agreed to.

Clause 2 agreed to.

The Committee Clerk: That concludes the Committee's scrutiny of the Bill. A draft report will be brought before the Committee in the next two or three weeks, which we can take to the Floor of the Assembly.

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 17 September 2010

Written Answers to Questions

Office of the First Minister and deputy First Minister

Programme for Government

Dr S Farry asked the First Minister and deputy First Minister to outline their plans for the development of the next Programme for Government and how it will be integrated with the forthcoming Budget.
(AQW 67/11)

First Minister and deputy First Minister (Mr P Robinson and Mr M McGuinness): We are aware that the term of the 2008-2011 Programme for Government is drawing to a close and we have been developing plans to produce a refreshed programme that will sit appropriately with the new budget and investment strategy. We also wish to take account of the impending Assembly election in May 2011.

Strategic Investment Board

Mr G Savage asked the First Minister and deputy First Minister for their assessment of the continued need for the Strategic Investment Board.
(AQW 112/11)

First Minister and deputy First Minister: To date the Strategic Investment Board (SIB) has played a key role in assisting the Executive implement its plans for Infrastructure Investment. SIB has been responsible for the development of the Investment Strategy 2008-18 and has worked with departments to deliver unprecedented levels of capital investment amounting to £3.5bn in the last two financial years. We expect that figure will increase to £5bn by the end of the current budget period.

We fully recognise that, as the challenges of government evolve, departments and non-departmental public bodies alike must adapt to meet them. We are determined to ensure that all those organisations under our governance remain fit for purpose and deliver value for money. Indeed, a review of SIB has just been completed and we will shortly be considering its findings to ensure that the Executive is able to take forward infrastructure investment in the most effective way.

Attendance at Executive Meetings

Dr S Farry asked the First Minister and deputy First Minister to detail each Executive Minister's attendance at Executive meetings during the (i) 2006-07; (ii) 2007-08; (iii) 2008-09; and (iv) 2009-10 sessions.
(AQW 144/11)

First Minister and deputy First Minister: It is not our practice to disclose details of Executive business. The content of Executive papers and all aspects of Executive business are confidential.

Migrant Workers

Ms A Lo asked the First Minister and deputy First Minister to outline progress on the creation of an emergency fund to assist destitute migrant workers who have no recourse to public funds, as suggested by the Immigration Sub-Group of the Racial Equality Forum.

(AQW 147/11)

First Minister and deputy First Minister: The Immigration Sub-group, chaired by the Law Centre (NI) has met on three occasions, most recently on 9th September. The sub-group has agreed a number of key areas of work, including issues around groups and individuals with no recourse to public funds and the related difficulties faced by both the statutory and voluntary sector. It is expected that the group will report back on their recommendations on this issue to the Racial Equality Panel and Forum in the near future and we would not wish to prejudge this work. These recommendations will also be submitted to us for consideration.

The group will, of course, also take an interest from the devolved perspective in other aspects of immigration policy that is developed by the new coalition government in Westminster, in particular the potential impact on the region of proposals for an immigration cap.

Cohesion, Sharing and Integration Strategy

Mr J Dallat asked the First Minister and deputy First Minister to outline the findings of the Equality Impact Assessment on the Draft Cohesion, Sharing and Integration Strategy.

(AQO 9/11)

First Minister and deputy First Minister: The draft Programme for Cohesion, Sharing and Integration (CSI) agreed by the Executive on 22 July 2010 provides the framework for co-ordination across government departments for action against sectarianism, racism and all forms of hate.

The consultation on the draft CSI, which contains a high level Equality Statement, was launched on 27 July. The consultation comprises a wide range of public meetings and sectoral meetings which will be held at various locations across Northern Ireland throughout September. Details of the public meetings, including venues and times, are available on the OFMDFM website.

The consultation document invites everyone to comment on the range of issues covered by the draft CSI Programme. This includes any equality implications and the type of data/information that should be considered when assessing and monitoring equality of opportunity issues relating to the Programme.

It will not be possible to comment on any findings until the consultation closes on 29th October 2010.

In addition to OFMDFM's strategic level EQIA, Departments will screen all policies and programmes which support the Programme for Cohesion, Sharing and Integration and undertake full equality impact assessments where screening indicates that this is necessary.

Given the nature of the issues being addressed and the wider constituency involved, we hope and expect the consultation to produce many interesting and considered outcomes that will contribute to our overarching policy of achieving 'a peaceful, fair and prosperous society here with respect for the rule of law'.

Once the responses to the consultation, including those relevant to the EQIA, have been collated they will be taken on board for any revised text as appropriate.

The redrafted programme will again be considered by the Assembly Committee and the Executive before it is formally launched.

It is anticipated that the final agreed programme for Cohesion Sharing and Integration will be published before the end of the current financial year.

Washington Investment Conference

Mr P Butler asked the First Minister and deputy First Minister for an update on the economic investment conference to be hosted by Secretary of State Clinton in October 2010 in Washington.
(AQO 8/11)

First Minister and deputy First Minister: The Economic Investment Conference will take place in Washington DC on 19 October 2010.

The one-day conference will be focused on direct business discussions and will also have a sectoral focus. The key objective will be to allow very senior executives from American companies to hear, at first hand, why an investment here makes sound commercial sense. The lead body for arrangements for the event is the United States' Department of State and we are grateful to Secretary of State, Hillary Clinton and to Declan Kelly, the US Economic Envoy, for their willingness to host this event to promote investment here.

It is aimed at very senior executives from approximately a dozen American companies that have not yet made investments here. They will join an equally small number of Chief Executive Officers and senior representatives from existing American investors. This latter group will talk about their own positive experience of setting up their business operations here.

Child Abuse

Mr W Clarke asked the First Minister and deputy First Minister what action they intend to take following their recent meeting with victims of institutional child abuse.
(AQO 10/11)

First Minister and deputy First Minister: We met with a group representing the victims of institutional abuse on Thursday 22 July 2010.

The group had wanted to discuss a range of issues such as an apology on behalf of the State, establishing a public enquiry and an assurance that no child would be put in a similar situation today.

You will appreciate that there are some very complex legal and relationship issues involved with this matter and in light of this and as a follow on to the meeting on 22 July, we have asked our officials, pending an Executive decision, to urgently co-ordinate the taking forward of this issue with the other relevant departments.

Actual policy responsibility for such institutions here is split across what are today the Department of Health, Social Services and Public Safety, the Department of Education and the Department of Justice.

Whilst mindful of the legal constraints that need to be identified and given the age of some of the victims and the time they have carried this suffering, we are determined to move on this matter as quickly as possible.

Consequently we have agreed that our Department will take the lead in progressing the matter and will form a working group with those departments that have operational responsibility for the issues.

Pending the outcome of the working group, we have directed officials and advisers to pursue the following steps:

- Arrange a meeting with the group to identify their needs and how some might be met in the short term;
- examine ways of providing financial support to the group as it acts as a conduit between those who suffered institutional abuse; and
- in conjunction with the group, bring forward proposals on the shape and form of any inquiry and to engage with all concerned on its terms of reference. This work has already commenced.

We wish to ensure that the way forward will be the right one for all those affected by this extremely difficult and sensitive matter.

Discrimination and Equality Unit

Mr S Gardiner asked the First Minister and deputy First Minister to explain the necessity for expenditure of over £1.5 million per year on the discrimination and equality unit, given that enforcement in relation to disability discrimination is the responsibility of the courts and tribunals.

(AQO 11/11)

First Minister and deputy First Minister: The amount mentioned refers to the salary costs of the former Equality, Rights and Social Needs Division. This Division has undergone a restructuring exercise within the wider Directorate which has resulted in a significant reduction in headcount and costs. Anti-discrimination and equality issues are the responsibility of the Directorate encompassing Equality, Good Relations and Economic Policy.

This Directorate is responsible for, amongst other issues, gender issues, older people issues, monitoring ECNI, children and young people's issues, implementing good relations policies, racial equality issues, addressing disability discrimination, tackling poverty and social exclusion, EC directives, providing good relations funding, developing legislation for an Older People's Commissioner, victims and survivors issues and oversight of the Programme for Government.

US Investment

Mr J O'Dowd asked the First Minister and deputy First Minister for an update on the investments arising from their recent visits to the United States, given the economic downturn and the need to create economic growth.

(AQO 12/11)

First Minister and deputy First Minister: Our visit to the United States during March was one of the most successful visits we have undertaken in promoting the Northern Ireland economy. We undertook an extensive programme of engagements to promote inward investment opportunities, trade development and tourism providing us with unparalleled access to some of the most senior decision-makers in corporate America.

We met current and prospective investors, as well as a range of senior business and political leaders who can influence investment decisions here. Negotiations on inward investment projects are, by their very nature, confidential and this is particularly important in the current financial climate when the international competition is very stiff.

We met with the senior staff of Allstate, one of our most important financial services investors and with representatives from Caterpillar which has a major manufacturing plant in Larne. The First Minister and DETI Minister also visited the Hughes Tool Company in Texas. We used these opportunities to cement relationships and to demonstrate our personal appreciation for the commitment which the companies have made to the local economy.

We were particularly pleased to see the announcement of the project by Q1 Labs during our visit which is set to create 50 high quality ICT jobs. This shows our ability to attract high quality investment in the key sectors of ICT, financial service and business services.

With regard to the prospective investors, the work of follow-up is being undertaken by Invest NI staff in the United States and by its senior management team here. We are confident that further economic benefits will emerge from our engagement in the US.

Cohesion, Sharing and Integration Strategy

Mr K McCarthy asked the First Minister and deputy First Minister for an update on the consultation on the Draft Cohesion, Sharing and Integration Strategy.

(AQO 14/11)

First Minister and deputy First Minister: The core of the Programme for Cohesion, Sharing and Integration was agreed on 23rd February 2010. Following further development of the draft programme,

including detailed discussions with all Departments, the Executive agreed the draft Programme. The public consultation on the draft Programme for Cohesion, Sharing and Integration was launched on Tuesday 27 July 2010 and all responses to the consultation must be returned by the end of October 2010.

A series of public consultation events will take place at a range of venues throughout September, the details of which are included in the table below.

Date	Venue
Wednesday 1st September	City Hotel, Derry/Londonderry 7.45pm-10pm
Monday 6th September	Grosvenor House, Belfast 7.45pm-10pm
Tuesday 7th September Newry	Arts Centre, Newry 7.45pm-10pm
Thursday 9th September	Glenavon Hotel, Cookstown 7.45pm-10pm
Monday 13th September	Tullyglass Hotel, Ballymena 7.45pm-10pm
Wednesday 15th September	Clinton Centre, Enniskillen 7.45pm-10pm
Tuesday 21st September	Town Hall, Newtownards 7.45pm-10pm
Wednesday 22nd September	Seagoe Hotel Portadown 7.45pm-10pm
Monday 27th September	Armagh City Hotel 7.45pm-10pm
Wednesday 29th September	Silverbirch Hotel, Omagh 7.45pm-10pm

Copies of the consultation document can be obtained online via the OFMDFM website at: <http://www.ofmdfmi.gov.uk/index/equality/community-relations.htm> or on the NI Direct Website at www.nidirect.gov.uk. Hard copies are available by contacting officials at 028 9052 3194 or by e-mailing policysec@ofmdfmi.gov.uk. Alternative formats of the document can be made available on request.

Information provided in response to this consultation may be published on the OFMDFM website or disclosed in accordance with access to information legislation.

The consultation document includes detail of a high-level Equality Impact Statement and the consultation will be taking the views of the public on any equality implications and the type of data/information that should be considered when assessing and monitoring equality of opportunity issues relating to the Programme.

Department of Agriculture and Rural Development

Phytophthora Ramorum

Mr D Kinahan asked the Minister of Agriculture and Rural Development to outline her Department's plans to tackle Phytophthora Ramorum in the (i) short; (ii) medium; and (iii) long terms; and what action she is taking to control its spread.

(AQW 88/11)

Minister of Agriculture and Rural Development (Ms M Gildernew): The DARD Contingency Plan for Serious Pest/Plant Health Incidents has been instigated in connection with the outbreaks of the disease in Japanese larch caused by pathogen Phytophthora ramorum (P. ramorum). Incident Management Team (IMT) meetings have taken place on five occasions to date. A statutory notice has been served by DARD Quality Assurance Branch (QAB) on the private woodland owner to fell an infected area of Japanese larch on the private woodland site and letters sent from QAB to Forest Service, requiring felling of infected areas of trees in Woodburn and Ballyboley forests. The statutory notice and letters require felling to be completed by stated dates and outline bio security guidance to be followed.

Harvesting plans have been prepared for Woodburn and Ballyboley forests and harvesting commenced in Woodburn on 16 August 2010 and in Ballyboley on 13 September 2010. Felling of infected areas of Japanese larch is the best method for controlling this disease and preventing further damage.

Forest Service, in conjunction with QAB, have published details of a licensing system incorporating bio-security measures, which will permit road haulage and processing of *P. ramorum* affected wood from infected areas.

Forest Service woodlands remain open to the public and notices have been erected at infected woodland at Woodburn and Ballyboley forests, indicating how visitors can help minimise the spread of the disease.

I have convened a meeting to inform stakeholders about the Department's approach to the outbreak, actions to date, and provide them with an opportunity to ask questions. Forest Service has also met the forestry industry representative body, ConFor, to update them about the situation and answer questions.

Forest Service has stepped up surveillance of Japanese larch woodland throughout the country and woodlands exhibiting suspicious symptoms have been sampled and sent for analysis. Plans are in place for helicopter surveillance as soon as weather permits. Owners and managers of private woodland have been alerted to the disease outbreak through a Departmental press release, and a number of those likely to have Japanese larch stands have been contacted directly. QAB have commenced surveillance of host plants in a 3 km buffer outside the three affected areas. Surveillance of *Rhododendron*, the main host species for *Pramorum* prior to its diagnosis in Japanese larch is also ongoing.

After harvesting an infected site, it will remain infected for several years following clearance, because the pathogen can remain viable in the soil for some time. It is still too early to be able to give firm recommendations on tree species to be replanted on infected sites or tree species for general replanting, however Forest Service will make this available as soon as scientific evidence becomes available. Forest Service will recommence surveillance of Japanese larch woodland following bud burst in spring 2011.

Department of Culture, Arts and Leisure

50 Metre Swimming Pool Planned for Bangor

Mr A Ross asked the Minister of Culture, Arts and Leisure why the new 50 metre swimming pool planned for Bangor will not be ready in time for the 2012 Olympic Games.

(AQW 23/11)

Minister of Culture, Arts and Leisure (Mr N McCausland): The objective of the 50 metre swimming pool project is to deliver a high quality sporting facility which will create a lasting legacy for future generations of athletes of all levels of ability and indeed the wider community and particularly young people. It was never the intention that it be used in the delivery of the 2012 Olympic Games.

Bearing in mind the significant investment of public funds in this project, it was critical that the necessary time was afforded to ensure fit for purpose design, compliant procurement and sustainability.

There have been some delays on the delivery of this significant development which originally was due to be completed in early 2012.

Delays included design adjustments identified at business case stage and negotiation on funding percentages between North Down Borough Council and my Department.

I also understand that the first successful tenderer for the construction withdrew and North Down Borough Council was obliged, as project managers, to source another construction company to take forward the project.

Despite these delays, the current estimate for completion of the 50 metre swimming pool is June 2012.

Sports Funding

Dr S Farry asked the Minister of Culture, Arts and Leisure what steps are being taken by his Department to ensure an equitable balance of sports funding on the basis of gender.

(AQW 26/11)

Minister of Culture, Arts and Leisure: Sport Northern Ireland (SNI) is responsible for the development of sport in Northern Ireland including the distribution of funding. In terms of gender, SNI recognises there is an imbalance between the number of men and women participating in sport on a regular basis. As a result, SNI's Business Plan for 2009/10 has six corporate outcomes, the third of which is "increased participation in sport and physical recreation, especially among under-represented groups". These groups include women and girls, people with a disability, people aged over 50 and people from an ethnic minority background.

The 2009/10 Business Plan was based on a gross budgeted investment of £34.3m. Over 50% of this budget was allocated to programmes that contributed towards SNI's Corporate Outcome 3. Furthermore, all participation based projects include an assessment process that ensures women and girls and other under-represented groups are target beneficiaries of SNI investment. All SNI policies and programmes are also subject to a robust Section 75 screening process.

Ulster-Scots Agency

Mr T Burns asked the Minister of Culture, Arts and Leisure for a breakdown of the amount spent on hospitality by the Ulster Scots Agency in each of the last five years.

(AQW 80/11)

Minister of Culture, Arts and Leisure: The Ulster-Scots Agency's financial year is based on a calendar year. The table below shows the Agency's spend on hospitality for the last five financial years.

The figures shown in the table for 2008 and 2009 are from the unaudited financial statements. The figures for 2005, 2006 and 2007 are from the audited financial statements.

	2005	2006	2007	2008	2009
Ulster-Scots Agency	£1,557	£2,360	£2,234	£4,211	£1,240

Illegal Fishing in Lough Neagh

Mr D Kinahan asked the Minister of Culture, Arts and Leisure what steps his Department is taking to prevent illegal fishing in Lough Neagh.

(AQW 87/11)

Minister of Culture, Arts and Leisure: My Department assumed direct responsibility for the enforcement of fisheries protection legislation in the DCAL jurisdiction on 1 June 2009. Since then DCAL Fisheries Protection Officers (FPO's) have been organised into teams in 4 operational areas covering Northern, South Eastern and South Western areas and a unit was established to focus on the enforcement of fisheries legislation on Lough Neagh.

Under the management of Senior Fisheries Officers, FPO's carry out regular patrols on land and water on and around Lough Neagh and its tributaries. The Lough Neagh unit, augmented by other protection staff as required, patrol Lough Neagh using a number of craft including the Fisheries Protection Vessel Vigilare based at the Derrycrow boat house on the southern shore of Lough Neagh. A total of 61 boat patrols were carried out on Lough Neagh from 1 June 2009 to 31 March 2010.

Intelligence led operations are carried out to detect breaches of fisheries legislation. All illegal fishing gear/catches are seized and from 1 June 2009 to 31 March 2010 a total of 8,500m of illegal nets

were seized in operations on Lough Neagh. Any persons found to be acting illegally are reported with a view to prosecution.

DCAL FPO's also carry out regular inspections at commercial dealers, fish retail outlets, hotels and restaurants to ensure that all fish being sold have been legally caught.

Loughmacrory Lough

Mr B McElduff asked the Minister of Culture, Arts and Leisure to outline his Department's efforts to re-stock Loughmacrory Lough; and to detail any other measures taken by his Department to support and assist the local community, including anglers, to increase access to, and maximise the amenity of, Loughmacrory Lough.

(AQW 140/11)

Minister of Culture, Arts and Leisure: Loughmacrory Lough is owned by NI Water and leased to Loughmacrory Community Development Association (LCDA). The Lough is a private fishery and not part of the Public Angling Estate. DCAL do not routinely stock private fisheries. However the Department can offer LCDA advice or assistance with its development and will consider stocking on a cost recovery basis.

LCDA were successful in obtaining an EU Peace II Grant under Measure 1.2a (Water Based Tourism) administered by DCAL. The application from LCDA was jointly funded by Omagh District Council (£10,000), Environment Heritage Service (£59,000) and DCAL / EU (£144,889) to provide an access pathway around the Lough, to include seating, litter bins, fishing jetties and a canoe launching jetty. All works were completed in 2006.

Odyssey Trust

Mr P Maskey asked the Minister of Culture, Arts and Leisure (i) how much funding his Department has awarded to the Odyssey Trust in each of the last 5 years; (ii) what the funding has been used for; and (iii) what role his Department has with the Odyssey Trust.

(AQW 320/11)

Minister of Culture, Arts and Leisure: The attached table details the information requested in part (i) of the question.

FUNDING ALLOCATED TO AND DRAWN DOWN BY OTC OVER THE LAST 5 YEARS.

Year	Programme Allocated	Capital Allocated	Total	Programme Drawn Down	Capital Drawn Down	Total
2005/06	£360k	£150k	£510k	£360k	£150k	£510k
2006/07	£300k	£150k	£450k	£300k	Nil	£300k
2007/08	Nil	£150k	£150k	Nil	Nil	Nil
2008/09	£600k	£400k	£1m	£400k	£400k	£800k
2009/10	£600k	£400k	£1m	£500k	£400k	£900k

- (ii) The Department provided the above funding to the Odyssey Trust Company to help with the provision of a Science Centre, W5. The current agreement is for DCAL funding to transfer via Odyssey Trust.
- (iii) The Trustees of the Odyssey Trust Company Ltd are responsible for the provision and monitoring of a Science Centre and the provision of facilities for recreation or other leisure-time occupation in the interests of social welfare. DCAL have observer status on the Board.

Department of Education

Grammar School Entrance Test

Mr J O'Dowd asked the Minister of Education to detail the percentage of each entrance test grade accepted by each grammar school for the intake in the 2010/11 academic year.

(AQW 41/11)

Minister of Education (Ms C Ruane): Tá úsáid scrúduithe éalaithe iontrála ag scoileanna gramadaí contrártha do threoir mo Roinne ar aistriú iarbhunscoile. Mar sin, níl baint ag mo Roinn le riarachán na scrúduithe éalaithe, agus níl teacht aici ar eolas faoi ghráid scrúduithe a fhaigheann daltaí atá ag lorg iontrála i scoileanna gramadaí.

The use of breakaway entrance tests by grammar schools is in contravention of my Department's guidance on post-primary transfer. As such, my Department has no involvement in the administration of breakaway tests, nor does it have access to information about test grades obtained by pupils seeking admission to grammar schools.

AS and A Level Enrolments

Mr J Craig asked the Minister of Education how many pupils enrolled for AS and A Levels in each of the last five years.

(AQW 84/11)

Minister of Education: Ní bhailíonn an Roinn eolas ó scoileanna ar líon na ndaltaí atá rollaithe do Leibhéal AS nó Leibhéal A. Taifeadann an Roinn sonraí ar líon na ndaltaí atá rollaithe do scrúduithe Leibhéal A, áfach. Tá na figiúirí seo soláthraithe sa tábla thíos:

The Department does not collect information from schools on the number of pupils enrolled for AS and A levels. However, the Department records details of the number of pupils entered for A level examinations. These figures are provided in the table below:

Academic year	Number of pupils entered for A level examinations
2008/09	12,053
2007/08	11,579
2006/07	11,514
2005/06	11,758
2004/05	11,686

Removing Children from School During Term

Lord Morrow asked the Minister of Education whether parents or guardians can be prosecuted for removing children from school during term-time for holidays; and, if so, how many prosecutions have been brought in the last year.

(AQW 93/11)

Minister of Education: De ghnáth, ní ionchúisítear tuismitheoirí mar gheall ar neamhfhreastal a bpáistí ar scoile ach i gcásanna ina dteiptear ar idirghabhálacha chun freastal rialta a chur chun cinn.

Prosecution of parents for the non-attendance of their children at school is normally only undertaken when other interventions to promote regular attendance have failed.

A one-off holiday taken during term time, in itself, would not warrant a referral for poor attendance to the Education Welfare Service. The normal criterion for a referral is when attendance falls to around

85% attendance. Schools can make referrals at any time when they have concerns about a pupil's pattern of attendance and this might include a regular pattern of family holidays during term time.

No prosecutions have been brought on these grounds in the last academic year.

Woodburn Primary School, Carrickfergus

Mr S Neeson asked the Minister of Education what plans her Department has to provide capital funding for the new build at Woodburn Primary School, Carrickfergus.

(AQO 20/11)

Minister of Education: Tá Woodburn Primary School ar cheann de roinnt tionscadal caipitil ar aithníodh go bhfuil fadhbanna tromchúiseacha cóiríochta ann, ach nár fógraíodh go raibh sé ag fáil cistithe.

Woodburn Primary School is one of a number of capital projects which have been identified as having serious accommodation issues, but which have not been announced for funding.

I have already highlighted the historic underinvestment in the schools estate. I am pleased to say that the Executive recognised this and made available some £13m in the June monitoring round. This has allowed me to put another 12 projects on site, also to purchase a site for a school to address unmet need and to undertake some much needed minor works.

I want to build schools and I have demonstrated that, when resources are available, I can deliver new schools. Since May 2007 the Department has completed 48 major schools' projects representing an investment of around £404million in our schools' estate. A further 8 major capital school projects are currently on site representing a further investment of over £108m.

The Department currently has 7 major works schemes on site representing a capital investment in the schools estate of some £146m. There are a further 2 major capital works being procured (Lagan College, Tor Bank Special School) which have yet to commence on site.

I will continue to press my Executive Colleagues for additional resources for education but until I get these resources schools, such as Woodburn Primary, will not progress as quickly as all involved would wish.

Schools: Maintenance Backlog

Mr T Elliott asked the Minister of Education for her assessment of the impact of the backlog in the school maintenance budget on the schools estate.

(AQO 21/11)

Minister of Education: Go stairiúil, nór cuireadh go leor infheistithe isteach sna scoileanna. Ó cheapadh mar Aire Oideachais mé áfach, tá ocht mórthionscadal caipitil scoile is daichead curtha i gcrích againn, is é sin infheistiú san eastát scoile de thart ar Cheithre Chéad is a Cheathair milliún punt. Chomh maith leis sin, chuir mé Ochtó milliún punt sa bhreis ar fáil le haghaidh cothabhála scoile le trí bliana anuas.

There has been historic failure to invest sufficiently in our schools. However, in the time since I have been Minister for Education, we have completed 48 major capital school projects, representing an investment of around £404 million in our schools' estate. In the last 3 years I have also provided over £80 million for school maintenance.

I am acutely aware of the importance of ensuring that the schools' estate is appropriately maintained to prevent unacceptable deterioration of the buildings and to ensure our young people and teachers have a learning environment that is kept fit for purpose.

I have continually highlighted the need for the investment in our schools estate to be prioritised and protected and that significant investment is needed in our schools' estate to tackle the high levels of maintenance backlog.

In the current year I have allocated an additional £10m for maintenance in 2010/11 and have bid for additional resources under the 2010 funding process.

My record shows that if I am provided with the necessary funding, I will spend it efficiently and effectively.

A Levels

Lord Morrow asked the Minister of Education for her assessment of the number of students achieving A Level grades A* to C compared to the rest of the United Kingdom.

(AQO 22/11)

Minister of Education: Déanaim comhghairdeas le daoine óga an tuaiscirt faoina gcuid gnóthachtálacha sna scrúduithe A-leibhéal.

I congratulate our young people on their successes at A level.

Their results reflect not only the hard work that they have put into their studies over the years, but also the dedication, help and support provided by teachers and parents.

I do not think that assessing us against Wales, Scotland and England is useful, as these countries face similar challenges to us in becoming top performing education systems on an international stage. Countries such as Finland regularly top international comparisons of performance in reading, mathematics and science. Comparing A level results has a particular danger as it leaves out the long tail of underachievement that is a challenging characteristic of our system. Each year more than 9,500 pupils leave our schools after 12 years of compulsory education without achieving the benchmark standard of 5 or more good GCSEs including maths and Gaeilge or English. Addressing this issue will remain a focus for me, and will provide a basis for allowing a wider range of pupils the opportunity to progress to studies at A level, or to move into further training or employment.

Schools: Redundancies

Mr M Storey asked the Minister of Education what assessment she has made of the potential redundancies among teaching and non-teaching staff in the 2010-2015 budget period and whether she will prioritise her budget to avoid such redundancies.

(AQO 23/11)

Minister of Education: Creidim go bhfuil sé ró-luath le bheith ag déanamh tuairimíochta faoi shonraí an choigiltis sula ndéanfar dul chun cinn ar an obair a thionscain an Coiste Feidhmiúcháin ar an lá ar shiúl, agus sula ndéanfar an obair chomhthreomhar ar Chlár nua don Rialtas.

I believe that it is premature to speculate details on savings before work initiated by the Executive on its away day is progressed and parallel work on a new Programme for Government is taken forward.

I am keen that any reductions to education services agreed by the Executive will be applied in a way that protects frontline services as far as possible I recognise that there will be difficult decisions to be made in this Budget process but I am very clear about the critical need to invest in education. The economic argument for this is clear. We must raise standards, invest in skills and employability if we are to flourish economically. These are the arguments I have been making, and which are being accepted, in the Executive Sub Committee on the economy which is taking forward the work of Richard Barnett in his report.

The Executive will be looking at all options to protect public services as much as possible. We need to look seriously at reducing bureaucracy and the number of public bodies. In this context it is difficult to understand why my proposal to set up ESA and abolish nine bodies and make significant savings is being delayed rather than accelerated.

Project Funding

Mr T Gallagher asked the Minister of Education why funding earmarked for specific projects in 2009/10 has not been released to Education and Library Boards.

(AQO 24/11)

Minister of Education: Leithdháileadh an cistiú iomlán a cuireadh i leataobh a bhí oiriúnach don bhliain airgeadais 2009/10 go díreach ar na scoileanna féin nó tríd na Boird Oideachais agus Leabharlann.

All earmarked funding appropriate to the 2009/10 financial year has been allocated either directly to schools or via the Education and Library Boards.

Schools: Building Budget Underspend

Mr B Armstrong asked the Minister of Education to explain the £350 million underspend in the school building budget over recent years at a time when schools in Mid-Ulster are in urgent need of a re-build.

(AQO 25/11)

Minister of Education: Sa dhá bhliain iomlán ina raibh mise mar Aire (2008/09 agus 2009/10) tá 27 scoil nua oscailte ag mo Roinn, is é sin infheistiú de £219.4m punt. Go dtí seo i mbliana, tá 8 scoil nua oscailte ag mo Roinn agus tá 8 scoil eile á dtógáil faoi láthair, is é sin infheistiú breise san eastát scoile de £225.5m.

In the two full years I have been Minister (2008/09 and 2009/10) my Department has opened 27 new schools, representing an investment of £219.4m. So far this year my Department has opened 8 new schools and has 8 more under construction, representing a further investment in the schools' estate of £225.5m.

The member is incorrect in quoting an under-spend figure of £350m across the five year period. This figure is not an under spend but a reflection of the difference between the initial gross budget position for the department and the final out turn figure for the department. The actual under-spend recorded across the period detailed in the Audit Office report is £107m.

School Facilities

Mr D McNarry asked the Minister of Education what progress her Department has made in facilitating out-of-hours use of the school estate by local communities.

(AQO 26/11)

Minister of Education: Is acmhainní tábhachtacha poiblí iad na scoileanna. Tá mé tiomanta úsáid níos leithne áitribh na scoileanna a chur chun tosaigh le freastal ar riachtanais na ndaltaí, a gcuid tuismitheoirí, a gcuid teaghlach agus an phobail áitiúil.

Schools represent a significant public resource and I am committed to promoting the wider use of school premises in order to serve the needs of pupils, their parents, families and the local community.

My Department has sought to increase community access to school facilities and as a first step in taking this forward, I established a Working Group made up of key educational stakeholders was established to produce a report to outline a set of guidance to schools and make recommendations to help inform policy and operations aimed at enhancing the community use of school premises. The working Group presented its report earlier this year. It contains a wide range of recommendations designed to enhance the community use of schools. As some of the recommendations impact on other agencies and departments, my officials have sought their response, and this process is still underway. Guidance to assist schools in enhancing the community use of school premises will follow in due course.

NIAO Report: 'School Design and Delivery'

Mr D Kennedy asked the Minister of Education for her assessment of the recent Northern Ireland Audit Office Report 'School Design and Delivery'.

(AQO 27/11)

Minister of Education: Cuirim fáilte roimh phríomhfhionnachtana na tuairisce seo ón Oifig Iniúchóireachta ar Dhearadh agus Sheachadadh Scoile. Aithníonn an tuairisc go raibh mé ábalta na cistí a leithdháileadh orm le haghaidh móroibreacha caipitil le dhá bhliain anuas a úsáid ina n-iomláine.

I welcome the main findings of this report from the Audit Office on School Design and Delivery. The report recognises my achievement of fully utilising the funds allocated to me for major capital works in the last 2 years.

I am also pleased to note that it acknowledges that previous concerns over design quality have been addressed, with clear evidence of improvements in the overall design quality of recently built and refurbished schools.

This report reinforces what I have previously advised the Assembly that as a result of a history of under-investment, a sizeable proportion of the schools' estate does not meet the current Schools Building Handbook standard and has resulted in a sizeable maintenance backlog, standing at c. £290 million.

My officials are currently considering the recommendations set out in the report.

Schools: Admissions

Mr P Weir asked the Minister of Education what plans she has to review the admissions cap on secondary schools in the North Down area.

(AQO 28/11)

Minister of Education: Athbhreithníonn an Roinn an líon iontrála do gach iar-bhunscoil gach fóimhar.

The Department reviews the admissions number of every post primary school each autumn.

Education Bill

Mr S Gardiner asked the Minister of Education for an update on the progress of the Education Bill.

(AQO 29/11)

Minister of Education: Gheall an Coiste Feidhmiúcháin go mbeadh 1 Eanáir ina dháta bunaithe don Údarás nua um Oideachas agus Scileanna (ESA) a ghlacfaidh feidhmeanna na mBord Oideachais agus Leabharlann ar láimh. Ní dheachaigh an Bille Oideachais ar aghaidh chuig an chéim bhreithnithe, áfach, cionn is nach ndearna an Coiste Feidhmiúcháin cíoradh ar na leasuithe a bhí curtha síos agamsa, ag an Choiste Oideachais ná ag baill aonair. Creidim go n-aithníonn mo chomhghleacaithe ar an Choiste Feidhmiúcháin an gá le dul ar aghaidh go práinneach leis an leasú riachtanach seo sa riarachán oideachais d'fhonn go bhféadfar an tÚdarás nua seo a bhunú ag an dáta is luaithe is féidir. Leanfaidh na Boird Oideachais agus Leabharlann dena bheith ag feidhmiú don idirthréimse roimh bhunú an ESA.

The Executive committed itself to 1 January 2010 as the establishment date for the new Education and Skills Authority (ESA) which is to take over the functions of the Education and Library Boards. However, the Education Bill has not proceeded to Consideration Stage because the Executive has yet considered the amendments that have been tabled by the Education Committee, by individual Members and by myself. I trust that my Executive colleagues recognise the need to proceed urgently on this much-needed reform of education administration so that the new authority can be established at the earliest possible date. The Education and Library Boards will continue to operate for the transitional period until the establishment of ESA.

Department for Employment and Learning

Public Sector Spend on Higher Education

Mr P Ramsey asked the Minister for Employment and Learning to detail (i) the public sector spend on higher education (a) total; and (b) per capita compared to England, Scotland and Wales, in each of the last three years; and (ii) to provide an estimate of the annual spend on higher education if it were to be brought into line with the per capita spend in (a) England; (b) Scotland; and (c) Wales.

(AQW 64/11)

Minister for Employment and Learning (Sir Reg Empey): The table below sets out the public sector spend on tertiary education for the years 2006/07 to 2008/09 in each of the four UK administrations. The figures come from the HM Treasury Public Expenditure Statistical Analyses 2010 published in July this year and figures for 2009/10 are not yet available.

	2006/07 outturn (£m)	2007/08 outturn (£m)	2008/09 outturn (£m)
England	8,112	9,366	9,255
Scotland	1,378	1,454	1,411
Wales	508	537	537
Northern Ireland	332	342	332
Total	10,330	11,699	11,535

Figures are also available for per capita spend in each of the three years and these are shown below.

	2006/07 £/capita	2007/08 £/capita	2008/09 £/capita
England	160	183	180
Scotland	269	283	273
Wales	171	180	180
Northern Ireland	191	194	187

You will see that the highest per capita spend is in Scotland but this is due to the fact that there are no student tuition fees in Scotland and government therefore provides more funding to the universities. However, in the other three administrations where tuition fees are levied, Northern Ireland has the highest per capita spend in each of the three years.

To bring Northern Ireland into line with the spend in Scotland, an additional £154 million would have had to be provided in 2008/09. This assumes, of course, that tuition fees would not be levied in Northern Ireland. Alternatively, to bring Northern Ireland into line with either England or Wales in 2008/09, a reduction in spend of around £12.5 million would have been required.

University Places

Mr J Craig asked the Minister for Employment and Learning how many students from Northern Ireland applied for a university place in Northern Ireland for each of the last five academic year's, broken down by gender and religious background; and, of these, how many were accepted.

(AQW 86/11)

Minister for Employment and Learning: Universities and Colleges Admissions Service (UCAS) is the central organisation that processes applications for full-time undergraduate courses at UK universities and colleges. UCAS do not collect information on religious background.

The table below shows (1) the number of students from Northern Ireland (NI) who applied for at least one full-time undergraduate course at a NI institution through UCAS; and (2) those students from NI accepted to an NI institution - by gender for each of the last five academic years:

		2006/07	2007/08	2008/09	2009/10	2010/11
Applicants	Male	6,166	5,952	5,867	6,442	7,279
	Female	8,724	8,706	8,433	8,569	9,467
	Total	14,890	14,658	14,300	15,011	16,746
Accepted Applicants	Male	3,516	3,605	3,837	4,192	*
	Female	4,533	4,978	5,173	5,104	*
	Total	8,049	8,583	9,010	9,296	*

Source: UCAS

Notes: * Comparative final accepted applicant figures for 2010/11 entry will not be available until January 2011.

Students can currently include up to five choices on their UCAS application and there is no preference order. As a result he or she may receive a rejection for one course from a NI institution but, in parallel, receive an offer for a different course within the region. Students may also receive an offer from a NI institution however accept a place elsewhere.

AS and A-Level Enrolments in Further and Higher Education Colleges

Mr J Craig asked the Minister for Employment and Learning how many students enrolled for AS and A Levels in Further and Higher Education Colleges, in each of the last five years, and the 2010/11 academic year.

(AQW 96/11)

Minister for Employment and Learning: The tables below detail the number of enrolments for AS and A Levels in Northern Ireland Further and Higher Education Colleges in each of the last five years. The latest enrolment data available are for academic year 2008/09.

Academic year	AS Level	A Level	Total
2004/05	7,210	3,763	10,973
2005/06	6,864	3,545	10,409
2006/07	6,291	3,193	9,484
2007/08	5,105	2,969	8,074
2008/09	4,673	2,561	7,234

Source: Further Education Statistical Record

South Eastern Regional College: Financial Assistance

Ms M Ritchie asked the Minister for Employment and Learning what financial assistance he is making available to the South Eastern Regional College for the 2010/11 academic year, following the cancellation of all A Level courses due to funding pressures.

(AQW 162/11)

Minister for Employment and Learning: The recurrent budget allocation for South Eastern Regional College for 2010/11 is £25,125,581, an increase of 3.95% on the previous academic year. The College has indicated that no A Level courses have been cancelled this year due to funding pressures. They advise that several courses at the Downpatrick and Lisburn campuses have been cancelled due

to insufficient demand and that students affected have been offered places on alternative courses or at a different campus.

South Eastern Regional College: Reinstatement of A Levels

Ms M Ritchie asked the Minister for Employment and Learning what steps he intends to take to ensure that A Level courses are reinstated at the South Eastern Regional College; and to make a statement on the matter.

(AQW 197/11)

Minister for Employment and Learning: I refer to a previous Priority Written Assembly Question, AQW 162/11, to which I replied on 14th September.

The South Eastern Regional College advises that some courses at its Downpatrick and Lisburn campuses have been cancelled due to insufficient demand, and not due to funding pressures, and that the students affected have been offered places on alternative courses or on the same course at a different campus.

My Department sets high level Public Service Agreement targets in respect of the FE curriculum to be delivered by the FE sector, and agrees broad targets with individual colleges through the annual college development planning process. Among other things, these targets encourage Colleges to deliver Level 3 provision, which includes A Level courses.

However, it is the responsibility of individual colleges to design a curriculum offer to meet the needs of learners and employers in their areas in a cost effective way that ensures best use of public money.

Open University: Vocational Degrees

Mr G Robinson asked the Minister for Employment and Learning what recognition major employers give to vocational degrees obtained from the Open University.

(AQO 35/11)

Minister for Employment and Learning: Under the terms of the Education (Recognised Bodies) Order (Northern Ireland) 2005, the Open University is granted degree awarding powers by Royal Charter through the Privy Council. This is exactly the same as any other university. As a result degrees from the Open University have exactly the same status as those from other universities.

All higher education providers are required to demonstrate that the qualifications they award are in accordance with the Framework of Higher Education Qualifications in England, Wales and Northern Ireland. The main purpose of the Framework is to provide a point of reference for setting and assessing standards in higher education qualifications.

The Open University has a long and impressive track record in helping to improve the skills of the workforce in Northern Ireland.

The suitability of any degree, including vocational degrees, is a matter for individual employers to determine, relative to their particular needs.

Apprenticeships

Mr J Spratt asked the Minister for Employment and Learning what measures his Department is taking to encourage the uptake and completion of apprenticeships and other similar schemes.

(AQO 36/11)

Minister for Employment and Learning: The number of apprenticeship places available is determined by employers in Northern Ireland. In the current economic climate this is challenging and my Department has taken the following steps to encourage the uptake and completion of apprenticeships:

- the Apprenticeship package on offer to employers is attractive, in that the apprentices' directed training costs are paid by the Department;

- progression through the apprenticeship framework is encouraged by the structure of milestone payments and on completion an employer incentive is also paid;
- all-age apprenticeships and provision for those working reduced contracted hours were introduced in September 2008;
- in November 2008 short term contingency arrangements were introduced to allow apprentices who were made redundant due to the economic downturn in the construction, engineering and motor vehicle sectors to continue with training;
- the Department's 2010 ApprenticeshipsNI advertising campaign has had a strong focus on encouraging employers to recruit apprentices and increasing the awareness amongst young people.

Steps to Work: Core Gateway

Mr P Frew asked the Minister for Employment and Learning for his assessment of the effectiveness of the Core Gateway Scheme under the Steps to Work Programme.

(AQO 37/11)

Minister for Employment and Learning: The Core Gateway course has proved to be an effective way of providing jobsearch assistance to unemployed people taking part in the Steps to Work programme.

A recent survey of Core Gateway participants, undertaken across six Jobs and Benefits office areas, found that 85% of those interviewed stated that Core Gateway was beneficial to them. In particular participants stated that the advice and assistance provided in areas such as completion of application forms, producing a CV and interviewing skills were particularly valuable.

All aspects of the Steps to Work programme, including Core Gateway, are kept under review on an ongoing basis.

Student Support Budget

Mr G Savage asked the Minister for Employment and Learning to outline the pressures facing the student support budget.

(AQO 38/11)

Minister for Employment and Learning: My Department has a forecast pressure of £17.6m on the student support budget in this financial year.

The student support budget mainly covers the means tested maintenance grants and loans for students' living expenses and the non-means tested tuition fee loans to meet tuition fees.

The pressures on the student support budget reflect the current economic circumstances and the effect these have had on family income. We face both increasing demand and increases in the level of support payable. For example over the last two academic years the number of students receiving the range of student support available has increased by almost 12% for grants and 4.4% for loans; and within these annual cohorts of students, more have become eligible for increased means tested maintenance support.

This is not a pressure that I can simply turn off in year. It is demand-led. My Department has to meet all eligible applications for student support.

I have sought support from Executive colleagues in meeting this pressure in June and September Monitoring. I hope for a successful outcome for my latest bid.

University of Ulster: Magee Campus

Ms M Anderson asked the Minister for Employment and Learning whether he intends to bid for extra resources to enable him to relax the maximum number of students cap at the University of Ulster, in light of the Magee Strategic Development Plan currently being considered by his Department.

(AQO 39/11)

Minister for Employment and Learning: Yes, I have submitted a bid as part of the Budget 2010 process for additional funding to support the University's desire to increase full time undergraduate numbers at Magee by 1,000 by 2015.

Careers Officers

Mr B McCrea asked the Minister for Employment and Learning for his assessment of the work of his Department's careers officers in dealing with students who recently received their GCSE and A Level results.

(AQO 40/11)

Minister for Employment and Learning: I am pleased to confirm that initial feedback has been positive.

While data pertaining to the results period is still being collated, preliminary findings indicate the following levels of activity during the two-week period covering the exam results:

- Over 300 Careers Guidance Interviews with students in Years 12 and 14; and
- 3321 hits on the Careers Service website;

My Department also conducted a focused media campaign, aimed at encouraging students to think carefully about their future careers options, and to advise that there is support available from the Careers Service to help decide on the best way forward. This year's media campaign has been the most successful to date, with 116 printed media articles and 41 broadcast media interviews taking place during the results period.

However, while the post-results period is a critical decision point for many, the Careers Advisers are working with young people in school from year 10 onwards preparing them for the many challenges and opportunities that lie ahead. As a result of this ongoing work, for many others, there is a seamless transition to the next stage in their career development.

Careers Advisers continue to provide professional, impartial, and free careers information, advice and guidance to people of all ages, tailored to meet the needs of the individual.

Further and Higher Education: Funding

Mr A Ross asked the Minister for Employment and Learning what consultation he has had with the new UK Government on the future funding of Further and Higher Education.

(AQO 41/11)

Minister for Employment and Learning: Since the change of government senior officials within my Department have met and engaged in significant dialogue with colleagues in the other UK regions and with the Department for Business, Innovation and Skills. These communications dealt with a range of issues, specifically related to Further and Higher Education including funding, and explored the new policy directions of the Coalition.

Higher Education: STEM Subjects

Ms A Lo asked the Minister for Employment and Learning if his Department will protect STEM subjects in the Higher Education sector, following the decision of the Higher Education Funding Council for England to ring-fence £20m to support the national Higher Education STEM Programme from August 2009 to July 2012.

(AQO 42/11)

Minister for Employment and Learning: Yes, it is widely acknowledged that STEM subjects are vital to innovation and the Executive's current top priority is to grow a dynamic and innovative economy.

The funding ring-fenced represents around one fifth of one per cent of HEFCE's budget for the 2009-10 financial year. I can assure you that my Department spends more than that on STEM.

Officials are working closely with several other Northern Ireland Departments and have helped to produce the draft Government STEM Strategy which was published for public consultation last month. The draft Strategy outlines how Government will take forward the recommendations contained in the 'Report of the STEM Review' published in September 2009.

Within the United Kingdom, Northern Ireland is at the forefront in having the highest percentage (48%) of its higher education students enrolled on STEM related subjects. The comparative figures for England, Scotland and Wales are 40%, 47% and 38% respectively. In the current CSR period (2008–11) my Department has funded an additional 300 PhD students and twelve cross-border research projects. These are all in areas of economic relevance and many are STEM related.

My Department is currently engaged in work to develop a Higher Education Strategy and the potential to further protect STEM areas will be considered.

Higher Education: Independent Review of Funding

Mr D Kennedy asked the Minister for Employment and Learning how he will ensure that Northern Ireland contributes to the national debate on Higher Education as part of the Independent Review of Higher Education Funding and Student Finance.

(AQO 43/11)

Minister for Employment and Learning: The independent review of higher education funding and student finance in England under the chairmanship of Lord Browne has coincided with the independent review in Northern Ireland of tuition fees and future student finance arrangements, chaired by Joanne Stuart.

Officials in the Department are in regular contact with their counterparts in Lord Browne's team and Joanne Stuart has met with Lord Browne over the summer.

I am currently considering the final report from Joanne Stuart in advance of a public consultation which is planned for later this year. This consultation will need to take account of the findings of the Browne review, which is due to report to Government in the autumn.

One of my concerns will be to protect, as far as possible, Northern Ireland's position as having the highest participation rate, of all the regions, in higher education for those from socially disadvantaged backgrounds.

Essential Skills Course

Mr F Cobain asked the Minister for Employment and Learning what percentage of people who enrolled in Essential Skills courses over the last four years were aged 16-19.

(AQO 44/11)

Minister for Employment and Learning: The percentage of people who enrolled in Essential Skills courses over the last four years who were aged 16-19 is as follows:

Academic Year	Number of Enrolments	No. of 16-19 year olds enrolled	Percentage aged 16-19
2006/07	20,809	14,566	70%
2007/08	26,706	19,228	72%
2008/09	36,027	23,057	64%
2009/10*	41,005	26,243	64%

Source: Essential Skills Enrolment Return.

* Figures for 2009/10 do not represent a full academic year as data are correct as at 11th February 2010. Therefore figures are provisional and subject to change.

Department of Enterprise, Trade and Investment

Renewable Energy: Feed-in Tariff

Mr S Hamilton asked the Minister of Enterprise, Trade and Investment what plans she has to introduce a feed-in tariff for renewable energy, including the likely timescale.

(AQW 72/11)

Minister of Enterprise, Trade and Investment (Mrs A Foster): I have undertaken to consider the introduction of a small-scale Feed In Tariff (FIT) as introduced in the rest of the United Kingdom. There are a number of considerations I must take account of, not least the impact of subsidies on electricity bills and the ability of any particular incentive mechanism to deliver Northern Ireland's overall target of 40% electricity from renewable generation by 2020. I must also take account of the coalition Government's manifesto proposals to extend the Great Britain FIT to generating stations above 5MW capacity as this will have significant implications for the Northern Ireland Renewables Obligation. I will make an announcement in due course once I have all the information but this is not likely to be before the end of this year.

Ryanair Discussions

Mr P Weir asked the Minister of Enterprise, Trade and Investment to detail any contact or discussions that Ryanair had with her Department, prior to its withdrawal from the George Best Belfast City Airport.

(AQW 223/11)

Minister of Enterprise, Trade and Investment: My Department had no contact or discussions with Ryanair prior to the announcement of its intention to withdraw services from George Best Belfast City Airport at the end of October 2010.

However, I met Michael Cawley, Deputy CEO and Chief Operating Officer of Ryanair, on 3 September 2010 to discuss the announcement.

Ryanair: Vacated Routes

Mr P Weir asked the Minister of Enterprise, Trade and Investment which routes vacated by Ryanair from the George Best Belfast City Airport (i) have been taken over by another carrier; or (ii) remain to be filled.

(AQW 224/11)

Minister of Enterprise, Trade and Investment: Essentially this is a commercial matter between the airport and its airlines. However, it has been announced in the media that 3 of the 5 routes that will be vacated by Ryanair on 31 October 2010 will be taken over by Flybe – the Bristol, East Midlands and Liverpool routes.

At the present time, the London Stansted and Prestwick routes have yet to be filled.

PricewaterhouseCoopers Report 'Making the Most of Devolution'

Mr F Cobain asked the Minister of Enterprise, Trade and Investment for her assessment of the PricewaterhouseCoopers report 'Making the Most of Devolution'.

(AQW 362/11)

Minister of Enterprise, Trade and Investment: The PricewaterhouseCoopers report, "Making the most of Devolution" makes a valuable contribution to the debate on whether there should be a reduction in Corporation Tax for Northern Ireland.

Whilst it highlights the opportunities arising from the openness of the Coalition Government to consider a change in the current regime, there is also recognition of the potential risks involved.

This highlights the importance of the Executive taking all the options into account before making a decision on how best to grow the private sector in Northern Ireland.

Job Creation Strategy

Mr M McLaughlin asked the Minister of Enterprise, Trade and Investment whether she intends to bring to the Assembly a revised Job Creation Strategy, as an essential platform for sustainable economic recovery. (AQW 363/11)

Minister of Enterprise, Trade and Investment: One of the Executive's primary priorities in the short-term is to support local business in responding to the impact of the recession, and in particular the reduction in employment due to the downturn.

To this end, the Executive has implemented a series of measures to support jobs in the economy during this period. However, it is also important that jobs created in the economy are sustainable.

It is for this reason that the economic strategy, currently under development, will include measures to support rebuilding and rebalancing the economy in the short, medium and longer-term. This will include measures to support employment.

Tourism: Welcome to Excellence

Mr A McQuillan asked the Minister of Enterprise, Trade and Investment how many organisations in the Coleraine and Limavady Borough Council areas have registered for a course on the 'Welcome to Excellence Northern Ireland' programme. (AQO 51/11)

Minister of Enterprise, Trade and Investment: The Northern Ireland Tourist Board provides customer service training through its Welcome to Excellence suite of Training Programmes. These Programmes were developed to assist individuals and organisations in the tourism, leisure and hospitality industry to provide first class standards of service on a consistent basis to both visitors and local residents.

To date, 1 organisation in the Coleraine Borough Council area has registered a total of 49 participants and 2 organisations in the Limavady Borough Council area have registered a total of 38 participants for a course on the 'Welcome to Excellence Northern Ireland' Programme since its redevelopment in 2008.

Small Business Funding

Mr C McDevitt asked the Minister of Enterprise, Trade and Investment whether her Department has any plans to cut investment in the various small business funds managed by DETI and Invest NI, in the near future or in the next Comprehensive Spending Review period. (AQO 53/11)

Minister of Enterprise, Trade and Investment: Details of savings will be produced in the DETI Savings Delivery Plan which will be published at the same time as the Draft Budget 2010. It is, however, too early to say what the potential impact of any cuts would be on my department's programmes. DETI is of course working closely with DFP in the Budget process so that the Executive can make informed decisions, and I have provided a high level prioritised list of savings and bids. Work is currently ongoing to identify the detail of potential savings and the impact of these savings. Savings of an individual department should not be considered in isolation but should be considered in the context of an Executive agreed strategic approach to the Northern Ireland Block. Savings will, undoubtedly, be painful but it is important to keep focus on the economy as a top priority.

Economic Policy: Independent Review

Mr A Maginness asked the Minister of Enterprise, Trade and Investment to outline progress on the implementation of the recommendations of the Independent Review of Economic Policy. (AQO 54/11)

Minister of Enterprise, Trade and Investment: With your permission, Mr Speaker, I will answer questions 10 and 15 together.

Following my statement to the Assembly on the 25th January 2010, where I set out details of my response to the Independent Review of Economic Policy, the recommendations in the final report have been progressed by my Department working in conjunction with other Executive Departments.

To date many of the substantive recommendations have been fully implemented. These include:

- The establishment of an Executive Sub-Committee on the Economy;
- The creation of an independent Economic Advisory Group, made up of economists and business leaders; and
- The introduction of measures to make Invest NI more business focused and to reduce bureaucracy.

Work continues to implement the outstanding recommendations and it is my intention to make a full statement to the Assembly on this matter by the end of 2010.

XEMC Ltd

Mr A Maskey asked the Minister of Enterprise, Trade and Investment to outline any discussions her Department had with representatives of the Chinese company XEMC Ltd during their recent visit.
(AQO 55/11)

Minister of Enterprise, Trade and Investment: Invest NI met with representatives of the Chinese wind turbine company XEMC Ltd on Tuesday 24th August 2010. This was a privately organised visit as Northern Ireland is one of a number of global locations being considered for a proposed manufacturing plant. It is premature to make any further comment. However, Invest NI will continue to work with the Company and its representatives to try and secure the project for Northern Ireland.

Presbyterian Mutual Society

Mr D Kennedy asked the Minister of Enterprise, Trade and Investment to outline any discussions she has had with her Executive colleagues and Westminster counterparts concerning the plight of Presbyterian Mutual Society savers.[R]
(AQO 56/11)

Minister of Enterprise, Trade and Investment: The First Minister, deputy First Minister and Finance Minister attended a meeting of the reconvened Ministerial Working Group on 21 July 2010 to consider the options for a speedy resolution to the PMS problem. I subsequently pursued the matter during the course of separate meetings with the Secretary of State, Owen Paterson and David Gauke, Exchequer Secretary to the Treasury.

More recently, on 8 September 2010, I attended a second meeting of the Ministerial Working Group, along with the First Minister Peter Robinson, and deputy First Minister Martin McGuinness, to review the ongoing work of officials.

This was a useful meeting where progress was made, and the Government committed to work towards a mid October 2010 deadline in line with the Government's Spending Review announcement.

We agreed that officials should continue to work through technical details before the next meeting of the Ministerial Working Group when I am hopeful it will be possible to have a report to the Prime Minister agreed.

I assure you that I will continue to do all that I can to achieve a fair and just outcome for all PMS members.

Ryanair: Economic Impact of Withdrawal

Mr L Cree asked the Minister of Enterprise, Trade and Investment what assessment she has made of the economic impact of Ryanair's decision to cease operations at George Best Belfast City Airport, including the impact on tourism.
(AQO 57/11)

Minister of Enterprise, Trade and Investment: Any loss of capacity on the air routes operated by Ryanair and the consequent job losses are to be regretted.

The announcement by Flybe on Monday 6th September 2010 that it will be operating 3 new services to Bristol, East Midlands and Liverpool is to be welcomed.

I also understand that Bmibaby will increase the frequency of its services to East Midlands, adding five extra flights a week. Only Stansted and Prestwick of Ryanair's current destinations from Belfast City are left without replacement flights at this stage.

These positive announcements, together with the fact that we have not lost any geographic spread of access and the reassurance that discussions are continuing with a number of other carriers to fill the gaps left by Ryanair, give me reason to be hopeful that the impact will be minimal.

Wind Turbine Companies

Mr D O'Loan asked the Minister of Enterprise, Trade and Investment whether she is aware of the concerns of small-scale wind turbine companies about a perceived disparity between the subsidies afforded to entrants to the market before and after April 2010.

(AQO 58/11)

Minister of Enterprise, Trade and Investment: I am aware of the concerns. The current consultation on changes to the Northern Ireland Renewables Obligation for 2011 proposes that existing generators who add additional capacity would receive enhanced levels of support, where applicable, for this new capacity. However, to raise the support level for existing generators would give no additional value in terms of renewable capacity, bearing in mind that they made investment decisions based on the level of support available at that time.

Economic Policy: Independent Review

Mr D McClarty asked the Minister of Enterprise, Trade and Investment for an update on the implementation of the recommendations of the Independent Review of Economic Policy.

(AQO 59/11)

Minister of Enterprise, Trade and Investment: With your permission, Mr Speaker, I will answer questions 10 and 15 together.

Following my statement to the Assembly on the 25th January 2010, where I set out details of my response to the Independent Review of Economic Policy, the recommendations in the final report have been progressed by my Department working in conjunction with other Executive Departments.

To date many of the substantive recommendations have been fully implemented. These include:

- The establishment of an Executive Sub-Committee on the Economy;
- The creation of an independent Economic Advisory Group, made up of economists and business leaders; and
- The introduction of measures to make Invest NI more business focused and to reduce bureaucracy.

Work continues to implement the outstanding recommendations and it is my intention to make a full statement to the Assembly on this matter by the end of 2010.

Department of the Environment

Bonfire Sites

Mr T Burns asked the Minister of the Environment to detail the total costs incurred by each local council for cleaning and repairing bonfire sites during the summer of 2010.

(AQW 33/11)

Minister of the Environment (Mr E Poots): The total expenditure incurred by each district council in cleaning up and repairing bonfire sites in the summer of 2010 is set out in the table below.

COUNCIL EXPENDITURE ON BONFIRES – SUMMER 2010

Council	£
Antrim	3,741
Ards	4,500
Armagh	5,970
Ballymena	11,408
Ballymoney	8,952
Banbridge	900
Belfast	53,704
Carrickfergus	1,086
Castlereagh	15,904
Coleraine	400
Cookstown	1,500
Craigavon	21,264
Derry	2,555
Down	2,112
Dungannon & South Tyrone	100
Fermanagh	0
Larne	9,201
Limavady	805
Lisburn	5,392
Magherafelt	2,160
Moyle	1,451
Newry & Mourne	0
Newtownabbey	2,670
North Down	1,200
Omagh	1,358
Strabane	0
Total	158,333

Northern Ireland Environment Agency Investigations

Mr C Lyttle asked the Minister of the Environment how many investigations the Northern Ireland Environment Agency has undertaken against Departments since it was established.

(AQW 55/11)

Minister of the Environment: On 1 July 2008 the then Environment Minister, Sammy Wilson, launched the Northern Ireland Environment Agency (NIEA), which replaced the Environment and Heritage Service.

Since then, NIEA has undertaken a total of 23 investigations against Northern Ireland Departments.

Under the terms of the Water (Northern Ireland) Order 1999, 17 investigations were undertaken where Northern Ireland Departments were identified as the suspected polluter.

In addition, 6 investigations were undertaken into possible breaches of the Environment (Northern Ireland) Order 2002 (the Order) by Northern Ireland Departments.

Reform of Local Government: Planning Service Spending

Mr P McGlone asked the Minister of the Environment how much has been spent to date by Planning Service in relation to the Reform of Local Government.

(AQW 85/11)

Minister of the Environment: Prior to the return of devolved Government and the review of the local government decisions in relation to Review of Public Administration (RPA), the Planning Service had an RPA project team which incurred expenditure of £364,633 in 2006/07 and 2007/08 in preparing for the proposed transfer to 7 councils, which was anticipated to take place in 2009. Other staff, such as those engaged in policy and legislation, were also involved in contributing to the preparations but it is not possible to separately identify the financial costs.

In late 2007 (while the RPA decision were still under review), Planning Service began to take forward a major planning reform programme and the RPA project team was diverted to that programme of work. When the Executive decisions in relation to local Government reorganisation were subsequently announced in early 2008, Planning Service ensured that the proposed planning reforms were designed to take account of the structural changes anticipated under the reform of local Government. Since then, Planning Service has managed reform and RPA as a single integrated programme and no specific resources were allocated by Planning Service to activity in relation to the reform of local Government.

Ballyutoag Road Incinerator: Site Decontamination

Mr D Kinahan asked the Minister of the Environment to detail the decontamination required for the Ballyutoag Road incinerator site.

(AQW 97/11)

Minister of the Environment: I cannot be specific as to the level and type of decontamination, or clean up, required at this site. The site is currently the subject of investigations by both the Northern Ireland Environment Agency (NIEA) and Planning Service, for alleged breaches of environmental and planning legislation.

The NIEA Environmental Crime Unit is conducting a criminal investigation into the alleged presence of controlled waste at this site. As the investigation is ongoing, I am unable to provide further details which could compromise the integrity of the investigation or the rights of those under investigation.

Planning Service served an Enforcement Notice (Ref: EN/2010/0507) on 8/7/10 in relation to the unauthorised use of land for the deposit of controlled waste at Ballyutoag, specifying, inter alia, that all the controlled waste, including buried waste and waste used to create bund, should be removed from the site within 60 days of the notice taking effect (12/8/10).

The Enforcement Notice has been appealed, to the Planning Appeals Commission, within the specified period, so no further action can be taken in terms of the specified remedial action until this appeal has been heard and determined. The PAC has not yet set a date for hearing this appeal.

Ballyutoag Road Incinerator: Rejection of Planning Application

Mr D Kinahan asked the Minister of the Environment why the planning application for the Ballyutoag Road incinerator was rejected.

(AQW 99/11)

Minister of the Environment: A planning application by Irish Recycling Services for an EfW power plant was submitted to Planning Service on 2 June 2009. The application was accompanied by an Environmental Statement (ES). The application was designated as one of major importance under Article 31 of the Planning (Northern Ireland) Order 1991 on 21 September 2009.

Following a rigorous examination of the proposal, and taking account of the expert advice provided by consultees and all material planning matters, my officials determined that a facility of this nature is not compliant with a number of planning policies relevant to a proposal of this nature at the proposed location. It has been determined that the proposal is not acceptable on a number of grounds including visual and landscape impact, impact on the character of the area, access issues, impact on aircraft safety, location in a rural area and a failure to demonstrate that the proposed facility is the Best Practicable Environmental Option (BPEO).

A Notice of Opinion (NOP) to refuse the application was issued on 22 July 2010. The applicants' agent has now advised Planning Service that they do not accept the NOP to refuse and they have requested a hearing before the Planning Appeals Commission (PAC). The PAC has been notified of this request and a date has yet to be set for the hearing. Following a hearing the Department will consider the report and recommendation of the PAC and make a final decision on the application.

Rose Energy Incinerator at Glenavy

Mr D Kinahan asked the Minister of the Environment to detail the technological difficulties involved in Rose Energy's plans for a chicken waste incinerator at Glenavy, particularly in relation to Radox laboratories.

(AQW 100/11)

Minister of the Environment: The two Rose Energy planning applications for a Biomass Fuelled Power Plant and a Water Abstraction Facility have been fully assessed having regard to the Development Plan for the area and all other material considerations including the views of third parties and the expert advice provided by consultees.

There have been 6782 letters of objection and 6348 letters of support received in respect of the Power Plant application and 49 letters of objection received in respect of the Water Abstraction Facility.

Radox Laboratories Ltd. has submitted a number of detailed objections in respect of the proposal and the potential technological difficulties posed including emissions and the impact on all aspects to the Radox business. Expert advice has been sought from consultees on the content of the objections, including advice from NIEA Industrial Pollution and Radiochemical Inspectorate (IPRI), DARD and the Agri-Food Bioscience Institute (AFBI).

The expert advice provided by NIEA IPRI is that the Industrial Pollution Prevention Control permitting process will take into consideration emission limit values and air quality/environmental standards to ensure no significant environmental impact arises from the operation.

Following advice from my planning officials, I am satisfied that the objection issues raised by third parties, including Radox Laboratories Ltd., have either been satisfactorily addressed by the applicant or can be controlled either under the IPPC permitting regime or by the imposition of planning conditions.

Ryanair Correspondence

Mr G Savage asked the Minister of the Environment to detail all correspondence between Ryanair and his Department in the last 18 months.

(AQW 110/11)

Minister of the Environment: There has been no correspondence between Ryanair and my Department in the last 18 months.

George Best Belfast City Airport: Consultation with Residents

Ms A Lo asked the Minister of the Environment what consultation has been undertaken with residents and residents groups, in the areas affected by the noise from the George Best Belfast City Airport, in relation to his proposal to remove the seats for sale cap, given that no consultation was listed on his Department's website or posted in any newspaper.

(AQW 184/11)

Minister of the Environment: Under Article 40A(2) of the Planning (NI) Order 1991 where it is proposed to modify a planning agreement my Department is required to consult with the District Council for the area in which the land, which is the subject of the agreement, is situated. However, given the high level of public interest in the airports operational activities and in the interests of openness and transparency I took the decision to follow the same consultative process as undertaken with the 2008 modified Planning Agreement. In this context, Belfast City Council, North Down Borough Council and the Airport Forum, which consists of representatives of local residents, were consulted.

All representations received in relation to the seats for sale restriction will be taken into consideration prior to a decision being reached.

George Best Belfast City Airport: Seats for Sale Restriction

Mr A Maskey asked the Minister of the Environment, in light of the recent admission by the Planning Service that it failed to enforce regulations in relation to the two million seats for sale limit at the George Best Belfast City Airport (i) who approved the decision not to enforce departmental policy; and (ii) what action he has taken to address this issue.

(AQW 293/11)

Minister of the Environment: I agreed that my Department should not initiate legal action regarding the breach of the seats for sale restriction at George Best Belfast City Airport pending the outcome of the request to remove the restriction. This is not an unusual approach for my Department to take where a matter remains under active consideration.

Department of Finance and Personnel

Review of Centres of Procurement Expertise Status and Policy Implementation

Mr P McGlone asked the Minister of Finance and Personnel to detail the (i) tender price; and (ii) actual cost of the contract for the report 'Review of Centres of Procurement Expertise Status and Policy Implementation' by PWC in September 2009.

(AQW 35/11)

Minister of Finance and Personnel (Mr S Wilson): The tender price which was evaluated in respect of the Review of Centres of Procurement Expertise Status and Policy Implementation was £30,000 (excl. VAT) The actual cost of the contract for the Report was £30,000 (excl. VAT).

Conflict of Interest for Firms Tendering

Mr P McGlone asked the Minister of Finance and Personnel what instructions are given by the Central Procurement Directorate to Government Departments and bodies on conflict of interest for firms tendering; and what measures are in place to ensure compliance.

(AQW 37/11)

Minister of Finance and Personnel: Procurement law places an obligation on Government Departments when acting as contracting authorities to comply with the European legal principles of transparency,

non-discrimination and equality. Where a conflict of interest causes a bidder to have an unfair advantage, the contracting authority will be under a duty to take action to ensure compliance with the above principles. Any such perceived or actual conflict of interest may not necessarily result in the bidder being excluded from further participation in the process; this will depend on how serious the conflict is, whether it can be removed, and on the contracting authority's duty to comply with European law.

For supplies and services' procurements, all bidders are required to complete a conflict of interest statement which identifies any real or perceived conflicts of interest, in relation to the personnel or type of work involved in the contract. The conditions of contract then set out the duties owed by the contractor to the client in relation to a conflict of interest arising during the life of the contract. This includes the right of the client to terminate the contract.

For construction related procurements, details of firms, typically architects, engineers and surveyors, already appointed to advise the client are published in the prequalification document. Bidders are advised that none of the listed firms may form part of their team. The construction prequalification process also requires bidders to demonstrate, and to seek the contracting authority's approval in advance of the closing date, that no conflict of interest would arise should they, or another part of their business holding, propose to participate as part of another bidder's supply chain.

Procurement Guidance Note 02/09 provides guidance to Departments on the evaluation of tenders. It includes information on the roles and responsibilities of the Chairperson of the evaluation panel and other panel members in relation to conflict of interest. In line with this guidance, evaluation panel members complete conflict of interest declarations.

In all cases the Chairperson of the evaluation panel, supported by advice from a Centre of Procurement Expertise (CoPE), will ultimately decide on the appropriate course of action. If deemed necessary, legal advice may also be sought.

Department of Health, Social Services and Public Safety

Regional Review of Urology Services

Mr T Gallagher asked the Minister of Health, Social Services and Public Safety to detail the number of recommendations set out in The Regional Review of Urology Services announced in March 2010; and how many of these recommendations have been implemented by each Health and Social Care Trust since then.

(AQW 133/11)

Minister of Health, Social Services and Public Safety (Mr M McGimpsey): The Review of Adult Urology Services in Northern Ireland contained 26 recommendations, of which four have been fully implemented and a further 12 are well progressed towards implementation.

The timescale of full implementation is being guided by the Health and Social Care Board, and is subject to the approval of implementation plans by commissioners to fully deliver all of the recommendations. Trusts have submitted a draft implementation plan, which sets out the service model, key performance indicators and modernisation plans and the financial implications of delivering these important recommendations.

Regional Women's and Children's Hospital

Mr G Adams asked the Minister of Health, Social Services and Public Safety, given that departmental policy was to build a Regional Women's and Children's Hospital and that last week's Ministerial announcement effectively overturns this policy, why he made such a fundamental policy shift without consultation.

(AQW 254/11)

Minister of Health, Social Services and Public Safety: My announcement last week does not constitute a change of policy regarding regional services for women's and children's care. It is my intention to bring forward the women's hospital first and to follow with the children's hospital as soon as it is financially viable. The announcement I made last week indicates how I propose to bring forward the women's hospital.

The original announcement in June 2003 that the RGH was selected as the site of the new centralised maternity hospital for Belfast, with links to the Royal Belfast Hospital for Sick Children (RBHSC) and the Royal Victoria Hospital (RVH) was made following extensive public consultation.

Department of Justice

Phone Calls for Foreign National Prisoners

Lord Morrow asked the Minister of Justice, in relation to the free weekly phone calls for foreign national prisoners to their homeland, which can last up to fifteen minutes, to detail (i) the countries involved; and (ii) the cost of the scheme since its introduction.

(AQW 21/11)

Minister of Justice (Mr D Ford): To reduce the difficulties caused by separation from distant families, in December 2007 NIPS introduced a free 10 minute phone call each week for those foreign national prisoners who have no visits and who do not have the means to call family overseas on a regular basis.

The cost of the calls since December 2007 is:

Maghaberry: £8502.70

Magilligan: £2418.67

Hydebank: £6131.83

It would only be possible to clarify the countries at disproportionate cost.

Public Disorder and Street Drinking during the 11 and 12 July Period

Mr T Burns asked the Minister of Justice, for each of the last five years, to detail (i) the number of recorded offences relating to (a) public disorder; and (b) street drinking during the 11 and 12 July period; (ii) for a breakdown of the specific types of offences; (iii) the number of cases which resulted in a conviction; (iv) the total of any fines which were imposed; and (v) for a summary of any other sanctions which were imposed.

(AQW 43/11)

Minister of Justice: Table 1 gives the number of recorded offences relating to public disorder that were reported on the 11 and 12 July in each of the years 2006 to 2010. Table 2 gives the number convicted in 2002 to 2006 (the latest year for which figures are currently available) for offences which were committed on 11 or 12 July.

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.

Information on street drinking is a matter for District Councils.

TABLE 1: PUBLIC ORDER OFFENCES¹, CRIMINAL DAMAGE AND ASSAULT ON POLICE – RECORDED OFFENCES REPORTED ON 11 AND 12 JULY 2006-2010

	2006	2007	2008	2009	2010
Public order offences	52	54	85	71	102

- 1 Includes offences 'disorderly behaviour', 'riot', 'riotous behaviour', 'possessing offensive weapon in a public place' and 'possessing article with blade or point in a public place'. Excludes firearms offences and offences relating to causing a bomb hoax.
- 2 It cannot be determined if the offences related to public disorder or if they occurred under other circumstances.

Source: PSNI

TABLE 2: PUBLIC ORDER OFFENCES¹, – DISPOSALS GIVEN TO THOSE CONVICTED AND THE TOTAL SUM OF ANY FINES IMPOSED (£) IN 2002-2006 FOR OFFENCES COMMITTED DURING 11 AND 12 JULY PERIOD²

	2002	2003	2004	2005	2006
Public order offences					
Immediate custody	0	0	1	3	2
Suspended custody	2	12	3	8	7
Supervision in the community	5	4	5	2	5
Fine	10	6	10	15	12
Total sum of fines imposed (£)	1315	860	1900	3220	2250
Conditional discharge	1	1	2	2	3
Other	1	2	2	1	5
Total	19	25	23	31	34

- 1 Includes offences 'disorderly behaviour', 'riot', 'riotous behaviour' and 'possessing offensive weapon in a public place'.
- 2 The table refers to the number convicted in the given year but may have been for an offence committed on the 11 or 12 July of a previous year and not necessarily in the year stated.

Source: Department of Justice

Civil Service Equal Pay: PSNI Secondments

Dr S Farry asked the Minister of Justice what action he is taking to ensure that individuals who were seconded to the PSNI, but were subject to Civil Service pay and conditions, will be covered by the Equal Pay settlement.

(AQW 65/11)

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 assimilation of 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.

In line with my Department's approval role under the corporate governance arrangements for the PSNI, my officials are currently considering a business case on equal pay for police staff prepared by the PSNI. The business case will also require DFP approval to proceed.

Sexual Offences Prevention Orders

Lord Morrow asked the Minister of Justice how many people are the subject of a Sexual Offences Prevention Order, including Interim Orders, in each policing district.

(AQW 95/11)

Minister of Justice: The recording of the number of people who are the subject of a Sexual Offences Prevention Order 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.

The information requested is available by contacting the PSNI directly.

Sexual Offences Prevention Order and Supervision and Treatment Order

Mr J O'Dowd asked the Minister of Justice, under the Sexual Offences Prevention Order and the Supervision and Treatment Order, which contains a residency clause requiring a supervising officer to approve an address of an individual, whether a supervising officer can remove approval for an address which was previously approved under the same order.

(AQW 195/11)

Minister of Justice: A Sexual Offences Prevention Order is a civil order for the purposes of protecting the public from serious sexual harm. It may contain a prohibition on an individual residing at an address which has not been approved by the lead agency with risk management responsibility for the case. The police are responsible for enforcement of the prohibitions contained in the order. The police will apply to the court for such a prohibition to be made and will supply supporting evidence. The court will consider whether such a prohibition is necessary and proportionate in the circumstances, taking into account the level of risk posed by the individual. The court will also consider whether other disposals are being made in the case which would render such a provision unnecessary.

If such a prohibition is included, it is possible for the lead agency later to remove approval for an address. This would normally occur where there has been a change in circumstances which is relevant to the management of the risk posed by the individual living in the community. In that case, they could not specify where the individual must live, but could withhold approval for any addresses put forward which are deemed unsuitable.

Subject to appropriate medical and other relevant evidence, the court may make a Supervision and Treatment Order under the Mental Health (NI) Order 1986. Depending on whether the supervising officer is to be a social worker or a probation officer, a supervision and treatment order must specify either the Health Trust area or petty sessions district in which the supervised person resides or will reside. In addition, the court may include within a Supervision and Treatment Order a requirement relating to approval of residency.

Before including a residence requirement, the court must consider the home surroundings of the supervised person. This would normally provide an opportunity for relevant professionals, for example, a social worker or a probation officer, to provide an assessment of the current suitability of the home surroundings.

The Mental Health Order does not preclude the supervising officer from later removing approval for the supervised person's address. Indeed, it only stipulates referral to a court for an amendment to the supervision and treatment order in relation to the place of residence in the event that the supervised person proposes to change, or has changed, his residence to another Health Trust area or petty sessions district. However, as for a Sexual Offences Prevention Order, removing approval for an address would normally occur where there has been a change in circumstances which is relevant to the management of risk and/or the availability or delivery of treatment.

PSNI Applicants: Demographic Breakdown

Mr T Burns asked the Minister of Justice to provide a demographic breakdown of all applicants to the PSNI in each year since the implementation of the Patten reforms, broken down by (i) religion; (ii) age group; (iii) gender; and (iv) nationality.

(AQW 243/11)

Minister of Justice: The demographic breakdown 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.

The information requested is available by contacting the PSNI directly.

Department for Regional Development

Footpath and Road Resurfacing Schemes in North Down

Mr A Easton asked the Minister for Regional Development to detail the (i) footpath schemes; and (ii) road resurfacing schemes which will proceed in the North Down area for the 2010/11 financial year.

(AQW 14/11)

Minister for Regional Development (Mr C Murphy): I would remind the Member that information on the completed and proposed roads schemes for the current financial year can be found in Roads Service's Spring and Autumn Reports to Councils. These reports can be accessed from my Department's internet site at the following web address:

<http://applications.drdni.gov.uk/publications/document.asp?docid=18443>

NI Water

Mr G Savage asked the Minister for Regional Development (i) if he can confirm whether information was deliberately withheld from the Consumer Council in relation to the awarding of contracts within NI Water; (ii) whether this constitutes a breach of the partnership agreement between his Department, the Consumer Council and NI Water; and (iii) who within his Department was responsible for deciding to deliberately withhold this information.

(AQW 18/11)

Minister for Regional Development: I am not aware of information which the Consumer Council is entitled to receive in relation to the awarding of contracts within Northern Ireland Water (NIW), being deliberately withheld from it. I am therefore not aware of such information being deliberately withheld contrary to the spirit of the voluntary Partnership Agreement between the various stakeholders. The powers of the Consumer Council on the provision of information in relation to water and sewerage services are set out in the Water and Sewerage Services (NI) order 2006.

I have asked my officials to deal with any specific concerns that the Consumer Council may wish to raise with the Department in this context.

Comber Greenway

Dr S Farry asked the Minister for Regional Development what consideration he has given to extending the Comber Greenway to Donaghadee using the route of the former railway line.

(AQW 31/11)

Minister for Regional Development: It is an important Roads Service objective to increase and promote walking and cycling facilities in the North. However, I can advise that, due to the lack of suitable stretches of the former railway line from Comber to Donaghadee that have not been built upon, and the downward pressure on funding, this proposal would attract a low priority when compared to other worthwhile transportation schemes.

Bonfire Sites

Mr T Burns asked the Minister for Regional Development to detail the total costs incurred by his Department for cleaning and repairing bonfire sites during the summer of 2010.

(AQW 32/11)

Minister for Regional Development: My Department's Roads Service has advised that it does not monitor expenditure specifically related to the costs of cleaning and repairing bonfire sites. However, during the summer of 2010, it is estimated that around £31,000 has been spent on attending / repairing bonfire sites.

External Consultants

Mr P McGlone asked the Minister for Regional Development, for each of the last five years (i) how much (a) his Department; (b) NI Water; and (c) Roads Service spent on external consultants; and (ii) how much was paid to (a) PricewaterhouseCoopers; (b) Deloitte; and (c) Ernst & Young.

(AQW 36/11)

Minister for Regional Development: The Department's expenditure on external consultants as defined in the Department of Finance and Personnel's guidance on the Use of Consultants is set out in the tables below.

	Expenditure £ (ex VAT)			
Financial Year	Core Department	Northern Ireland Water	Roads Service	Total
2005/06	1,372,423	5,546,060*	1,694,054	8,612,537
2006/07	5,076,580	9,996,902*	864,881	15,938,363
2007/08	1,081,710	7,260,842	757,368	9,099,920
2008/09	533,145	5,563,047	248,299	6,344,491
2009/10	391,035	3,654,010	164,214	4,209,259

* Payments made by Water Service prior to the establishment of Northern Ireland Water in April 2007.

	Expenditure £ (ex VAT)				
Firm	2005/06	2006/07	2007/08	2008/09	2009/10
PricewaterhouseCoopers	4,152,066+	7,431,018+	5,196,929	3,924,594	1,143,103
Deloitte	19,780	2,495,425	491,611	32,608	438,139
Ernst and Young	0	79,838	15,000	47,067	298,406

+ Included within these figures are the following payments made to PWC as lead partners in consortium arrangements:

In 2005/06 an amount of £2.78m was paid to PWC as lead partner in a consortium with Mott McDonald, Ferguson McIlveen, Scottish Water, Dundas Wilson, L'Estrange & Brett and O'Connor Kennedy. This consortium provided specific expert advice in relation to Public Private Partnership exercises.

In 2006/07 an amount of £155,196 was paid to PWC as lead partner in a consortium with Capita Consulting. This consortium provided advice in relation to Human Resource issues.

Footpath Schemes

Mr A Easton asked the Minister for Regional Development to detail the footpath schemes which will proceed in (i) the Donaghadee area; and (ii) the Millisle area for the 2010/11 financial year.

(AQW 54/11)

Minister for Regional Development: I would remind the Member that information on the completed and proposed roads schemes for the current financial year can be found in Roads Service's Spring and Autumn Reports to Councils. These reports can be accessed from my Department's internet site at the following web address:

www.roadsni.gov.uk/index/publications/publications-council_reports.htm

Consumer Council for Northern Ireland

Mr G Savage asked the Minister for Regional Development to detail any concerns or conflicts of interest that have arisen between the suspended Permanent Secretary and the Consumer Council for Northern Ireland to date.

(AQW 58/11)

Minister for Regional Development: The interests of Board Members of the Department for Regional Development are set out in the Departmental Register of Interests which is publicly available. The latest version of the Register, updated in January 2010, does not indicate any conflict of interest between the parties to which the question relates.

If the member has any evidence to the contrary I would be grateful if he bring it to my attention in writing.

UTV Programme 'Stormy Water'

Mr G Savage asked the Minister for Regional Development why he has not viewed the UTV programme 'Stormy Water' which feature revelations about his Department's conduct.

(AQW 60/11)

Minister for Regional Development: I have reviewed all media material, both print and broadcast, including the UTV programme, which relates to the issue.

NI Water: Director of Customer Service Delivery

Mr G Savage asked the Minister for Regional Development, pursuant to AQW 8094/10, whether any conflicts of interest arose between members of the interviewing panel and the interviewees; and whether declarations of any kind were made during the nine interviews.

(AQW 62/11)

Minister for Regional Development: I am advised by Northern Ireland Water (NIW) that the interviewing panel for the position of Director of Customer Service Delivery consisted of the Chairman, the Chief Executive and the Director of Human Resources. Two of the candidates had past or current working relationships with members of the panel. All panel members were made fully aware of these relationships. These were not deemed to create a conflict of interest.

Footpath and Street Lighting Schemes

Mr A Easton asked the Minister for Regional Development to detail the (i) footpath schemes; and (ii) street lighting schemes which will proceed in the Holywood area in the 2010/11 financial year.

(AQW 107/11)

Minister for Regional Development: I would remind the Member that information on the completed and proposed roads schemes for the current financial year can be found in Roads Service's Spring and Autumn Reports to Councils. These reports can be accessed from my Department's internet site at the following web address:

<http://applications.drdni.gov.uk/publications/document.asp?docid=18443>

NI Water Action Plan

Mr G Savage asked the Minister for Regional Development to detail the NI Water action plan designed to address recent procurement and accountability breaches.

(AQW 111/11)

Minister for Regional Development: I am advised by Northern Ireland Water (NIW) that a number of immediate actions have been taken to address recent procurement and accountability breaches including:

- the roll out of training to senior management on procurement procedures and financial delegation approval requirements;
- the development of a detailed end to end Procurement Manual;
- the appointment of a dedicated Procurement Compliance Officer;
- the presentation of a monthly procurement compliance report to the NIW Board;
- work to regularise the identified contract exceptions by running competitive tender exercises or organising necessary approvals for valid sole supplier situations.
- recruitment of four temporary resources to support the additional procurement workload related to regularising the identified exceptions;
- analysis of the remaining supplier arrangements with expenditure between £30,000 and £100,000, which were not covered in the deep dive audit, to confirm whether further procurement exercises are required;
- a further internal audit review, planned to commence on 11 October 2010, to confirm whether the end to end procurement governance process is now operating and designed effectively; and
- mapping of Executive responsibility for the contract exceptions has been completed with the related disciplinary process underway and this will be completed in due course.

These actions go a long way to ensuring that NIW now has 'best practice' procurement related processes. Further, NIW is awaiting completion of an independent review of its CoPE accreditation being carried out by the Department of Finance & Personnel's Central Procurement Directorate and in addition, the report by PAC. Any additional actions identified in the respective reports will be pursued with vigour by NIW.

Enterprise Train Hijack

Mr T Burns asked the Minister for Regional Development to detail any damage caused to the Enterprise train due to the hijacking attempt at the beginning of July 2010 and the cost of repairs.

(AQW 117/11)

Minister for Regional Development: Translink have advised that the front carriage of the Enterprise train suffered scorch damage to paintwork, broken front windows, broken side windows and other minor damage to door and internal fixtures.

The cost of the repairs, which were carried out in Dublin by Iarnród Éireann, was €2,028 and NI Railways incurred further repair costs of £531.

Flags, Emblems and Paramilitary Signage

Mr P J Bradley asked the Minister for Regional Development what plans he has to introduce legislation that would grant his Department the authority to remove flags, emblems and paramilitary signage from lamp standards, electricity poles and fencing located at roundabouts and alongside public roads.

(AQW 158/11)

Minister for Regional Development: My Department's Roads Service has signed up to the Multi Agency Protocol on the display of flags in public areas, arising from 'A Shared Future' – the policy and strategic framework for good relations in the North. OFMDFM is presently leading a review of this Protocol.

Should any proposals for legislation come from the review, I would be content to consider them at that point.

Overgrown Invasive Plant Species

Mr T Burns asked the Minister for Regional Development to detail (i) how many times his officials have cleared overgrown invasive plant species from his Department's property, roads and pavements in each of the last five years; (ii) the cost involved; and (iii) the type of plant species removed in each case.

(AQW 220/11)

Minister for Regional Development: My Department's Roads Service has advised that it aims to keep its property free of obstructions, and to comply with other legal requirements.

Roads Service does not hold records of how many times its officials have cleared the wide variety of overgrown, invasive plant species in the North, from its property, roads and pavements in each of the last five years, the cost involved, or the type of plant species removed in each case.

Department for Social Development

Flats in Rathgill Estate, Bangor

Mr A Easton asked the Minister for Social Development for an update on the refurbishment of the flats in the Rathgill estate, Bangor.

(AQW 6/11)

Minister for Social Development (Mr A Attwood): The proposed Multi Element Improvement scheme for the Rathgill estate cannot proceed as the significant resources needed to take it forward are no longer available. The Savills Stock Condition Report said that the Housing Executive should develop a maintenance strategy which will be completed later this year and will determine the investment necessary on all Housing Executive stock.

Flats in Kilcooley Estate, Bangor

Mr A Easton asked the Minister for Social Development for an update on the refurbishment of the flats in the Kilcooley estate, Bangor.

(AQW 7/11)

Minister for Social Development: The Housing Executive has programmed a heating replacement scheme for 55 dwellings at a cost of £242,000 approximately for the Kilcooley estate in Bangor during 2010/11. However, the proposed Multi Element Improvement scheme cannot proceed as the significant resources needed to take it forward are no longer available. The Savills Stock Condition Report said that the Housing Executive should develop a maintenance strategy which will be completed later this year and will determine the investment necessary on all Housing Executive stock.

Department Staff: Policy on Family Members

Mr T Clarke asked the Minister for Social Development (i) how many staff in his Department are either directly or indirectly at a higher grade to a relative or a relation in the Department; (ii) if they are in a position to influence decisions made directly or indirectly concerning the family member; and (iii) to outline his Department's policy on this issue.

(AQW 20/11)

Minister for Social Development: The information requested in parts (i) and (ii) of the question is not available in the format requested and it could be made available only at disproportionate cost. Neither the Department for Social Development nor the wider NICS has a specific policy on this issue but would expect all staff to comply with the NICS Code of Ethics and the general standards of conduct set out in the NICS HR Handbook. These require staff to act at all times with integrity, honesty, objectivity and impartiality, never to misuse their official position and to avoid conflicts of interest.

Housing Benefit Overpayment

Mr J Craig asked the Minister for Social Development how much the Housing Executive, or other agencies within his Department, has overpaid in respect of housing benefit payments in each of the last five years; and how much of this has been recouped.

(AQW 47/11)

Minister for Social Development: The information is only available for the last four years as shown in the table below:-

Year	Overpaid	Recovered
2006/2007	£14.9m	£11.9m
2007/2008	£13.7m	£11.7m
2008/2009	£14.1m	£11.8m
2009/2010	£17.2m	£14.1m

The Housing Executive advise this is because they changed their computer system in 2004 and there were significant early problems with some aspects of the information on housing benefit overpayments.

Housing Benefit: Recoupment of Overpayment

Mr J Craig asked the Minister for Social Development how the Housing Executive recoups money lost due to overpayment of housing benefit; and who they recoup it from in respect of agents who have acted for landlords.

(AQW 48/11)

Minister for Social Development: The Housing Executive recoups overpayments of Housing Benefit as follows:-

- Where the claimant remains on Housing Benefit, a set amount each week (£9.90 for standard overpayments and £13.20 for fraud overpayments) is deducted from the ongoing claim.
- Where the claimant no longer receives Housing Benefit, recovery is sought through the most appropriate means including voluntary repayments, deductions from other Social Security benefits, via the Small Claims Court or County Court and through the use of Private Sector Recovery Agents.
- Where the landlord or his agent is held liable, the overpayment can be recovered from any payment of benefit made directly to him in respect of any future claims from his tenants, or by voluntary agreement or court action if there are no future payments. If the payment of benefit had been made to an agent in place of the landlord, recovery is sought from the agent.

Community Worker in the Bloomfield Estate, Bangor

Mr A Easton asked the Minister for Social Development for an update on the continuation of Housing Executive funding for the community worker in the Bloomfield estate in Bangor.

(AQW 53/11)

Minister for Social Development: The Housing Executive is currently funding a part-time post in the Bloomfield Estate until 31 March 2011. The amount of funding is £15,165.

Given the current funding difficulties, I am unable to comment on the position for next year as budgets are still to be confirmed.

Vacant Flats at Lysander Park and Rathmullan Drive in Newtownards

Mr S Hamilton asked the Minister for Social Development for an update on the redevelopment plans for the vacant flats at (i) Lysander Park; and (ii) Rathmullan Drive in Newtownards.

(AQW 73/11)

Minister for Social Development: The Housing Executive are currently revising their economic appraisal for Rathmullan Drive and it will be submitted to the Department for consideration in the coming weeks.

However, any work to the flats at either Lysander or the 24 vacant flats at Rathmullan Drive will be subject to the availability of resources however I remain committed to the redevelopment of both sites and will continue to make the case for an increased investment in housing to enable this sort of work to be delivered.

Village Urban Renewal Area

Mr J Spratt asked the Minister for Social Development whether the Housing Executive has set up a planning and design team for the Village Urban Renewal Area; and if so (i) to list the membership of the team; and (ii) when it is likely to meet.

(AQW 108/11)

Minister for Social Development: The Housing Executive has set up a planning and design team for the Village Urban Renewal Area. Membership of this team has not yet been confirmed but will comprise representatives from the Housing Executive, Fold and Helm Housing Associations and also two nominated representatives from the local community.

A Residents Design Group has also been formed and their first meeting was on 6 September 2010. It comprises ten local residents and is independently chaired. This group will nominate the two community representatives to the formal Planning and Design Team. While formal membership of the Planning and Design Team has not yet been established both groups have arranged to meet on 6 October 2010.

Jobs and Benefits Office for Ballynahinch

Mr S Hamilton asked the Minister for Social Development for an update on the delivery of a new Jobs and Benefits Office for Ballynahinch, including the sites which are being considered.

(AQW 135/11)

Minister for Social Development: Ballynahinch is one of 8 remaining offices still to be converted to a Jobs & Benefits office. Due to difficulties in identifying a new site for the Ballynahinch Jobs & Benefits office, the current plan is to redevelop the existing Social Security Office at 18 Crossgar Road and the necessary planning permission is in place. Whilst there is no definite date for delivery of the office, the current planning assumptions would suggest that the earliest date for the start of construction is April 2014. Delivery will be subject to the availability of capital funding in SR 10. Given the anticipated pressures on capital funding in the SR 10 period, I have asked that possible contingency measures be developed which would go some way towards the implementation of key parts of the Jobs & Benefits service in the event that it is not possible to deliver a new office in Ballynahinch.

Environmental Scheme on the Andersonstown Road

Mr P Maskey asked the Minister for Social Development when the environmental scheme on the Andersonstown Road will begin; and how long it will take to complete.

(AQW 172/11)

Minister for Social Development: The Andersonstown Road scheme is a high priority urban regeneration project. I placed a bid with the Executive to restore a major deficit in my budget in June of this year. Due to the results of June monitoring I did not receive the necessary budget cover to commence the scheme. I have made a new bid for both contractual and priority urban regeneration projects in September monitoring, after which the in year budget situation will be clearer.

My Department has completed extensive consultation with the community, local traders and statutory bodies including the DRD Roads Service and Rapid Transit Division. DSD expects to secure planning permission for the scheme in October 2010 and has already completed a procurement process so that work could commence within weeks of securing a budget. The scheme will take approximately 18 months to complete.

Clanmill Housing Association

Mr P Maskey asked the Minister for Social Development if he is aware that Clanmill Housing Association has refused to install a bus lay-by at the site of the new housing scheme at the former InBev site on the Glen Road, Belfast; and if he will encourage them to install a lay-by.

(AQW 265/11)

Minister for Social Development: I have now been advised of the matter and shall monitor the issue. I understand that a meeting has now been arranged for 17 September between you and Clanmil Housing Association to discuss the matter further and to explore options.

Northern Ireland Assembly

Friday 24 September 2010

Written Answers to Questions

Office of the First Minister and deputy First Minister

Programme for Cohesion, Sharing and Integration

Dr S Farry asked the First Minister and deputy First Minister how the forthcoming Programme for Cohesion, Sharing and Integration will be integrated into decisions regarding the forthcoming Budget and Programme for Government.

(AQW 68/11)

First Minister and deputy First Minister (Mr P Robinson and Mr M McGuinness): The Budget 2010 process is ongoing. Bids on behalf of this department have been made as part of that process, including bids for the Programme for Cohesion Sharing and Integration. We will not know the outcome of the budget settlement until October/November by which time it is envisaged that Ministers will have had the opportunity to discuss the Executive's priorities in the context of the new Programme for Government and budget settlement.

Community Relations and Good Relations Work

Mr T Lunn asked the First Minister and deputy First Minister to detail the total expenditure on behalf of their Department on community relations and good relations work in each of the past 5 years, broken down by (i) the Department directly; (ii) related agencies; (iii) arms length bodies; and (iv) community and voluntary organisations.

(AQW 69/11)

First Minister and deputy First Minister: Much of our Department's funding for the promotion of community relations and good race relations is distributed via the Community Relations Council, which delivers our grant funding through several strategic schemes to community and voluntary groups. The Department directly funds the District Councils Community Relations Programme, a range of community organisations and groups, summer interventions programme work, funding to minority ethnic groups and a targeted community relations programme in North Belfast. The Department does not provide any good relations funding to any related agencies.

Whilst there is an indicative budget for 2010/11, we are still considering the detailed final allocations of the budget; consequently it is not possible to provide the requested information for the 2010/11 financial year.

The information you requested is as follows;

Description	2005/06	2006/07	2007/08	2008/09	2009/10
Department	£4,220k	£4,040k	£3,959k	£4,913k	£3,824k
District Councils	£1,923k	£1,914k	£1,932k	£2,407k	£2,649k

Description	2005/06	2006/07	2007/08	2008/09	2009/10
Arms Length Bodies (Community Relations Council)	£2,858k	£2,936k	£3,289k	£3,341k	£3,547k
Community & Voluntary Organisations	£488k	£451k	£345k	£425k	£560k

Risks of Disallowances or Infraction Proceedings

Dr S Farry asked the First Minister and deputy First Minister for their assessment of the risk of any disallowances or infraction proceedings being brought in relation to the work of their Department or its related agencies; and to set out the measures being taken to mitigate any such risks.

(AQW 143/11)

First Minister and deputy First Minister: The risk of disallowance or infraction proceedings being brought in relation to the work of the Office of the First Minister and deputy First Minister is currently considered to be low. Our officials monitor developments elsewhere in the UK and at EU level relevant to the responsibilities of the department, and keep legislation here under review to ensure that appropriate action is taken to transpose and implement EU law as required.

Sexual Orientation Strategy

Ms D Purvis asked the First Minister and deputy First Minister for an update on their plans to publish a Sexual Orientation Strategy; and to detail the actions taken by their Department following the Sexual Orientation Consultation in 2006.

(AQW 165/11)

First Minister and deputy First Minister: The last consultation on a Sexual Orientation Strategy took place in 2006. Around the same time, under direct rule, our department established a short-term fund which helped to build capacity and partnership working across the LGB sector. The administration of the fund was overseen by a Steering Group initially chaired by an OFMDFM official, and latterly by a volunteer from the sector. The group membership consisted of volunteers and people working in the sector, who co-operated to deliver a range of successful outputs.

In addition, considerable work has been done across government and public bodies to develop, and keep under review, cross-departmental action plans to tackle identified inequalities which LGB and Transgender people face and to tackle issues which impact upon the community such as homophobic crime.

Through their work to encourage and promote such work across government, our department is aware that many other civil service departments now have well-established communications with key voluntary LGB groups, through which issues can be highlighted and addressed by the relevant authorities in a timely and responsive manner.

The recent CSI consultation document indicates that Ministers are fully committed to publishing the sexual orientation strategy. In order to help inform work on the forthcoming strategy, our department will seek to establish and build on contacts across the full range of relevant interests. We expect the newly established LGB and Transgender fora to provide useful conduits for key concerns to be raised, and we will seek to work collaboratively across government and with the wider public sector, to develop a Sexual Orientation Equality Strategy.

Strategic Investment Board

Mr G Savage asked the First Minister and deputy First Minister for their assessment of (i) the value for money provided; and (ii) the value added by the Strategic Investment Board.

(AQW 203/11)

First Minister and deputy First Minister: We refer the Member to the reply to AQW 112/11, dated 16 September 2010.

Investment Strategy and Capital Expenditure

Mr G Savage asked the First Minister and deputy First Minister for their assessment of the impact of the proposed budget cuts from Westminster on the Investment Strategy and capital expenditure.
(AQW 207/11)

First Minister and deputy First Minister: Any potential reduction in the levels of capital funding available to the Executive over the incoming four-year Budget period will have consequential impacts on the rate at which capital projects and programmes can be delivered. On behalf of OFMDFM, the Strategic Investment Board is currently exploring options to minimise the impact of any reductions, to ensure that existing contractual commitments are protected, and to ensure that remaining future investment is directed towards the Executive's highest priority areas. This work will be informed by the outcome of the Spending Review, due to be published by the Treasury on 20 October. Subsequent decisions by the Executive will be contained in a revised ISNI to be published in the autumn.

Planning Appeals Commission

Mr B Leonard asked the First Minister and deputy First Minister how many staff currently work for the Planning Appeals Commission and if the complement is adequate to deal with the workload.
(AQO 70/11)

First Minister and deputy First Minister: There are currently 21 full time Commissioners, 17 fee paid Panel Commissioners and 19 administrative staff working for the Planning Appeals Commission (PAC).

PAC is an independent tribunal Non-Departmental Public Body, which is sponsored by OFMDFM but operates at arms length from Government and exercises its functions accordingly.

In recognition of the challenges and pressures facing the PAC and in line with PSA 21, we have committed additional spending power of around £2 million over the three years 2008/11. The planning appeals backlog has been reduced significantly from over 3,000 in 2007 to 495 at 31 August 2010.

Operational responsibility for the PAC rests with the Chief Commissioner who is responsible for the deployment of resources to address the prevailing workload. Our Department has no locus in relation to PAC's workload scheduling or decision-making.

Our Department will continue to liaise closely with the Chief Commissioner regarding her resourcing requirements.

Executive's Budget Review Sub-Committee

Mr S Moutray asked the First Minister and deputy First Minister for an update on the work of the Executive's Budget Review Sub-Committee established at the Greenmount away-day.
(AQO 76/11)

First Minister and deputy First Minister: The Executive has recognised that it is vital to ensure a collective and corporate approach to the fiscal challenges facing our society and our economy in the coming years and to secure the best possible outcome. To this end, following our discussions at Greenmount, it was agreed that an all-party Ministerial sub-group of the Executive should be established to oversee the development of our response to the very significant budgetary issues we face.

This Budget Review Group consists of the First Minister, the deputy First Minister, the Minister of Finance and Personnel, the Minister for Employment and Learning, the Minister for Social Development and the Minister of Justice.

The group will examine a range of issues relevant to the budgetary and economic situation and preparatory work has been commissioned from all departments to inform the Group's discussions. It is intended that the first meeting of the Group will take place in the near future.

Traveller Equality

Lord Morrow asked the First Minister and deputy First Minister how much has been spent on the promotion and implementation of traveller equality in each constituency in each of the last two years; and how many staff are currently employed on this project.

(AQW 226/11)

First Minister and deputy First Minister: OFMDFM provides funding through its Minority Ethnic Development Fund to organisations representing Irish Travellers for the purpose of improving relations between communities.

In 2008/09 and 2009/10 OFMDFM allocated £150k and £180k respectively.

It is not possible to provide a constituency breakdown. The table below gives a more detailed breakdown of specific cost and the geographical area of operation of the recipient groups.

As to how many staff are currently employed on this issue within OFMDFM, this would amount to a very small percentage of a staff year.

	2008/09 £k	2009/10 £k
An Munia Tober (Belfast and Regional)	105	90
Craigavon Travellers Support Committee	45	45
Derry Travellers Support Group	Nil	45
Total	150	180

Head of the NI Civil Service Correspondence

Mr P McGlone asked the First Minister and deputy First Minister what is the target response time for the Head of the NI Civil Service in replying to correspondence.

(AQW 268/11)

First Minister and deputy First Minister: The Head of the NI Civil Service endeavours to respond to all correspondence as promptly as possible and within a target response time of ten working days. However, from time to time, the particular complex issues raised in correspondence can give rise to a delay in meeting this target.

Department of Agriculture and Rural Development

Beef Industry

Mr P J Bradley asked the Minister of Agriculture and Rural Development for her assessment of the long-term viability of the beef industry; and what action she is taking to address the slump in the prices currently paid to beef producers.

(AQW 92/11)

Minister of Agriculture and Rural Development (Ms M Gildernew): I am very aware of the serious challenges facing the beef industry and the issues surrounding the economic viability of the red meat sector. However it is very difficult to assess accurately the long-term viability of the beef industry as it is driven essentially by market forces, which are outside my remit.

The Red Meat Task Force Report provided information to enable farmers and others to make informed choices about the future direction of their businesses and DARD continues to work alongside industry representatives in taking this work forward.

Innovation and improved efficiency are vital to longer-term viability. A range of services are available through CAFRE and AFBI to support the agri-food sector, which needs to have the flexibility to be able to tailor their produce to ensure that they deliver what the market requires efficiently and receive the best returns possible.

In respect of your question about beef prices, this is strictly a commercial matter and I refer you to my response to your previous written question on this issue in July 2010.

Farmers Seeking Weather Aid Payments

Mr P J Bradley asked the Minister of Agriculture and Rural Development why she could not offer farmers seeking weather aid payments a half of one percent of the £200m her Department received from the Department of Finance and Personnel; and what contact she has had with potato growers and sheep farmers since they were refused hardship funding.

(AQW 94/11)

Minister of Agriculture and Rural Development: Firstly, I wish to clarify the position regarding the £200m. This is in respect of Capital expenditure, to make good a deficit in my Department's capital receipts baseline and did not represent additional spending power. Furthermore, as Capital expenditure it could not be used for any potential hardship funding.

I submitted a bid under June monitoring for £1.1 million in respect of hardship payments for farmers who suffered crop and sheep losses as a consequence of this year's severe weather.

The June monitoring round bids were considered by the Executive but due to other higher priorities the Executive was not able to meet the bid. A bid for £1.1m has been resubmitted for consideration in September monitoring.

I issued a Press Release on 4 August 2010, informing farmers of the Executive's decision and expressing my disappointment that funding could not be made available. I also reiterated that my Department continues to offer advice around best farming practice to mitigate risks of losses in future, and that officials would hold discussions with the farming and insurance industries to explore how to improve access to insurance.

Car Trailers

Mr P J Bradley asked Minister of Agriculture and Rural Development whether she has met with the Minister of the Environment to discuss the inconvenience caused to farmers, who attained their driving licence after January 1997, subjected to the weight limit restriction imposed on car trailers; and for her assessment of the impact of this restriction on farmers.

(AQW 98/11)

Minister of Agriculture and Rural Development: There has been no representations made to me from farmers who attained their driving licence after January 1997 being inconvenienced by the weight limit restrictions imposed on car trailers and I have not met with the Minister of the Environment to discuss this matter. I now appreciate that this restriction will impact most on our younger farmers and would encourage them to undertake the required assessment to ensure they are properly licensed when towing trailers.

Rural White Paper

Mr P J Bradley asked the Minister of Agriculture and Rural Development whether consultation papers on the proposed Rural White Paper will be issued in September 2010.

(AQW 101/11)

Minister of Agriculture and Rural Development: DARD is continuing to work with other Departments on the development of realistic and meaningful actions for inclusion in the Rural White Paper. We remain committed to issuing a draft Rural White Paper for consultation by March of next year.

Less Favoured Area Compensatory Allowance

Mr P J Bradley asked the Minister of Agriculture and Rural Development to make a statement on why her Department is considering changes to the Less Favoured Area Compensatory Allowance.

(AQW 102/11)

Minister of Agriculture and Rural Development: Since 2001, the Less Favoured Areas Compensatory Allowance (LFACA) Scheme has provided support to those who farm in less favoured areas (LFAs) in the north of Ireland. Since then, EU agricultural support has been decoupled and this has brought significant changes to the economics of livestock production. Cattle and sheep numbers in the LFA, and particularly the SDA, have continued to fall and we are seeing increasing evidence of the environmental impact of that in terms of under grazing, scrub encroachment and rush infestation. The current LFA support arrangements are not preventing this and a review and refocusing of the scheme is required, sooner rather than later. Furthermore, the EU policy framework places LFA support firmly within the ambit of environmental stewardship.

My officials have commenced a series of meetings with stakeholder organisations to discuss detailed proposals for a revised LFACA scheme based on the delivery of environmental benefits through active land management. This builds on the substantial public consultation undertaken last year and the extensive body of evidence compiled by my Department. Discussions are on-going and we are keen to receive stakeholder views to inform our way forward.

Wildlife and Natural Environment Bill: Hare Coursing

Mr J Wells asked the Minister of Agriculture and Rural Development if she has any plans to introduce a Bill that will negate the decision of the Assembly to include a ban on enclosed hare coursing in the Wildlife and Natural Environment Bill.

(AQW 103/11)

Minister of Agriculture and Rural Development: Responsibility for hunting or coursing with dogs does not rest with my Department and as such I have no powers to regulate or ban hunting or coursing. I will not therefore be taking any action that could negate the provisions on a ban on hare coursing as contained in the Wildlife and Natural Environment Bill.

Falsely Labelled Eggs

Mr S Gardiner asked the Minister of Agriculture and Rural Development if she has had any contact with the UK authorities to discover if any eggs, falsely labelled as organic or free range and stamped with the British Lion stamp and which were involved in the deception operated by Keith Owen of Heart of England Eggs Unlimited who was jailed in March 2010 in Worcester Crown Court, were sold to any supermarkets or other retail outlets in Northern Ireland.

(AQW 139/11)

Minister of Agriculture and Rural Development: The court case you refer to relates to a fraud which occurred during 2004 until 2006. DARD Egg Marketing Inspectorate staff worked very closely with their Defra counterparts in carrying out this investigation. There was no evidence that fraudulently labelled eggs were sold in the north of Ireland.

Department of Culture, Arts and Leisure

Ulster Camogie Council: NIAO Report

Mr D Kennedy asked the Minister of Culture, Arts and Leisure what action his Department has taken in relation to the findings of the Northern Ireland Audit Office report into the Ulster Camogie Council published on 7 July 2010.

(AQW 187/11)

Minister of Culture, Arts and Leisure (Mr N McCausland): My Department had already, prior to the publication of the Northern Ireland Audit Office report into the Ulster Camogie Council, disseminated the lessons learned from the matter throughout the Department.

Following the publication of the Northern Ireland Audit Office report, the Department has taken stock of all comments included in the report, along with any other outstanding matters, and will again highlight the correct procedures to be followed within the Department and to its Arms Length Bodies by issue of a revised Fraud Response Plan.

Furthermore the Department is closely liaising with Sport NI to ensure that it has fully addressed all of the issues arising from the Ulster Camogie Council matter and will apply the lessons learned fully in the future.

Ulster Camogie Council: Suspected Fraud

Mr D Kennedy asked the Minister of Culture, Arts and Leisure what action he has taken regarding Sport NI's failure to deal with information it received over a prolonged period regarding suspected fraud involving the Ulster Camogie Council.

(AQW 188/11)

Minister of Culture, Arts and Leisure: My Department is closely liaising with Sport NI to ensure that it has fully addressed all of the issues arising from the Ulster Camogie Council matter and will apply the lessons learned fully in the future.

Specifically, the Department is awaiting answers from Sport NI on the issue of its handling of information received or offered regarding the Ulster Camogie Council. Following the Sport NI response on this issue, the Department will, if appropriate, write to the Sport NI Accounting Officer highlighting any concerns.

Risks of Disallowances or Infraction Proceedings

Dr S Farry asked the Minister of Culture, Arts and Leisure for his assessment of any risks of disallowances or infraction proceedings that could be taken in relation to the work of his Department or its related agencies; and to set out the measures being taken to mitigate any such risks.

(AQW 189/11)

Minister of Culture, Arts and Leisure: My Department has responsibility for the protection and conservation of salmon and inland fisheries. Non-compliance with the EC Habitats Directive or the Water Framework Directive in relation to these could result in infraction proceedings against the UK as a Member State. DOE is the lead Department in Northern Ireland for the implementation of these Directives. DCAL seeks to ensure compliance with the requirements of the Directives and the implementing legislation in Northern Ireland through the discharge of its responsibilities in relation to the conservation and protection of salmon and inland fisheries.

With regard to the conservation of wild Atlantic salmon, DCAL is responsible for the enforcement of fisheries legislation and those involved in unlicensed and illegal fishing are actively pursued by DCAL Fisheries Protection Officers. My Department has also been involved over time in reducing the number of commercial salmon fisheries operating in Northern Ireland waters, in line with our obligations (through the UK Government) to the North Atlantic Salmon Conservation Organisation (NASCO). In

addition DCAL implements a range of NASCO strategies through Salmon Management Plans for the protection, restoration and enhancement of salmon habitats within our jurisdiction.

DCAL is also responsible for the implementation of EU Eel Regulation 1100/2007 and in March 2010, 3 Eel Management Plans for the relevant catchments in Northern Ireland were approved by the EU. The risk of infraction in relation to these is currently assessed as low, but this could change if it is deemed that we have failed to implement the Eel Management Plans when they are reviewed by the EU in June 2012.

Library Books

Mr T Burns asked the Minister of Culture, Arts and Leisure to detail for each of the last five years (i) the number of incidents where library books have been disposed of on a large scale for health and safety reasons; (ii) the total number of library books which were disposed of in each case; (iii) at which library the incidents occurred; (iv) the total value of the disposed books; and (v) the specific reason for their disposal.

(AQW 238/11)

Minister of Culture, Arts and Leisure: Libraries NI have recorded one incident in the current year where glass was broken in Warrenpoint library and showered over books. Libraries NI decided to dispose of 1676 books for health and safety reasons, due to the fact that some shards of glass could still have been in the books.

The books disposed of at Warrenpoint will cost the library service £6,859.20 to replace.

Library Books

Mr T Burns asked the Minister of Culture, Arts and Leisure to detail the total number of library books which have been disposed of in each of the last 5 years; and the estimated value of these books.

(AQW 240/11)

Minister of Culture, Arts and Leisure: The total number of books withdrawn in each of the past five years is provided in the following table:

	2006	2007	2008	2009	2010
No of books	388,633	504,462	529,129	1,175,909	383,104

The figure for 2009 is unusually high as BELB conducted a stock audit in the annex of Belfast Central Library and as a result extra books were withdrawn and disposed of.

Libraries NI have confirmed to the Department that such stock is of no monetary value and is efficiently disposed of.

Sport NI: Ulster Camogie Council

Mr D Kennedy asked the Minister of Culture, Arts and Leisure when did Sport NI advise its Board or the Audit Committee that offers of information, indicating suspected fraud involving the Ulster Camogie Council, had been received by Sport NI prior to this information being provided to the Public Accounts Committee.

(AQW 322/11)

Minister of Culture, Arts and Leisure: I have been informed by Sport NI that its officers considered the communications in question to be either press enquiries or Freedom of Information requests and therefore acted in accordance with the relevant Sport NI protocols for dealing with such communications, and as such they were not elevated to its Board or Audit Committee.

In hindsight, Sport NI has accepted that it did not deal with the original offer of information, in accordance with established fraud procedures. Further it takes this matter seriously and will ensure that the recommendations from the various reports into the Ulster Camogie Council are fully implemented.

Irish Language Act

Mr B Leonard asked the Minister of Culture, Arts and Leisure, given that the Northern Ireland Human Rights Commission has said that his reason for not introducing the Irish Language Act is “not human rights compliant”, if he will now introduce the Act.

(AQW 420/11)

Minister of Culture, Arts and Leisure: I am currently considering the correspondence from the Northern Ireland Human Rights Commission and have sought legal advice on this issue.

I will copy you in to my response to the Northern Ireland Human Rights Commission.

Department of Education

External Consultants

Mr P McGlone asked the Minister of Education, for each of the last five years (i) how much (a) her Department; and (b) the Education and Library Board spent on external consultants; and (ii) how much was paid to (a) PricewaterhouseCoopers; (b) Deloitte; and (c) Ernst & Young.

(AQW 40/11)

Minister of Education (Ms C Ruane): Is soláthraithe sa tábla thíos atá mionsonraí ar chaiteachas na Roinne ar chomhairleacht sheachtrach ón bhliain 2005-06 go dtí an bhliain 2008-09. Tá figiúirí don bhliain 2009-10 á dtabhairt chun críche faoi láthair, agus scríobhfaidh mé chuig an Chomhalta chun na sonraí seo a sholáthar nuair a chuirtear ar fáil iad.

Details of expenditure by the Department on external consultancy from 2005-06 to 2008-09 are provided in the table below. Figures for 2009-10 are currently being finalised, however, I will write to the Member and provide the details when these become available.

DE

Year	Total £	PWC £	Deloitte £	Ernst & Young £
2005-06	532,244.15	164,008.60	NIL	NIL
2006-07	905,600.57	67,575.39	NIL	NIL
2007-08	1,067,704.53	86,424.00	79,465.20	NIL
2008-09	850,883.94	100,596.00	33,177.40	NIL

ELBS

Year	Total £	PWC £	Deloitte £	Ernst & Young £
2005-06	1,441,986.00	979,998.00	19,575.00	64,000.00
2006-07	1,964,736.00	1,663,537.00	NIL	NIL
2007-08	1,894,554.00	1,552,000.00	NIL	NIL
2008-09	613,119.00	460,325.00	NIL	NIL

School Uniform Grants

Mr J O'Dowd asked the Minister of Education to detail (i) the number of primary school uniform grants awarded by the start of the 2010/11 academic year; and (ii) the monetary value of these grants broken down by Education and Library Board area.

(AQW 42/11)

Minister of Education: Dhearbhaigh na Boird Oideachais agus Leabharlann, a riarann an Scéim um Liúntais Éadaí, gur íoc siad as 27,647 deontas i leith chostas na n-éadaí bunscoile ag costas iomlán de £988,336 roimh thús na scoilbhliana acadúla 2010/11.

The Education and Library Boards, which administer the Clothing Allowances Scheme, have confirmed that by the start of the 2010/11 academic year they had paid 27,647 grants towards the cost of primary school uniforms at a total cost of £988,336.

The value and number of the grants broken down by Education and Library Board area is as follows:

BELB	£217,379 (6,081 grants paid)
NEELB	£177,749 (4,972 grants paid)
SEELB	£131,310 (3,673 grants paid)
SELB	£218,182 (6,103 grants paid)
WELB	£243,716 (6,818 grants paid)

Vacancy Control in Education and Library Boards

Dr S Farry asked the Minister of Education to outline her approach to vacancy control in Education and Library Boards.

(AQW 66/11)

Minister of Education: Tá Polasaí Rialaithe um Fholúntas i bhfeidhm trasna gach fostóra san earnáil oideachais lena chinntiú go dtógtar gach céim réasúnta chun fostaíocht na foirne reatha sin a aithníodh mar “faoi phriacal” san Athbhreithniú ar Riarachán Poiblí a chosaint agus a dhaingniú.

A Vacancy Control Policy is in place across all education sector employers to ensure that all reasonable steps are taken to safeguard and secure the employment of existing staff within the Education Sector identified as being “at risk” as a result of the Review of Public Administration.

The Vacancy Control Policy, first introduced in October 2006, was developed and agreed by the Department of Education, employers and trade unions, following the Executive's agreement of the Public Service Commission second Guiding Principle and associated recommendations on Managing Vacancies Effectively. A key focus of the policy is the need to keep open all possible means to redeploy staff, to avoid creating new posts and to manage vacancies effectively, in order to reduce the potential for redundancies.

The failure to reach agreement on a date to establish the Education and Skills Authority has led to the operation of the Vacancy Control Policy across the organisations for longer than originally planned. As a result of this failure to agree a date for ESA, transitional arrangements and a Convergence Plan have been put in place. The implementation of convergence activity will have implications for organisations in terms of existing structures and staffing levels and it continues to be of the utmost importance that the employment of existing staff is safeguarded.

A number of concerns have been raised by stakeholders regarding the impact of prolonged vacancy control measures and a review of the current Vacancy Control Policy is underway. Education sector organisations and trade unions have been consulted on a number of options aimed at ensuring the policy continues to meet its objectives. Responses have now been received in relation to those options and these are under consideration by my Department to ensure the outcome of the review provides a

balance in terms of supporting organisations to continue to provide quality services and at the same time delivers planned efficiency savings through the reorganisation and rationalisation of administrative support services.

Education and Library Board Staff

Dr S Farry asked the Minister of Education (i) how many staff; and (ii) what percentage of posts in each Education and Library Board are currently designated as 'acting'.

(AQW 71/11)

Minister of Education: Chuir na Príomhfheidhmeannaigh ar na Boird Oideachais agus Leabharlainne gur mar seo a leanas atá líon na foirne atá ainmnithe mar 'gníomhach' agus an céatadán post atá ainmnithe mar 'gníomhach' faoi láthair le fios dom.

I have been advised by the Chief Executives of the Education and Library Boards of the following numbers of staff currently designated as 'acting' and the percentage of posts currently designated as 'acting'.

Board Area	Staff Employed	Staff 'acting'	%
BELB	445	83	18.6
NEELB	405	96	23.7
SELB	774	130	16.8
SEELB	463	123	26.5
WELB	735	113	15.37

Year 8 Placements in North Down

Mr A Easton asked the Minister of Education how many children in the North Down area have yet to be allocated a Year 8 placement for the 2010/11 academic year.

(AQW 106/11)

Minister of Education: Chuir Bord Oideachais agus Leabharlann an Oirdheiscirt in iúl nach léiríonn a chuntais nár tugadh áit i mBliain 8 d'aon pháiste i limistéar chomhairle ceantair an Dúin Thuaidh don bhliain acadúil 2010/11.

The South-Eastern Education and Library Board have advised that their records show that no children in the North Down district council area have yet to be allocated a Year 8 placement for the 2010/11 academic year.

Primary School Teachers Gender Breakdown

Mr T Burns asked the Minister of Education to detail (i) the current number of primary school teachers, broken down by gender; and (ii) the number of primary schools that do not currently employ male teachers.

(AQW 114/11)

Minister of Education:

(I) THE NUMBER OF PRIMARY SCHOOL TEACHERS FOR 2009/10 BY GENDER^{1,2}

	Males	Female	All
Primary	1,327	7,214	8,541

(ii) Tá 244 bunscoil nach bhfuil aon mhúinteoirí fir fostaithe iontu faoi láthair.

(ii) There are 244 primary schools that do not currently employ male teachers.

Source: Teacher Payroll and Pensions Administration System

Note:

1. Teachers employed at more than one school are counted at the school at which they work the majority of their time.
2. Includes teachers employed at preparatory departments of grammar schools.

Number of Primary Schools

Mr T Burns asked the Minister of Education to detail the number of primary schools, broken down by sector.

(AQW 115/11)

Minister of Education: Tá an t-eolas a iarradh mionsonraithe sa tábla thíos.

The information requested is detailed in the table below.

PRIMARY1 SCHOOLS BROKEN DOWN BY MANAGEMENT TYPE 2010/11

Management type	No. of schools
Controlled ²	385
Voluntary ³	14
Catholic Maintained	396
Other Maintained	24
Controlled Integrated	19
Grant Maintained Integrated	23
Total	861

Note:

1. Includes primary schools and preparatory departments in grammar schools
2. Figures include 3 preparatory departments in grammar schools.
3. Figures relate to preparatory departments in voluntary grammar schools.

Enrolment Figures

Mr T Burns asked the Minister of Education to detail (i) the total number and name of each primary school and secondary school that started the 2010/11 academic year with enrolment figures of fewer than (a) 5; (b) 10; (c) 15; (d) 20; (e) 25; (f) 30; (g) 35; (h) 40; (i) 45; or (j) 50; and (ii) the number of staff employed in each school.

(AQW 116/11)

Minister of Education: Ní bheidh an t-eolas a iarradh ar fáil go dtí go bhfuil daonáireamh scoile na bliana 2010/11 críochnaithe. Tá eolas don bhliain 2009/10 soláthraithe thíos.

The information requested will not be available until after the completion of the 2010/11 school census. Information has been provided below for 2009/10.

There were no primary schools with fewer than 5 pupils in 2009/10.

PRIMARY SCHOOLS WITH A TOTAL ENROLMENT OF FEWER THAN 10 AND THE FTE NUMBER OF TEACHERS EMPLOYED IN THESE SCHOOLS – 2009/10

School name	Total enrolment	FTE Teachers
St Mary's Primary School, Rathlin Island	6	1.4

PRIMARY SCHOOLS WITH A TOTAL ENROLMENT OF FEWER THAN 15 AND FTE NUMBER OF TEACHERS EMPLOYED IN THESE SCHOOLS – 2009/10

School name	Total enrolment	FTE Teachers
St Patrick's Primary School, Creggan	12	2.0

PRIMARY SCHOOLS WITH A TOTAL ENROLMENT OF FEWER THAN 20 AND FTE NUMBER OF TEACHERS EMPLOYED IN THESE SCHOOLS – 2009/10

School name	Total enrolment	FTE Teachers
Drelincourt Infants School, Armagh	15	2.2
Clogher Regional Primary School, Clogher	17	2.4
St Davog's Scraghey Primary School, Killen	18	3.0
Keady Primary School, Keady	19	2.0

PRIMARY SCHOOLS WITH A TOTAL ENROLMENT OF FEWER THAN 25 AND THE FTE NUMBER OF TEACHERS EMPLOYED IN THESE SCHOOLS – 2009/10

School name	Total enrolment	FTE Teachers
St John's Primary School, Newry	20	2.0
Braid Primary School, Broughshane	20	2.0
Aghavilly Primary School, Milford	23	2.4
Gaelscoil na Spéiríní, Draperstown	24	3.0

PRIMARY SCHOOLS WITH A TOTAL ENROLMENT OF FEWER THAN 30 AND THE FTE NUMBER OF TEACHERS EMPLOYED IN THESE SCHOOLS – 2009/10

School name	Total enrolment	FTE Teachers
Knocknagin Primary School, Desertmartin	26	1.0
St John's Eglis(1) Primary School, Portadown	26	2.6
St James' Primary School, Markethill	27	2.2
St Brigid's Primary School, Mountfield	28	2.5
Ballycloughan Primary School, Saintfield	28	2.8
St Anne's Primary School, Donaghadee	28	2.0
Carlisle Primary School, Toomebridge	28	2.2
Stewartstown Primary School, Stewartstown	29	2.4

PRIMARY SCHOOLS WITH A TOTAL ENROLMENT OF FEWER THAN 35 AND THE FTE NUMBER OF TEACHERS EMPLOYED IN THESE SCHOOLS – 2009/10

School name	Total enrolment	FTE Teachers
St Anthony's Primary School, Limavady	30	2.0
Loughash Primary School, Donemana	30	2.0
St Paul's Primary School, Ahoghill	30	3.0
St Mary's Gortnaghey Primary School, Dungiven	31	2.0
Queen Elizabeth II (Pomeroy) Primary School, Dungannon	31	2.4
Cullycapple Primary School, Aghadowey	31	3.0
Clintyclay Primary School, Dungannon	31	2.1
Listress Primary School, Claudy	31	2.0
Magheralough Primary School, Trillick	31	2.0
Carhill Integrated Primary School, Garvagh	32	2.6
St Macartan's Primary School, Dromore	32	2.0
St Francis of Assisi, Drumnabey Primary School, Castlederg	32	2.0
Groarty Primary School, Springtown	32	3.0
St Matthew's Primary School, Garvaghey	32	2.0
All Saints Primary School, Omagh	32	2.0
Aghadrumsee Primary School, Aghadrumsee	33	2.5
Envagh Primary School, Drumquin	33	2.0
Tir-na-Nog Primary School, Ballycastle	33	2.0
Desertmartin Primary School, Magherafelt	33	2.4
Lourdes Primary School, Whitehead	33	2.0
Bellarena Primary School, Limavady	34	2.4
Altishane Primary School, Dunamanagh	34	2.0
Gaelscoil Eanna, Newtownabbey	34	3.5

PRIMARY SCHOOLS WITH A TOTAL ENROLMENT OF FEWER THAN 40 AND THE FTE NUMBER OF TEACHERS EMPLOYED IN THESE SCHOOLS – 2009/10

School name	Total enrolment	FTE Teachers
Bridgehill Primary School, Castlederg	35	2.0
St Eugene's Primary School, Lisnaskea	35	2.5
Royal School, Armagh	35	2.8
Altayeskey Primary School, Draperstown	35	2.4
Culnady Primary School, Maghera	36	2.8

School name	Total enrolment	FTE Teachers
Dromore Primary School, Dromore	36	2.4
Bunscoil an Traonaigh, Lisnaskea	36	3.0
St Joseph's Primary School, Caledon	36	2.0
Derrygonnelly Primary School, Enniskillen	37	2.8
St Malachy's Primary School, Magherafelt	37	2.1
Bellaghy Primary School, Magherafelt	37	2.5
St Brigid's Primary School, Gortin	37	3.0
St Joseph's Primary School, Glenmarnan	37	2.0
Crievagh Primary School, Cookstown	39	2.0
St Mary's Primary School, Fivemiletown	39	2.0
St Patrick's Primary School, Dunamanagh	39	3.4
Roscavey Primary School, Omagh	39	2.0
Erganagh Primary School, Castlederg	39	3.1
Gaelscoil na Daroige, Ballymagroarty	39	2.0

PRIMARY SCHOOLS WITH A TOTAL ENROLMENT OF FEWER THAN 45 AND THE FTE NUMBER OF TEACHERS EMPLOYED IN THESE SCHOOLS – 2009/10

School name	Total enrolment	FTE Teachers
Bloomfield Collegiate Prep School, Belfast	40	3.2
Drumard Primary School, Maghera	40	3.2
Ballee Primary School, Ballymena	40	3.6
Augher Central Primary School, Augher	40	2.4
Anamar Primary School, Crossmaglen	40	2.7
St Malachy's Primary School , Glencull	40	2.0
Derriaghy Primary School, Lisburn	41	4.0
St Eugene's Primary School, Lislip	41	2.0
Belleek(2) Primary School, Corry	41	2.4
Churchtown Primary School, Cookstown	42	3.0
St Brigid's Primary School, Augher	42	2.8
Langfield Primary School, Drumquin	42	3.0
Duneane Primary School, Toombridge	42	2.1
Upper Ballyboley Primary School, Ballyclare	42	3.0
Cloughmills Primary School, Cloughmills	42	2.3
Moy Regional Primary School, Moy	43	2.8
Glenann Primary School, Cushendall	44	3.0

School name	Total enrolment	FTE Teachers
Drumlegagh Primary School, Newtownstewart	44	2.6
Carnlough Controlled Integrated Primary School, Carnlough	44	3.0
Carr Primary School, Lisburn	44	2.9
St Teresa's Primary School, Armagh	44	3.0

PRIMARY SCHOOLS WITH A TOTAL ENROLMENT OF FEWER THAN 50 AND THE FTE NUMBER OF TEACHERS EMPLOYED IN THESE SCHOOLS – 2009/10

School name	Total enrolment	FTE Teachers
Clontifleece Primary School, Warrenpoint	45	3.3
Mullaghduh Primary School, Islandmagee	45	3.2
St Aidan's Primary School Magilligan, Limavady	45	3.0
St Finlough's Primary School, Sistrakeel	46	3.4
Annsborough Primary School, Castlewellan	46	3.4
St Michael's Primary School, Newtownhamilton	46	3.4
St Macnisiuis' Primary School, Tannaghmore	47	3.0
Drumduff Primary School, Sixmilecross	48	3.0
Gortin Primary School, Gortin	48	3.0
Gillygooley Primary School, Omagh	49	3.0
St Joseph's Primary School, Strangford	49	3.0
St Peter's & St Paul's Primary School, Dungiven	49	3.6
St Mary's Primary School, Dungannon	49	3.4
Longstone Primary School, Ahogill	49	3.6
Scarva Primary School, Craigavon	49	3.2
St Joseph's Primary School, Downpatrick	49	3.2
Donaghmore Primary School, Dungannon	49	3.3

There were no post-primary schools with an enrolment of fewer than 45 pupils in 2009/10.

POST PRIMARY SCHOOLS WITH A TOTAL ENROLMENT OF FEWER THAN 50 AND FTE NUMBER OF TEACHERS EMPLOYED IN THESE SCHOOLS – 2009/10

School name	Total enrolment	FTE Teachers
St Aloysius High School, Cushendall	43	8.5

Source: School census and Teacher Payroll and Pensions Administration System

Note:

- Figures for enrolment in primary schools include nursery, reception and year 1 – 7 classes.

- 2 For the purpose of this AQ 'staff employed in each school' has been defined as teaching staff. The number of teaching staff has been presented in this AQ as the full-time equivalent (FTE) number of teachers. This is based on the hours worked by each teacher employed in the school.

High Speed Broadband

Mr T Burns asked the Minister of Education to list the names and locations of (i) primary schools; and (ii) secondary schools which currently do not have access to high speed broadband.

(AQW 169/11)

Minister of Education: Soláthraíonn seirbhís Classroom 2000 (C2k) seirbhísí TFC do gach scoil dheontaschúnta, lena n-áirítear nasc líonra áitiúil i ngach scoil, leithdháileadh ríomhairí atá bunaithe ar líon na ndaltaí, agus nasc leathanbhanda le líonra achair fhairsing (LAF) phríobháideach, rud a cheanglaíonn gach scoil le chéile agus a sholáthraíonn teacht scagtha ar an idirlíon. Trí ghnáthsholáthar C2k, cuirtear leathanbhanda ar fáil d'iarbhunscoileanna agus do scoileanna speisialta ag luas de 2MB ar a laghad ar línte príobháideacha tiomnaithe. Tá luas réamhshocraithe de 2MB ag línte bunscoileanna, cé go bhféadfaidh ceithre shuíomh líne phríobháideach amháin a roinnt.

The Classroom 2000 (C2k) service provides all grant-aided schools with ICT services including a local network in each school, an allocation of PCs based on pupil numbers and a broadband connection to a private wide area network (WAN) connecting all schools and providing filtered access to the internet. The standard C2k provision makes broadband available to post-primary and special schools at a speed of at least 2MBs on dedicated private lines. Primary school lines also have a default speed of 2MB, though up to four sites may share a single private line.

All schools benefit from WAN optimisation services that help utilize the available bandwidth most efficiently.

Exceptions to this provision exist for a number of primary schools which, as a result of their locations and distance from exchanges, cannot be connected to the standard broadband network. Some have satellite broadband with download speeds of over 1MB. Others are served by Serial Circuit and ADSL connections, which are not classed as broadband, and these schools are listed below.

Serial Circuit Connection	
School Name	Location
Aghadrumsee Primary School	Enniskillen
Altayeskey Primary School	Magherafelt
Altishane Primary School	Dunamanagh
Ballougry Primary School	Ballougry
Ballykeigle Primary School	Newtownards
Ballymacrickett Primary School	Glenavy
Ballytrea Primary School	Dungannon
Brackenagh West Primary School	Kilkeel
Clay Primary School	Keady
Clintyclay Primary School	Dungannon
Clontifleece Primary School	Warrenpoint
Cornagague Primary School	Enniskillen
Craigbrack Primary School	Derry
Crievagh Primary School	Cookstown

Serial Circuit Connection	
School Name	Location
Donaghey Primary School	Dungannon
Drumsallen Primary School	Armagh
Eden Primary School	Carrickfergus
Evish Primary School	Strabane
Holy Cross Primary School	Kilkeel
Killeen Primary School	Newry
St.Patricks PS Legamaddy	Downpatrick
Lisferty Primary School	Dungannon
Listress Primary School	Derry
Loughash Primary School	Dunamanagh
Recarson Primary School	Omagh
Roscavey Primary School	Beragh
Sacred Heart Primary School	Dungannon
St Colman's Primary School (Saval)	Newry
St Finlough's Primary School	Ballykelly
St John's Primary School (Middletown)	Armagh
St Joseph's Primary School (Madden)	Armagh
St Patrick's Primary School (Aughadarragh)	Augher
St Patrick's Primary School Castlewellan	Castlewellan
Tildarg Primary School	Ballyclare
Toreagh Primary School	Larne
Upper Ballyboley Primary School	Ballyclare

ADSL Connection	
School Name	Location
Bunscoil an Chaistil	Ballycastle
Bunscoil an Traonaigh	Lisnaskea
Darkley Primary School	Armagh
Drumduff Primary School	Sixmiletown
Foley Primary School	Armagh
Gaelscoil Ghleann Darach	Crumlin
Gaelscoil Eanna	Newtownabbey
Gaelscoil na Daroige	Derry

ADSL Connection	
School Name	Location
Gaelscoil na gCrann	Omagh
Gaelscoil na Speirini	Magherafelt
Killyhommon Primary School	Enniskillen
Phoenix Integrated Primary School	Cookstown
Roe Valley Integrated Primary School	Limavady
St Eugene's Primary School (Knocks)	Enniskillen

Four schools which opened at the beginning of this school year do not yet have access to C2k services. They are:

Gaelscoil Léim an Mhadaidh, Limavady

Bunscoil na mBeann, Kilkeel

Gaelscoil Choin Rí Uladh, Ballymena

Gaelscoil an tSeanchaí, Magherafelt

C2k will work with these schools to provide an appropriate connection.

Educational Achievement: Protestant Working Class

Mr D McClarty asked the Minister of Education what steps she is taking to improve Protestant working class children's educational achievement, particularly the number of pupils leaving school with poor qualifications and a lack of success gaining admission to university.

(AQW 173/11)

Minister of Education: Maireann mífhuntaíste oideachasúil i measc Protastúnach agus Caitliceach, buachaillí agus cailíní araon. Baineann sí le mífhuntaíste socheacnamaíoch agus cuirtear easpa dóchais léi ró-mhinic.

Educational disadvantage exists among Protestants and Catholics, boys and girls, and among our ethnic minorities. Too often, it is related to socio-economic disadvantage and compounded by poverty of aspiration.

My focus is on tackling underachievement wherever it exists and improving outcomes for all our young people, whether they are Catholic or Protestant, boys or girls, or from our newcomer communities, the children from which have so many hurdles to overcome. I am putting in place a jigsaw of inter-connected policies aimed at ending academic selection and ensuring every child fulfils her or his potential through tackling underachievement, promoting equality, and raising educational standards. Policies such as 'Every School a Good School', the revised curriculum, the literacy and numeracy strategy, the review of SEN and Inclusion, the Achieving Belfast and Derry programmes, and the Entitlement Framework, will help bolster the educational achievements of young people. These policies will provide a greater proportion with the qualifications, skills and attributes to have a choice in their future that includes further education, including at university. They will make a significant contribution to the strategy, being developed by the Department of Employment & Learning, aimed at widening participation in higher education in the north of Ireland, particularly among learners from disadvantaged backgrounds and with learning difficulties and disabilities. My policies will also help to reduce further the proportion of our school leavers not in education, employment or training (NEETT). By improving the educational achievements of today's young people we are improving the skills of the future workforce, and helping to underpin the economy, particularly through the promotion of science, technology, engineering and maths.

Underspent Building Budget in Fermanagh and South Tyrone

Lord Morrow asked the Minister of Education, in relation to the underspent building budget, to detail which schools in the Fermanagh and South Tyrone area were earmarked for or due to receive funding, but did not, and to where this funding was allocated.

(AQW 191/11)

Minister of Education: Sa bhliain 2009/10 ní raibh aon airgead gannchaite i mbuiséad caipitil na Roinne. Tá 4 scoil i limistéar Fhear Meanach/ Thír Eoghain Theas ar áireamh i bPlean Soláthair Infheistíochta na Roinne:-

In 2009/10 there was no underspend in the Department's capital budget. There are 4 schools in the Fermanagh and South Tyrone included in the Department's Investment Delivery Plan: -

Devenish College,

Enniskillen Model PS,

St Pauls PS, Irvinestown,

St. Patricks Academy, Dungannon.

Funding is not earmarked for any individual project. Projects can only be approved for construction when they have submitted a business case demonstrating value for money, successfully secured planning permission, completed the design process and, at that point, proceed if capital funding is available to take the project forward.

Nursery Unit for St. Colman's Primary School in Annaclone

Mr P J Bradley asked the Minister of Education to expand on the 'conditional approval' given in June 2010 in relation to the provision of a nursery unit for St. Colman's Primary School in Annaclone.

(AQW 270/11)

Minister of Education: D'fhaomh mé togra forbartha chun aonad naíscoile a bhunú ar Bhunscoil Cholmáin, Eanach Cluana, ar 28 Meitheamh 2010. Beidh 28 áit lánaimseartha naíscoile le fáil san aonad nua, as éifeacht ó 1 Meán Fómhair 2011 nó a luaithe is féidir ina dhiaidh sin.

I approved the development proposal to establish a nursery unit at St Colman's Primary School, Annaclone on 28 June 2010. The new unit will offer 26 full time nursery places with effect from 1 September 2011 or as soon as possible thereafter.

The approval is conditional on the basis that the school fill a minimum of twenty places with children in their immediate pre-school year, in September 2011.

New School in Carrick, Warrenpoint

Mr P J Bradley asked the Minister of Education to outline the proposed timescale for seeking tenders in relation to the provision of a new school in Carrick, Warrenpoint.

(AQW 271/11)

Minister of Education: Is í Carrick Primary School ceann de na 13 scoil ar tugadh faomhadh dóibh dul ar aghaidh chuig an chéim foirgníochta tar éis m'fhógra i leith maoiniú caipitil breise ar 5 Lúnasa 2010.

Carrick Primary School was one of the 13 schools given approval to proceed to construction following my announcement on 5 August 2010 regarding additional capital funding.

The tender process now in place is a two stage process which involves (i) the completion of a Pre Qualification Questionnaire (PQQ) to determine a select list of contractors; and (ii) an Invitation To Tender (ITT) to determine which contractor on the select list is awarded the contract.

The PQQ stage of the process for Carrick Primary School was advertised in the local press on Tuesday 7 September 2010 with returns due by 23 September 2010. It is currently estimated that both stages of the tender process will be completed by late December 2010 with construction work estimated to start on site in early January 2011.

Average Annual Salary for Teachers

Mr J Craig asked the Minister of Education what is the average annual salary for teachers in (i) primary schools; and (ii) secondary schools.

(AQW 281/11)

Minister of Education: Is é an meántuarastal reatha (i) do mhúinteoirí i mbunscoileanna ná £35,425.20, agus (ii) do mhúinteoirí i meánscoileanna ná £36,696.40.

The current average annual salary for teachers in (i) primary schools is £35,425.20 and (ii) secondary schools is £36,696.40.

Underspent Building Budget in North Down

Mr P Weir asked the Minister of Education, in relation to the underspent building budget, to detail which schools in the North Down area were ear-marked for or due to receive funding, but did not, and to where this funding was allocated.

(AQW 331/11)

Minister of Education: Sa bhliain 2009/10 ní raibh aon airgead gannchaite i mbuiséad caipitil na Roinne. Tá 4 scoil i limistéar an Dúin Thuaidh ar áireamh i bPlean Soláthair Infheistíochta na Roinne nach bhfuair cistiú go fóill:-

In 2009/10 there was no underspend in the Department's capital budget There are 4 schools in the North Down area included in the Department's Investment Delivery Plan which have not yet received funding: -

Hollywood Primary School (including Hollywood Nursery School)

Redburn Primary School

Priory College

St Columbanus' College.

Funding is not earmarked for any individual project. Projects can only be approved for construction when they have submitted a business case demonstrating value for money, successfully secured planning permission, completed the design process and, at that point, proceed if capital funding is available to take the project forward.

Primary Languages Programme

Mr J Spratt asked the Minister of Education how many primary schools in each constituency have taken up the Primary Languages Programme to date.

(AQW 372/11)

Minister of Education: Tá 361 bunscoil ag glacadh páirte sa Chlár Teangacha Bunscoile faoi láthair. Tá líon na scoileanna atá páirteach ann i ngach toghcheantar leagtha amach sa tábla thíos. Tá an tábla bunaithe ar theorainneacha athbhreithnithe toghcheantair mar atá leagtha amach sa Chúigiú Tuarascáil Threimhsiúil de chuid an Choimisiúin um Theorainneacha.

There are currently 361 primary schools participating in the Primary Languages Programme. The number of participating schools in each constituency is set out in the table below. The table is based on revised constituency boundaries as outlined in the Boundary Commission Fifth Periodical Report.

Constituency	Number of Schools
Belfast East	6
Belfast North	12
Belfast South	11
Belfast West	10
Mid Ulster	33
East Derry	26
Fermanagh and South Tyrone	28
Foyle	12
Lagan Valley	15
Newry and Armagh	31
East Antrim	18
North Antrim	35
South Antrim	25
North Down	4
South Down	30
Strangford	18
Upper Bann	13
West Tyrone	34

Extended Schools Programme: Uptake in South Belfast

Mr J Spratt asked the Minister of Education how many schools in the South Belfast constituency have taken up the Extended Schools Programme.

(AQW 373/11)

Minister of Education: Sa chlár um Scoileanna Sínte (ES) sa bhliain 2010/11, tá 19 scoil i dtoghcheantar Bhéal Feirste Theas atá i dteideal cistiú ES agus roghnaigh siad ar fad go nglacfaid siad leis na hacmhainní. Tá na scoileanna seo mionsonraithe sa tábla thíos.

In the 2010/11 Extended Schools (ES) programme there are 19 schools in the South Belfast constituency eligible for ES funding and all have chosen to take up the offer of resources. These schools are outlined in the table below.

The table is based on revised constituency boundaries as outlined in the Boundary Commission Fifth Periodical Report.

2010/11 EXTENDED SCHOOLS IN THE SOUTH BELFAST CONSTITUENCY

Arellian Nursery School
Nettlefield Primary School
Taughmonagh Primary School
Donegall Road Primary School

Fane Street Primary School
Blythefield Primary School
Botanic Primary School
St Malachy's Primary School
Scoil An Droichid
Cranmore Integrated Primary School
Belvoir Park Primary School
St Joseph's College
Malone Integrated College
Knockbreda High School
Fleming Fulton Special School
Harberton Special School
Park Education Resource Centre
Glenveagh Special School
Oakwood Special School

Translating Examination Papers

Mr P Weir asked the Minister of Education to detail the cost of translating examination papers into Irish in each of the last three years.

(AQW 375/11)

Minister of Education: Soláthraíonn an Chomhairle Curaclaim, Scrúdúcháin agus Measúnaithe (CCSM) aistriúcháin Ghaeilge ar a hábhair scrúdaithe chun go bhféadfadh iarrthóirí a mhúintear trí mheán na Gaeilge, nó dóibh siúd ar mhian leo, scrúduithe a dhéanamh tríd an mheán seo.

The Council for the Curriculum, Examinations and Assessment (CCEA) provides translations of its examination materials into Irish in order that candidates taught through the medium of Irish, or those who wish to do so, can sit a paper presented in that medium.

The cost of translating examination papers into Irish in each of the last three years was:

Year	2007/2008	2008/2009	2009/2010
Paper Translation Costs	£33,006	£48,651	£76,297

These translation costs include salaries, paper, quality assurance and print.

Translating Examination Papers

Mr P Weir asked the Minister of Education how many examination papers, apart from those for the subject of Irish, were translated into Irish in the 2009/10 academic year; and how many are planned to be translated in the 2010/11 academic year.

(AQW 377/11)

Minister of Education: Soláthraíonn an Chomhairle Curaclaim, Scrúdúcháin agus Measúnaithe (CCSM) aistriúcháin Ghaeilge ar a hábhair scrúdaithe chun go bhféadfadh iarrthóirí a mhúintear trí mheán na Gaeilge nó dóibh siúd ar mhian leo, scrúduithe a dhéanamh tríd an mheán seo.

The Council for the Curriculum, Examinations and Assessment (CCEA) provides translations of its examination materials into Irish in order that candidates taught through the medium of Irish, or those who wish to do so, can sit a paper presented in that medium.

In 2009/10 CCEA translated 224 papers, across 27 different subjects, into the medium of Irish. The number for 2011 will be dependent upon candidate entry patterns. However, CCEA predicts the position will be similar to that in the 2009/10 academic year.

Area Learning Communities

Mr G Savage asked the Minister of Education to detail the transport costs for pupils, at key stage 4 and aged over 16, taking part in Area Learning Communities.
(AQW 393/11)

Minister of Education: Faigheann scoileanna buiséid tharmligthe a gcumasaíonn dóibh an curaclam a sholáthar de réir riachtanais pholasaí agus riachtanais reachtacha. Chomh maith leis sin, ós rud é go bhfuil costais bainteach le roghanna an churaclaim a fhorbairt, lena n-áirítear trí chomhoibriú le scoileanna, coláistí agus soláthraithe oiliúna eile, soláthraíonn mo Roinn cistiú breise do scoileanna trí fhoirmle maoinithe an Chreata Teidlíochta.

Schools receive delegated budgets to enable them to deliver the curriculum in line with policy and legislative requirements. Additionally, and in recognition of the fact that there are costs associated with expanding the curricular offer, including through collaboration with other schools, colleges or training providers, my Department provides additional funding via the Entitlement Framework funding formula to schools.

Such costs are therefore met from within the total budget delegated to each school and the Department does not hold specific information on the proportion spent by schools on transport. We do, however, require schools to ensure that resources are used in a cost-effective manner and to explore alternative and imaginative approaches to widening their curricular offer, including through making more effective use of our excellent ICT infrastructure or through moving teachers rather than pupils.

Taxis and Buses for Pupils

Mr G Savage asked the Minister of Education to provide a breakdown of the spending on (a) taxis; and (b) buses for pupils, in each of the last three years.
(AQW 394/11)

Minister of Education: Chuir na Boird Oideachais agus Leabharlann in iúl dom go bhfuil miondealú an chaiteachais ar (a) tacsaithe; agus (b) busanna le haghaidh daltaí, i ngach bliain de na trí bliana is déanaí dona bhfuil figiúirí ar fáil, mar atá soláthraithe sa tábla thíos. Níl na figiúirí don bhliain 2009-10 ar fáil go fóill.

I am advised by the Education and Library Boards that the breakdown of the spending on (a) taxis; and (b) buses for pupils, in each of the last three years for which figures are available is as provided in the table below. The figures for 2009-10 are not yet available.

Financial Year	(a) Taxis £k	(b) Buses* £k
2006-07	7,325	54,386
2007-08	6,959	56,244
2008-09	7,807	61,607

* This represents all buses provided by Translink, Education & Library Boards and private operators.

Source: The Education and Library Boards Actual Outturn Expenditure Home to School Transport.

School Milk Scheme

Mr G Savage asked the Minister of Education to detail the (i) schools; and (ii) nurseries which avail of the School Milk scheme, broken down by Education and Library Board area.

(AQW 395/11)

Minister of Education: Is mar seo a leanas atá na scoileanna a bhaineann leas as Scéim Bhainne Scoile an AE, agus iad mionsonraithe de réir limistéar Bhord Oideachais agus Leabharlann:

The schools which avail of the EU School Milk Scheme, broken down by Education and Library Board area, are as follows:

BELFAST EDUCATION AND LIBRARY BOARD

NURSERY

Arellian Nursery School	Ravenscroft Nursery School Sandbrook Nursery School
Bethlehem Nursery School	
Botanic Primary School Nursery Unit	Shaftesbury Nursery School
Brefne Nursery School	Stanhope Street Nursery School
Cathedral Nursery School	St Anne's Primary School Nurs. Unit
Edenderry Nursery School	St Bernadette's Nursery School
Glenbank Nursery School	St Bride's Primary School Nurs. Unit
Glendhu Nursery School	St Maria Goretti Nursery School
Holy Child Nursery School	St Martin's Nursery School
Holy Cross Nursery School	St Mary's Nursery School
Holy Family Nursery School	St Michael's Nursery School
Holy Rosary Nursery School	St Oliver Plunkett Nursery School
Hope Nursery School	St Paul's Nursery School
McArthur Nursery School	St Peter's Nursery School
Newlodge Nursery School	St Teresa's Nursery School
Oldpark Nursery School	Tudor Lodge Nursery School
Our Lady's Nursery School	Victoria Nursery School

PRIMARY

Avoniel Primary School
 Ballygolan Primary School
 Ballysillan Primary School
 Belmont Infants School
 Black Mountain Primary School
 Cliftonville Primary School
 Currie Primary School
 Dundela Infants School
 Edenbrooke Primary School
 Edmund Rice Primary School
 Elmgrove Primary School
 Euston Street Primary School
 Fane Street Primary School
 Gaelscoil na bhFál
 Glenwood Primary School
 Greenwood Primary School
 Grove Primary School
 Harding Memorial Primary School
 Harmony Primary School
 Hazelwood Primary School
 Holy Child Primary School
 Holy Cross Boys' Primary School
 Holy Cross Girls' Primary School
 Holy Family Primary School
 Holy Rosary Primary School
 Knocknagoney Primary School
 Ligoniel Primary School

Lowwood Primary School
 Mercy Primary School
 Nettlefield Primary School
 Our Lady's Primary School
 Rosetta Primary School
 Sacred Heart Primary School
 Scoil an Droichid
 Seaview Primary School
 Springfield Primary School
 Springhill Primary School
 Stranmillis Primary School
 Strathearn School Prep Department
 St Bernadette's Primary School
 St Clare's Primary School
 St Joseph's Primary School, Slate St
 St Malachy's Primary School
 St Mary's Star of the Sea PS
 St Matthew's Primary School
 St Michael's Primary School
 St Oliver Plunkett Primary School
 St Paul's Primary School, Mica Drive
 St Peter's Primary School, Ross Road
 St Vincent de Paul Primary School
 Victoria Park Primary School
 Taughmonagh Primary School
 Wheatfield Primary School

SPECIAL

Cedar Lodge Special School
 Clarawood Special School
 Fleming Fulton Special School
 Glenveagh Special School
 Greenwood House Assessment Centre

Harberton Special School
 Oakwood Special School
 Mitchell House Special School
 Park Education Resource Centre
 St Gerard's Education Resource Centre

NORTH EASTERN EDUCATION AND LIBRARY BOARD**NURSERY**

Ashgrove Nursery School	Millstrand Integrated Nursery School
Ballycastle Nursery School	Mossley Nursery School
Ballyhenry Nursery School	Oakfield Nursery School
Ballymena Nursery School	Portstewart Nursery School
Ballymoney Nursery School	Roundtower Nursery School
Ballysally Nursery School	Silverstream Nursery School
Broughshane Nursery School	Steeple Nursery School
Carrowreagh Nursery School	Straidbilly Nursery School
Clough Nursery School	Sunnylands Nursery School
Dunclug Nursery School	St Anthony's Nursery School
Earlview Nursery School	St Columba's Nursery School Kilrea
Eden Nursery School, Ballymoney	St James' Nursery School
Gracehill Nursery School	St Joseph's Nursery School, Antrim
Harpurs's Hill Nursery School	St Joseph's Nursery School, Crumlin
Hezlett Nursery School	St Joseph's Nursery School, Dunloy
Kylemore Nursery School	St Mary's Nursery School, Cushendall
Larne Nursery School	St Patrick's & St Brigid's Nurs. School
Magherafelt Nursery School	Victoria Nursery School

PRIMARY

Abbotts Cross Primary School	Barnish Primary School
Ampertaine Primary School	Braidside Primary School
Anahorish Primary School	Buick Memorial Primary School
Antrim Primary School	Bushmills Primary School
Armoy Primary School	Cairncastle Primary School
Ballycarry Primary School	Carhill Primary School
Ballycastle Primary School	Carlane Primary School
Ballyclare Primary School	Carnaghts Primary School
Ballycraigy Primary School	Carnalridge Primary School
Ballyhackett Primary School	Carnlough Primary School
Ballyhenry Primary School	Carniny Primary School
Ballykeel Primary School	Carrickfergus Central Primary School
Ballymoney Model Primary School	Carrickfergus Model Primary School
Ballynease Primary School	Carrowreagh Primary School
Ballynure Primary School	Castledawson Primary School
Ballysally Primary School	Castleroe Primary School
Ballytober Primary School	Cloughmills Primary School

Corran Primary School	Kirkinriola Primary School
Creavery Primary School	Knockahollett Primary School
Creggan Primary School	Knockloughrim Primary School
Culcrow Primary School	Knocknagin Primary School
Cullycapple Primary School	Landhead Primary School
Culnady Primary School	Larne & Inver Primary School
Dalriada School Prep Department	Leaney Primary School
Damhead Primary School	Lislagan Primary School
Desertmartin Primary School	Loanends Primary School
D H Christie Primary School	Longstone Primary School
Drumard Primary School	Maghera Primary School
Duneane Primary School	Magherafelt Primary School
Dunservick Primary School	Maine Integrated PS, Randalstown
Earlview Primary School	Mallusk Primary School
Eden Primary School, Ballymoney	Millburn Primary School
Eden Primary School, Carrickfergus	Millquarter Primary School
Fairview Primary School	Millstrand Primary School
Gaelscoil Eanna	Moneynick Primary School
Gaelscoil na Spéiríní	Moorfields Primary School
Garvagh Primary School	Mossgrave Primary School
Garryduff Primary School	Mossley Primary School
Glengormley Primary School	Mount St Michael's Primary School
Glenravel Primary School	Moyle Primary School
Gorran Primary School	Mullaghduh Primary School
Gracehill Primary School	New Row Primary School
Greenisland Primary School	Oakfield Primary School
Groggan Primary School	Olderfleet Primary School
Harpurs Hill Primary School	Portglenone Primary School
Harryville Primary School	Randalstown Primary School
Hezlett Primary School	Rasharkin Primary School
Hollybank Primary School	Rathcoole Primary School
Holy Family Primary School	Rathenraw Primary School
Kells & Connor Primary School	Silverstream Primary School
Kilbride Primary School	Straid Primary School
Killowen Primary School	Straidbilly Primary School
Kilmoyle Primary School	Straidhavern Primary School
Kilrea Primary School	St Anthony's Primary School
Kilross Primary School	St Brigid's Primary School, Ballymena
King's Park Primary School	St Brigid's PS, Cloughmills

St Brigid's Primary School, Mayogall
 St Brigid's Primary School, Tirkane
 St Ciaran's Primary School
 St Colmcille's PS, Ballymena
 St Columba's Primary School, Straw
 St Comgall's Primary School
 St Eoghan's Primary School
 St John's Primary School, Coleraine
 St. Joseph's Primary School, Antrim
 St Joseph's Primary School, Dunloy
 St Mac Nisius' PS, Tannaghmore
 St Macnissi's Primary School, Larne
 St Macnissi's PS, Newtownabbey
 St Malachy's Primary School
 St Mary's Primary School, Bellaghy
 St Mary's Primary School, Cargan
 St Mary's Primary School, Cushendall
 St Mary's Primary School, Glenview
 St Mary's Primary School, Greenlough
 St Mary's Primary School, Portglenone
 St Mary's Primary School, Rathlin
 St Olcan's Primary School, Armoy

St Oliver Plunkett's PS, Toome
 St Patrick's Primary School, Loughgiel
 St Patrick's Primary School, Portrush
 St Patrick's Primary School, Rasharkin
 St Patrick's Primary School, Waterfoot
 St Patrick's & St Joseph's PS, Garvagh
 St Patrick's & St Brigid's PS (Junior)
 St Patrick's & St Brigid's PS (Senior)
 St Trea's Primary School
 Templepatrick Primary School
 The Diamond Primary School
 The Thompson Primary School
 Tildarg Primary School
 Tobermore Primary School
 Toreagh Primary School
 Upper Ballyboley Primary School
 Victoria Primary School
 Whiteabbey Primary School
 Whitehead Primary School
 Whitehouse Primary School
 Woodburn Primary School
 Woodlawn Primary School

SPECIAL

Castle Tower Special School
 Hillcroft Special School
 Jordanstown Schools
 Kilronan Special School
 Riverside Special School

Roddensvale Special School
 Rosstulla Special School
 Sandelford Special School
 Thornfield House Special School

SOUTH EASTERN EDUCATION AND LIBRARY BOARD

NURSERY

Abbey Nursery School
 Barbour Nursery School
 Bloomfield Road Nursery School
 Comber Nursery School
 Forthill Nursery School
 Killowen Pre School

Old Warren Nursery School
 Pond Park Nursery School
 St Kieran's Nursery School
 St Malachy's Nursery School, Bangor
 Trinity Nursery School

PRIMARY

Abbey Primary School	Killyleagh Primary School
Academy Primary School	Kilmaine Primary School
Alexander Dickson Primary School	Millenium Primary School
Anahilt Primary School	Kirkistown Primary School
Andrews Memorial Primary School	Knockmore Primary School
Annsborough Primary School	Leadhill Primary School
Ballycarrickmaddy Primary School	Legamaddy Primary School
Ballycloughan Primary School	Loughries Primary School
Ballykiegle Primary School	Lower Ballinderry Primary School
Ballymacrickett Primary School	Maghaberry Primary School
Ballynahinch Primary School	Mckinney Primary School
Ballynahinch PS Special Unit	Moirra Primary School
Ballyvester Primary School	Moneyrea Primary School
Ballywalter Primary School	Newcastle Primary School
Bangor Central Primary School	Oakwood Integrated Primary School
Braniel Primary School	Our Lady Queen of Peace PS
Brooklands Primary School	Portaferry Integrated Primary School
Brownlee Primary School	Portavogie Primary School
Bunscoil Bheanna Boirche	Rathmore Primary School
Cairnshill Primary School	Rowandale Integrated Primary School
Carr Primary School	Spa Primary School
Carrickmannon Primary School	St Anne's Primary School
Carryduff Primary School	St Bernard's Primary School
Castlewellan Primary School	St Brigid's Primary School
Cedar Integrated Primary School	St Colmcille's Primary School
Christ the King PS, Drumaness	St Finian's Primary School
Christ the Redeemer Primary School	St Joseph's Primary School, Crossgar
Convent of Mercy Primary School	St Joseph's Primary School, Lisburn
Cumran Primary School	St Kieran's Primary School
Donaghadee Primary School	St Luke's Primary School
Downpatrick Primary School	St Malachy's PS, Castlewellan
Downshire Primary School	St Malachy's Primary School, Kilclief
Gilnahirk Primary School	St Mark's Primary School
Glasswater Primary School	St Mary's Primary School, Comber
Good Shepherd Primary School	St Mary's Primary School, Newcastle
Harmony Hill Primary School	St Mary's Primary School, Portaferry
Kilcooley Primary School	St Mary's Primary School, Saintfield
Killinchy Primary School	St Patrick's Primary School, Portaferry

St Patrick's PS, Burrenreagh
The Holy Family Primary School
Tonagh Primary School

Towerview Primary School
Victoria Primary School
Westwinds Primary School

SPECIAL

Brookfield Special School
Clifton Special School
Killard House School
Knockevin Special School

Longstone Special School
Parkview Special School
Tor Bank Special School

SOUTHERN EDUCATION AND LIBRARY BOARD

NURSERY/PLAYGROUPS

Banbridge Nursery School
College Farm Nursery School
Cookstown Nursery School
Downshire Nursery School
Dromore Nursery School
Dungannon Nursery School
Drumnamoe Nursery School
Earlybird
Edenderry Nursery School
Fivemiletown Nursery School

Grove Nursery School
Harrison Nursery School
Little Flower Nursery School
Little Villagers
Millington Nursery School
Naíscoil an Iúir
Railway Street Nursery School
Seaview Nursery School
Tandragee Nursery School

PRIMARY

Aghavilly Primary School
Anamar Primary School
Annalong Primary School
Armagh Christian Brothers' PS
Armstrong Primary School
Aughamullan Primary School
Augher Central Primary School
Ballydown Primary School
Ballyholland Primary School
Ballyoran Primary School
Bessbrook Primary School
Brackenagh West Primary School
Bridge Primary School
Bronte Primary School
Bunscoil an Iúir
Carntall Primary School

Churchhill Primary School
Churchtown Primary School
Clea Primary School
Clonalig Primary School
Cloughoge Primary School
Coagh Primary School
Cortamlet Primary School
Derryhale Primary School
Dickson Primary School
Donacloney Primary School
Donaghmore Primary School
Donaghy Primary School
Dromintee Primary School
Dromore Central Primary School
Dromore Road PS, Warrenpoint
Drumadonnell Primary School

Drumgor Primary School	Our Lady's Primary School, Tullsarran
Drumhillery Primary School	Our Lady's & St Mochua's PS
Drumsallen Primary School	Portadown Primary School
Edenderry Primary School, Banbridge	Primate Dixon Primary School
Edenderry Primary School, Portadown	Richmond Primary School
Fairhill Primary School	Richmount Primary School
Fivemiletown Primary School	Roan Primary School
Gilford Primary School	Saints & Scholars Integrated PS
Grange Primary School	Seagoe Primary School
Hardy memorial Primary School	Scarva Primary School
Hart Memorial Primary School	St Brendan's Primary School
Hamiltonsbawn Primary School	St Brigid's Primary School, Drumilly
Holy Trinity Primary School	St Bronagh's Primary School
Iveagh Primary School	St Colman's Abbey PS, Newry
Jonesborough Primary School	St Colman's PS, Annaclone
Keady Primary School	St Colman's (Bann) Primary School
Kilbroney Primary School	St Colman's Primary School, Dromore
Kilkeel Primary School	St Colman's Primary School, Kilkeel
Killeen Primary School	St Dallan's Primary School
Killowen Primary School	St Francis of Assisi Primary School
Killylea Primary School	St Jarlath's Primary School
Kingsmills Primary School	St John's Primary School, Middletown
King's Park Primary School	St John the Baptist Primary School
Lisnadill Primary School	St Joseph's Primary School, Bessbrook
Lisferty Primary School	St Joseph's Convent PS, Newry
Lurgan Model Primary School	St Joseph's Primary School, Madden
Maralin Village Primary School	St Joseph's PS, Poyntzpass
Millington Primary School	St Laurence's PS, Belleeks
Milltown Primary School	St Malachy's Primary School, Armagh
Moneydarragh Primary School	St Malachy's PS, Ballymoyer
Moneymore Primary School	St Malachy's PS, Carrickcroppin
Moy Regional Primary School	St Malachy's Primary School, Glencull
Moyallen Primary School	St Mary's PS, Ballygawley
Mount St Catherine's Primary School	St Mary's Primary School, Banbridge
Mullaghglass Primary School	St Mary's Primary School, Cabra
Newmills Primary School	St Mary's Primary School, Dechomet
Newtownhamilton Primary School	St Mary's Primary School, Derrytrasna
Orchard Primary School	St Mary's Primary School, Dunamore
Orritor Primary School	St Mary's PS, Fivemiletown

St Mary's Primary School, Granemore
 St Mary's PS, Glassdrumman
 St Mary's Primary School, Lisbouy
 St Mary's Primary School, Pomeroy
 St Mary's Primary School, Rathfriland
 St Mary's PS, Stewartstown
 St Matthew's Primary School
 St McCartan's Convent PS
 St Michael's Primary School, Clady
 St Michael's Primary School, Finnis
 St Oliver Plunkett's PS, Ballyhegan
 St Oliver Plunkett's PS, Forkhill
 St Patrick's PS, Aghacommon
 St Patrick's Primary School, Armagh
 St Patrick's PS, Ballymaghera
 St Patrick's PS, Crossmaglen
 St Patrick's PS, Cullyhanna
 St Patrick's PS, Donaghmore

SPECIAL

Ceara Special School
 Donard Special School
 Lisanally Special School

St Patrick's PS, Drumgreenagh
 St Patrick's PS, Dungannon
 St Patrick's Primary School, Loup
 St Patrick's PS, Mayobridge
 St Patrick's PS, Moneymore
 St Patrick's Primary School, Newry
 St Paul's Primary School, Cabra
 St Peter's PS, Cloughreagh
 St Ronan's Primary School
 St Teresa's PS, Tullyherron
 Tandragee Primary School
 Tullygally Primary School
 The Cope Primary School
 The Drelincourt Primary School
 Waringstown Primary School
 Windmill Primary School
 Windsor Hill Primary School
 Woods Primary School

Rathore Special School
 Sperrinview Special School

WESTERN EDUCATION AND LIBRARY BOARD

NURSERY

Academy Nursery School
 Ballycolman Nursery School
 Belmont Nursery School
 Bligh's Lane Nursery School
 Carnhill Nursery School
 Ebrington Nursery School
 Enniskillen Nursery School
 Galliagh Nursery School
 Limavady Nursery School
 Lisnagelvin Nursery School

Londonderry Model Nursery School Longtower
 Nursery School
 Omagh North Nursery School
 Rosemount Nursery School
 St Patrick's Nursery School, Castlederg
 Steelstown Nursery School
 Strathfoyle Nursery School
 Termoncanice Nursery School
 Trench Road Nursery School

PRIMARY

Aghadrumsee Primary School
 All Saints Primary School

Altishane Primary School
 Ardstraw Primary School

Artigarvan Primary School	Fountain Primary School
Ashlea Primary School	Gaiscoil adain Mhóir
Ballinamallard Primary School	Gaelscoil ui Dhochartaigh
Ballougry Primary School	Gillygooley Primary School
Ballykelly Primary School	Glendermott Primary School
Barrack Street Boys' Primary School	Gortin Primary School
Bellarena Primary School	Greenhaw Primary School
Belleek Primary School	Groarty Primary School
Bready Jubilee Primary School	Hollybush Primary School
Bridgehill Primary School	Holy Child Primary School
Broadbridge Primary School	Holy Family Primary School
Brookeborough Primary School	Holy Trinity PS – St Michael's
Bunscoil an Traonaigh	Irvinestown Primary School
Bunscoil Cholmcille	Jones Memorial Primary School
Chapel Road Primary School	Kesh Primary School
Christ the King Primary School	Killen Primary School
Cooley Primary School	Killyhommon Primary School
Corranny Primary School	Kilskeery Ind Christian School
Culmore Primary School	Lack Primary School
Cumber Claudy Primary School	Limavady Central Primary School
Denamona Primary School	Lisbellaw Primary School
Derrygonnelly Primary School	Lisnagelvin Primary School
Donemana Primary School	Listress Primary School
Dromore Primary School	Loreto Convent Primary School
Drumachose Primary School	Loughash Primary School
Drumlegagh Primary School	Magheralough Primary School
Drumlish Primary School	Maguiresbridge Primary School
Drumrane Primary School	McClintock Primary School
Dungiven Road Good Shepherd PS	Moat Primary School
Dunmullan Primary School	Nazareth House Primary School
Edwards Primary School	Newbuildings Primary School
Eglinton Primary School	Newtownbutler Primary School
Enniskillen Integrated Primary School	Newtownstewart Primary School
Enniskillen Model Primary School	Oakgrove Integrated Primary School
Envagh Primary School	Omagh County Primary School
Erganagh Primary School	Omagh Integrated Primary School
Evish Primary School	Our Lady of Lourdes Primary School
Faughanvale Primary School	Queen Elizabeth II Primary School
Florencecourt Primary School	Roe Valley Primary School

Roscavey Primary School	St Mary's Primary School, Cloughcor
Sacred Heart PS, Derry	St Mary's Girls' Primary School
Sion Mills Primary School	St Mary's Primary School, Gortnaghy
Strabane Contolled Primary School	St Mary's Primary School, Killesher
St Anne's Primary School	St Mary's PS, Killyclogher
St Anne's Primary School, Strabane	St Mary's PS, Maguiresbridge
St Brigid's PS, Altamuskin	St Mary's PS, Mullymesker
St Brigid's Primary School, Carnhill	St Mary's PS, Newtownbutler
St Brigid's Primary School, Cranagh	St Mary's Primary School, Teemore
St Canice's Primary School, Dungiven	St Mary's Primary School, Tempo
St Canice's Primary School, Feeny	St Matthew's Primary School
St Colmcille's Primary School	St Naile's Primary School
St Columban's Primary School	St Ninnidh's Primary School
St Columba's Primary School, Clady	St Oliver Plunkett PS, Beragh
St Columba's PS, Newbuildings	St Oliver Plunkett PS, Derry
St Columbkille's Primary School	St Patrick's PS, Derrygonnelly
St Conor's Primary School	St Patrick's PS, Dunamanagh
St Davog's Primary School	St Patrick's Primary School, Eskra
St Davog's Primary School, Scraghey	St Patrick's Primary School, Gortin
St Eithne's Primary School	St Patrick's PS, Mullanskea
St Eugene's Primary School, Knocks	St Patrick's PS, Pennyburn
St Eugene's PS, Derry	St Paul's Primary School
St Finlough's Primary School	St Paul's Primary School, Slievemore
St Francis of Assisi Primary School	St Peter's & St Paul's Primary School
St John the Baptist Primary School	St Peter's Primary School, Plumbridge
St John's Primary School	St Ronan's Primary School
St Joseph's Primary School, Drumquin	St Scire's Primary School
St Joseph's Primary School, Ederney	St Theresa's Primary School, Glebe
St Joseph's PS, Glenmorán	St Theresa's PS, Lenamore
St Laurence's Primary School	St Tierney's Primary School
St Martin's Primary School	Tattygar Primary School
St Mary's Primary School, Altinure	Tempo Primary School
St Mary's Boys' Primary School	Tummery Primary School
St Mary's PS, Brookeborough	

SPECIAL

Arvalee School & Resource Centre

Foyleview Special School

Belmont House Special School

Knockavoe School & Resource Centre

Elmbrook Special School

Rossmar Special School

Erne Special School

Department for Employment and Learning**Higher and Further Education**

Mr C Lyttle asked the Minister for Employment and Learning to detail the spend on (i) higher education; and (ii) further education (a) in total; and (b) per student, in each of the last three financial years.

(AQW 56/11)**Minister for Employment and Learning (Sir Reg Empey):**

- (i) The total spend on Higher Education has been taken from the HM Treasury Public Expenditure Statistical Analyses 2010 published in July this year. Student numbers are taken from the Higher Education Statistical Agency. The figures for the last three available years are:

	2006/07	2007/08	2008/09
HE Spend	£332m	£342m	£332m
Spend per Student	£6,795	£7,095	£6,882

- (ii) The six Further Education Colleges are funded annually through the Recurrent Block Grant on the basis of enrolment numbers rather than student numbers. There are variances in funding levels between enrolment types, so the figures detailed below are broken down to full-time enrolments and part-time enrolments. Additionally figures for Higher Education provision delivered in the Further Education sector are provided as they are not reflected in the HE figures above.

FE Spend *	2007/08	2008/09	2009/10
Spend (Total)	£108.6m	£104.2m	£106m
Spend (Full Time)	£75.7m	£74.4m	£80m
Spend per FT enrolment	£5,224	£4,670	£4,310
Spend (Part Time)	£32.9m	£29.8m	£26m
Spend per PT enrolment	£567	£581	£502

* Enrolment numbers and spend exclude recreational provision

HE in FE Spend	2007/08	2008/09	2009/10
Spend (Total)	£21.1m	£25.7m	£26.4m
Spend (Full Time)	£11.1m	£17.7m	£18m
Spend per FT enrolment	£3,956	£5,113	£4,433
Spend (Part Time)	£10m	£8m	£8.4m
Spend per PT enrolment	£1,497	£1,392	£1,376

Free English Language Courses

Ms A Lo asked the Minister for Employment and Learning if his Department has any plans to introduce free English language courses in Further Education Colleges for asylum seekers.

(AQW 182/11)

Minister for Employment and Learning: My Department provides funding for English for Speakers of Other Languages (ESOL) provision in FE colleges in recognition of its importance to the economy as well as its role in promoting social cohesion.

Within the funding formula, ESOL provision is given the highest weighting and so attracts enhanced funding. Across the FE sector, over £2.8m worth of ESOL provision has been recorded so far in the 2009/10 academic year (data correct at June 2010) against a total of 4847 enrolments. However, as incorporated bodies, colleges have their own fee policy and may or may not charge fees to students. Contributions are also sought from employers where appropriate.

In the current economic climate we have focused our investment and provision on those people who have made a commitment to living in this country but whose English skills prevent them from getting or keeping a job.

Currently all migrants who meet UK residency requirements are eligible for financial assistance for ESOL training. Those who fail to meet these requirements are charged at a full cost recovery rate. In cases of hardship, students may receive help from Support Funds.

I am aware of a recent briefing paper submitted by the Law Centre (NI) on behalf of a number of interested parties which sets out a case for the provision of free ESOL classes for asylum seekers and refugees. My officials are considering the implications of this request. However, I can confirm that there are no plans at present to introduce free English classes specifically for asylum seekers.

Risks of Disallowances or Infraction Proceedings

Dr S Farry asked the Minister for Employment and Learning for his assessment of any risks of disallowances or infraction proceedings that could be undertaken in relation to the work of his Department and its agencies; and what measures he is taking to mitigate any such risks.

(AQW 210/11)

Minister for Employment and Learning: My Department is responsible for the transposition of the Agency Workers Directive (Directive 2008/104/EC) in Northern Ireland, which is intended to give temporary agency workers equal treatment to directly-employed workers in respect of pay, hours of work, holiday entitlement, etc. A consultation paper is due to issue in October this year. I am content that the transposition date of 5 December 2011 will be met, and that there is no threat of disallowances or infraction proceedings.

Queen's University Merger with Stranmillis College

Mrs D Kelly asked the Minister for Employment and Learning what commitments Queen's University has given to (i) academic staff; and (ii) non-academic staff in relation to their continued employment in the event of a merger with Stranmillis College.

(AQW 253/11)

Minister for Employment and Learning: In working towards the merger of the two institutions, the Governing Bodies of Queen's University and Stranmillis University College, have adopted a set of guiding principles. Principle number two states:

"There will be full consultation with all staff and Trade Unions. Staff will transfer under TUPE with their terms and conditions protected and will remain in their current pension schemes. No compulsory redundancies will arise as a direct result of this merger."

I expect this commitment to be honoured in the event of a merger.

Third Level Education

Mr P Weir asked the Minister for Employment and Learning what discussions his Department has had with the UK Government in relation to the future funding of third level education.

(AQW 269/11)

Minister for Employment and Learning: Since the change of government senior officials within my Department have met and engaged in significant dialogue with colleagues in the other UK regions and with the Department for Business, Innovation and Skills. These communications dealt with a range of issues, specifically related to Further and Higher Education including funding, and explored the new policy directions of the Coalition.

Steps To Work Programme

Ms S Ramsey asked the Minister for Employment and Learning, in relation to participants from West Belfast, to detail (i) how many people are currently on the Steps To Work programme, broken down by industry sector; (ii) how many people have participated in the programme since it commenced; (iii) how much money a business receives per placement; (iv) how much money each participant receives; (v) how many people have been successful in gaining paid employment and; (vi) how many people have been successful in gaining employment with their placement organisation.

(AQW 283/11)

Minister for Employment and Learning:

- i. Steps to Work occupancy statistics are not currently captured by industry sector.
- ii. The first Step to Work statistical bulletin will be published on the 29 September 2010. Prior release of this information would breach the terms of the Pre-release Access to Official Statistics Order (Northern Ireland) 2009. The number of participants for West Belfast will be available from 20 October 2010.
- iii. No funding is made available, through the programme, to businesses offering work placements.
- iv. Programme participants receive their current rate of benefit (or an equivalent training allowance), plus top up / Training bonus (£15.38 per week), travel allowance (where costs are in excess of £4 per week), childcare allowance (where appropriate). Participants on the waged strand of the programme receive at least the National Minimum Wage.
- v. Statistics on employment outcomes will be published on the 29 September 2010. Prior release of this information would breach the terms of the Pre-release Access to Official Statistics Order (Northern Ireland) 2009.
- vi. Statistical information is not collected on employment outcomes gained directly with placement organisations.

Department of Enterprise, Trade and Investment

Ryanair Correspondence

Mr G Savage asked the Minister of Enterprise, Trade and Investment to detail all correspondence between Ryanair and her Department in the last 18 months.

(AQW 109/11)

Minister of Enterprise, Trade and Investment (Mrs A Foster): I received a letter from Mr Michael Cawley, Chief Operating Officer and Deputy Chief Executive of Ryanair, dated 9 September 2010, summarising the topics discussed at the meeting which we had on 3 September. I replied to Mr Cawley on 16 September thanking him for the opportunity to discuss his Company's concerns.

My Department's Statistics Research Branch received one statistical survey form (the Census of Employment) from Ryanair to collect information on the number of employee jobs by location and

gender. The Census of Employment form was issued on 7th September 2009 and was completed and returned to the Department on 16th September 2009.

Risks of Disallowances or Infraction Proceedings

Dr S Farry asked the Minister of Enterprise, Trade and Investment for her assessment of any risks of disallowances or infraction proceedings that could be taken in relation to the work of her Department or its related agencies; and to set out the measures being taken to mitigate any such risks.

(AQW 156/11)

Minister of Enterprise, Trade and Investment: My officials, in consultation with their Whitehall counterparts, have assessed any risks of disallowance or infraction proceedings as low.

My Department is fully aware that there is a risk that EU funds may be disallowed where EU regulations are not complied with. The Department mitigates this risk through regular verification and grant inspection activity, ongoing liaison with Implementing Bodies and the provision of written guidance and training for those involved in drawing down funding.

My officials are also well aware of the importance of timely transposition of EU Directives, and current procedures are sufficiently robust to ensure that this happens as a matter of course. This reflects a much greater awareness now of the importance of transposing EU Directives on time and the potential consequences of failing to do so. Within DETI, the Legislative Monitoring Unit (LMU) acts as an initial alerting service, taking details of all newly adopted EU Directives from the European Policy and Co-ordination Unit (EPCU) within OFMDFM, and issuing these to relevant Departmental Heads of Divisions (HODs). The HODs then take ownership of the respective Directives, in liaison with their Whitehall counterparts, and are responsible for monitoring and managing the transposition process to ensure that all Directives within their policy remit are transposed on time. DETI's Departmental Board oversees all DETI legislation and monitors progress via regular reports.

Broadband in South Antrim

Mr T Burns asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 4050/10 and AQW 3333/10, for an update on the broadband upgrades to telephone exchanges in the South Antrim constituency.

(AQW 168/11)

Minister of Enterprise, Trade and Investment: Broadband upgrades are planned for 44 designated areas in the South Antrim constituency. By the end of August 2010, 19 areas had been upgraded which is 43% of the total for the constituency. Across all of Northern Ireland 40% of all designated areas have been upgraded. By May 2011 all designated areas are expected to be upgraded.

Broadband in Strangford

Mr S Hamilton asked the Minister of Enterprise, Trade and Investment for an update on the delivery of next generation broadband for the Strangford constituency.

(AQW 299/11)

Minister of Enterprise, Trade and Investment: Broadband upgrades are planned for 33 designated areas in the Strangford constituency as part of the Next Generation Broadband Project. By the end of August 2010, 11 areas had been upgraded which is 33% of the total for the constituency. Across all of Northern Ireland 40% of all designated areas had been upgraded by end August, with deployment in some areas in line with the Northern Ireland average, whilst deployment in some other areas is either ahead of or behind that average. However, by May 2011 all designated areas are scheduled to be upgraded.

Broadband East Antrim

Mr A Ross asked the Minister of Enterprise, Trade and Investment for an update on the delivery of next generation broadband for the East Antrim constituency.

(AQW 439/11)

Minister of Enterprise, Trade and Investment: Broadband upgrades are planned for 27 designated areas in the East Antrim constituency as part of the Next Generation Broadband Project. By the end of August 2010, 18 areas had been upgraded which is 66% of the total for the constituency. Across all of Northern Ireland 40% of all designated areas had been upgraded by the end of August. By May 2011 all designated areas are scheduled to be upgraded.

Department of the Environment

Risks of Disallowances or Infraction Proceedings

Dr S Farry asked the Minister of the Environment for his assessment of any risks of disallowances or infraction proceedings that could be taken in relation to the work of his Department or its related agencies; and to set out the measures being taken to mitigate any such risks.

(AQW 155/11)

Minister of the Environment (Mr E Poots): We seek to minimise the risk of disallowances and infraction proceedings arising by working with other jurisdictions across the UK. We ensure each Directive is transposed into domestic law by the transposition deadline and that all implementation requirements are met.

MOT Tests

Mr T Burns asked the Minister of the Environment how many MOT tests have taken place in each of the last five years, broken down by (i) MOT centre; and (ii) vehicle type.

(AQW 217/11)

Minister of the Environment: For the purposes of this response the number of MOT tests has been taken to mean the number of vehicles presented for full vehicle tests in each of the financial years from 2005-06 to 2009-10, and vehicles have been classed as cars, motorcycles, light goods vehicles, heavy goods vehicles, trailers or buses/taxis.

Year	Vehicle Type					
	Cars	Motor Cycles	Light Goods	Heavy Goods	Trailers	PSV Buses/ Taxis
2005-06						
Armagh	15819	418	1842	1798	1000	566
Ballymena	33666	1467	3495	1537	1204	1070
Belfast	53195	1474	3790	1616	627	2590
Coleraine	36787	1683	3523	1598	468	660
Cookstown	31834	700	4586	2140	822	566
Craigavon	23821	958	2157	1898	887	474
Downpatrick	22631	500	2258	1348	263	458
Enniskillen	22765	1228	2613	1290	666	417
Larne	20275	942	1436	1404	1395	564

Year 2005-06	Vehicle Type					
	Cars	Motor Cycles	Light Goods	Heavy Goods	Trailers	PSV Buses/ Taxis
Lisburn	27823	1112	2336	1851	809	871
Londonderry	30507	773	2949	1248	342	1959
Mallusk	36500	1304	3118	3403	2845	2139
Newry	36052	512	4114	2228	788	845
Newtownards	56083	2240	3187	1187	247	1346
Omagh	20741	402	2891	1223	371	530
Total	468499	15713	44295	25769	12734	15055

Year 2006-07	Vehicle Type					
	Cars	Motor cycles	Light Goods Vehicles	Heavy Goods Vehicles	Trailers	PSV Buses/ Taxis
Armagh	17538	516	2040	1884	1077	535
Ballymena	39959	1648	4260	1739	1457	1046
Belfast	58263	1756	3987	1762	681	2713
Coleraine	38333	1665	3743	1619	538	716
Cookstown	33303	698	4814	2221	923	587
Craigavon	27894	1262	2567	1809	855	349
Downpatrick	23862	455	2454	1340	256	442
Enniskillen	24246	1397	2746	1383	792	413
Larne	22190	1037	1613	1421	1397	605
Lisburn	31028	1170	2650	1791	840	960
Londonderry	36141	813	3697	1267	341	2054
Mallusk	40086	1536	3846	3746	3038	2582
Newry	39619	632	4532	2430	924	941
Newtownards	66124	2494	3780	1180	247	1366
Omagh	21655	378	3048	1271	375	530
Totals	520241	17457	49777	26863	13741	15839

Year 2006-07	Vehicle Type					
	Cars	Motor cycles	Light Goods Vehicles	Heavy Goods Vehicles	Trailers	PSV Buses/ Taxis
Armagh	19140	515	2250	1980	1088	576
Ballymena	43132	1669	4609	1815	1392	1361
Belfast	55292	1748	4006	1824	643	2709
Coleraine	40350	1659	4084	1643	416	702
Cookstown	32139	719	4676	2378	1007	606
Craigavon	31909	1251	2954	1771	802	517
Downpatrick	27046	510	2850	1221	251	487
Enniskillen	26051	1508	3157	1389	834	458
Larne	24506	1077	1784	1213	1539	619
Lisburn	33811	1235	2839	1745	848	1074
Londonderry	38432	877	3949	1417	322	2332
Mallusk	34264	1523	3520	4131	3013	2515
Newry	40640	687	4695	2297	893	837
Newtownards	64573	2734	3742	1301	283	1394
Omagh	22771	443	3354	1305	379	498
Totals	534056	18155	52469	27430	13710	16685

Year 2008-09	Vehicle Type					
	Cars	Motor cycles	Light Goods Vehicles	Heavy Goods Vehicles	Trailers	PSV Buses/ Taxis
Armagh	22723	612	2757	2085	1171	640
Ballymena	45890	1871	4967	1900	1546	1251
Belfast	61865	1878	4495	1801	720	3132
Coleraine	43253	1814	4364	1608	468	745
Cookstown	38857	766	5624	2371	974	631
Craigavon	35604	1273	3228	1765	866	529
Downpatrick	29999	587	3077	1332	284	500
Enniskillen	28952	1408	3518	1408	926	468
Larne	28615	1259	2024	1174	1428	523
Lisburn	37614	1400	3322	1784	940	1027
Londonderry	42356	1008	4110	1360	333	2297
Mallusk	40999	1615	4289	4249	3121	2719

Year 2008-09	Vehicle Type					
	Cars	Motor cycles	Light Goods Vehicles	Heavy Goods Vehicles	Trailers	PSV Buses/ Taxis
Newry	44915	794	5223	2509	1031	913
Newtownards	70590	2953	4158	1231	288	1309
Omagh	24597	515	3528	1236	410	483
Totals	596829	19753	58684	27813	14506	17167

Year 2008-09	Vehicle Type					
	Cars	Motor cycles	Light Goods Vehicles	Heavy Goods Vehicles	Trailers	PSV Buses/ Taxis
Armagh	25615	555	3084	2171	1106	624
Ballymena	45208	1756	4916	1881	1423	1128
Belfast	68796	2164	4609	1807	722	3543
Coleraine	43589	1801	4478	1605	449	755
Cookstown	38407	785	5551	2207	968	633
Craigavon	34982	1368	3160	1728	878	552
Downpatrick	29077	599	2999	1129	239	483
Enniskillen	28617	1533	3472	1433	997	488
Larne	24858	1339	1607	1032	1266	405
Lisburn	38446	1450	3276	1690	906	895
Londonderry	44870	1069	4201	1411	349	2231
Mallusk	47105	1569	4962	3652	2970	2502
Newry	46074	893	5177	2484	966	939
Newtownards	70044	2974	4150	1161	240	1171
Omagh	25420	552	3731	1167	373	481
Totals	611108	20407	59373	26558	13852	16830

MOT Tests Non-Attendance

Mr T Burns asked the Minister of the Environment to detail the number of MOT test appointments where the vehicle owner did not attend, therefore the tests were not carried out and the fee was not refunded, in each of the last five years, broken down by (i) MOT Centre; and (ii) vehicle type.

(AQW 219/11)

Minister of the Environment:

Year 2005-06	Vehicle Type					
	Cars	Motor cycles	Light Goods	Heavy Goods	Trailers	PSV Buses/ Taxis
Armagh	721	33	146	164	92	11
Ballymena	1142	47	218	100	70	33
Belfast	2824	89	386	149	77	90
Coleraine	1162	19	211	85	49	16
Cookstown	1493	32	365	251	102	19
Craigavon	978	18	160	166	113	15
Downpatrick	843	22	171	109	34	15
Enniskillen	1088	65	175	87	48	13
Larne	693	24	100	57	60	17
Lisburn	1142	39	194	129	72	29
Londonderry	1517	46	260	152	64	45
Mallusk	1308	64	214	258	174	60
Newry	1987	23	382	234	71	45
Newtownards	1599	88	210	75	8	23
Omagh	944	35	245	135	52	13
Totals	19441	644	3437	2151	1086	444

Year 2006-07	Vehicle Type					
	Cars	Motor Cycles	Light Goods	Heavy Goods	Trailers	PSV Buses/ Taxis
Armagh	668	19	123	134	82	20
Ballymena	1283	74	226	112	97	30
Belfast	2228	73	320	96	51	85
Coleraine	1140	63	187	86	57	14
Cookstown	1289	26	323	184	80	28
Craigavon	1112	56	145	134	89	15
Downpatrick	840	22	173	102	34	5
Enniskillen	938	35	136	97	58	11
Larne	669	42	90	88	71	17
Lisburn	1057	41	143	107	75	25
Londonderry	1287	35	272	119	44	42

Year 2006-07	Vehicle Type					
	Cars	Motor Cycles	Light Goods	Heavy Goods	Trailers	PSV Buses/ Taxis
Mallusk	1157	73	229	261	143	62
Newry	1663	31	320	176	65	24
Newtownards	1577	75	186	75	5	26
Omagh	725	19	199	114	30	24
Totals	17633	684	3072	1885	981	428

Year 2007-08	Vehicle Type					
	Cars	Motor Cycles	Light Goods	Heavy Goods	Trailers	PSV Buses/ Taxis
Armagh	600	20	149	121	85	15
Ballymena	1067	42	201	118	83	4
Belfast	1675	75	240	97	32	69
Coleraine	944	40	157	87	27	13
Cookstown	971	29	244	158	52	20
Craigavon	804	49	147	101	55	15
Downpatrick	719	22	139	64	27	9
Enniskillen	806	29	145	82	44	15
Larne	629	50	78	67	76	6
Lisburn	880	33	130	92	76	17
Londonderry	1112	40	214	88	20	40
Mallusk	966	57	192	216	115	43
Newry	1263	25	223	155	45	23
Newtownards	1335	79	156	52	8	18
Omagh	603	25	178	93	29	15
Totals	14374	615	2593	1591	774	322

Year 2008-09	Vehicle Type					
	Cars	Motor Cycles	Light Goods	Heavy Goods	Trailers	PSV Buses/ Taxis
Armagh	661	17	129	134	89	14
Ballymena	1017	54	192	92	92	35
Belfast	1564	85	223	81	49	72

Year 2008-09	Vehicle Type					
	Cars	Motor Cycles	Light Goods	Heavy Goods	Trailers	PSV Buses/ Taxis
Coleraine	932	47	152	69	33	16
Cookstown	878	25	211	118	39	14
Craigavon	709	40	122	92	49	12
Downpatrick	616	25	137	74	22	3
Enniskillen	690	23	131	75	38	6
Larne	537	41	61	57	59	5
Lisburn	807	35	134	79	58	20
Londonderry	1050	29	171	85	26	26
Mallusk	955	48	203	195	117	44
Newry	1097	35	212	157	53	16
Newtownards	1202	68	151	51	8	17
Omagh	578	26	130	65	31	9
Totals	13293	598	2359	1424	763	309

Year 2009-10	Vehicle Type					
	Cars	Motor Cycles	Light Goods	Heavy Goods	Trailers	PSV Buses/ Taxis
Armagh	303	14	65	58	43	7
Ballymena	501	24	110	55	37	14
Belfast	837	59	101	42	30	52
Coleraine	448	22	69	34	21	9
Cookstown	405	12	103	59	31	6
Craigavon	334	22	66	40	16	5
Downpatrick	270	13	57	41	7	6
Enniskillen	330	19	65	45	27	4
Larne	275	28	32	35	26	0
Lisburn	386	33	50	28	27	5
Londonderry	511	26	89	55	16	15
Mallusk	478	26	108	85	52	21
Newry	512	12	88	51	39	11
Newtownards	592	49	61	29	3	7
Omagh	248	9	74	46	20	6
Totals	6430	368	1138	703	395	168

General Grant

Mr P Weir asked the Minister of the Environment to detail the level of general grant currently allocated to each of the 26 local councils.

(AQW 245/11)

Minister of the Environment: The level of General Grant currently allocated to each of the 26 local councils is set out in the table below. General Grant is made up of two elements, De-rating and Resources. Details of these are provided for completeness.

District Council	General Grant De-rating (Estimated) 2010/2011 £	General Grant Resources 2010/2011 £
Antrim	1,034,215	0
Ards	596,841	785,867
Armagh	690,292	1,475,363
Ballymena	1,212,474	0
Ballymoney	281,000	971,663
Banbridge	448,244	976,434
Belfast	4,372,476	0
Carrickfergus	537,334	547,263
Castlereagh	684,084	0
Coleraine	596,213	0
Cookstown	817,510	581,795
Craigavon	2,144,907	911,163
Derry	1,407,484	1,289,796
Down	487,918	1,360,408
Dungannon & South Tyrone	1,583,210	895,750
Fermanagh	861,691	1,058,941
Larne	441,082	105,196
Limavady	165,002	1,240,891
Lisburn	1,708,872	0
Magherafelt	694,746	1,044,018
Moyle	179,585	480,341
Newry & Mourne	1,164,675	1,562,677
Newtownabbey	1,374,603	0
North Down	560,168	0
Omagh	540,751	1,296,598
Strabane	287,322	1,762,836

The De-rating figures are estimates and will be finalised around the end of October using updated valuations (Net Annual Values or NAVs) provided by the Land and Property Services Agency, together with the 2010/2011 district rates.

Planning Service: Delays in RPA

Mr G Savage asked the Minister of the Environment for an update on the position of the Planning Service in relation to the delays to the outworking of the Review of Public Administration.

(AQW 246/11)

Minister of the Environment: I remain committed to the planning reform process, and I have indicated to Executive colleagues and others that, despite the delays to implementing the recommendations of the Review of Public Administration (RPA), I intend to take forward a Planning Bill.

Officials are currently engaged in drafting the primary legislation, and I intend to bring a paper to the Executive in due course seeking agreement to introduce the draft Bill.

Planning Service Staff Redeployment

Mr G Savage asked the Minister of the Environment if (i) an Equality Impact Assessment; and (ii) a risk assessment has been carried out on the proposals to redeploy Planning Service staff.

(AQW 249/11)

Minister of the Environment: I can confirm that separate EQIA screening exercises were carried out on my Department's Regrading and Redeployment Schemes i.e. Section 75 Equality of Opportunity Screening Analysis forms were completed and both policies were screened out. I should add that my Department liaised with NISRA for relevant data to assist with this exercise and the Departmental Equality Unit was informed of the outcome of this work.

My Department has now commenced a strategic baseline review of the Planning Service's organisation, funding and operations and senior structures taking account of the range of factors now impacting on the Agency. The Planning Service will reorganise to live within its budget and reprioritise resources to ensure key services to customers can be maintained and impact from the reduction in staff is minimised.

Planning Service: Judicial Review of Redeployment

Mr G Savage asked the Minister of the Environment for his assessment of whether the redeployment of Planning Service staff may inadvertently lead to an excessive number of judicial reviews on Planning Service decisions.

(AQW 250/11)

Minister of the Environment: It remains open for anyone to seek a Judicial Review of planning decisions made by my Department at any time. However, the potential for such a challenge increases if the decision involves particularly complex or controversial issues. While the potential for such legal challenges in complex and controversial cases exists there is nothing to indicate that the redeployment of staff (due to a downturn in the number of applications being submitted) would inadvertently lead to an increase in the number of legal challenges faced by my Department in the future.

Planning Service Staff: Voluntary Redundancy

Mr G Savage asked the Minister of the Environment if there are any plans to introduce voluntary redundancy for Planning Service staff.

(AQW 251/11)

Minister of the Environment: My Department is currently concentrating its efforts on securing successful reggrading, redeployment and loan opportunities for surplus Planning Service staff. This remains the primary focus and there are no plans to introduce voluntary redundancy at this time.

Planning Service Staff Qualifications

Mr G Savage asked the Minister of the Environment, given that many Planning Service staff are qualified in planning and geography, what consideration he has given to the skills and knowledge that will be lost and not fully exploited if staff are redeployed.

(AQW 252/11)

Minister of the Environment: My Department is working with the Department of Finance and Personnel and other NICS Departments to identify suitable posts for Professional & Technical (P&T) staff together with opportunities to loan or second P&T staff to other organisations for limited periods. To help reduce the financial pressure on the Department my officials have developed a regrading scheme to enable P&T staff in Planning Service to transfer voluntarily to the General Service discipline. This opens up the possibility of redeployment to vacancies across the NICS and at the same time retains this valuable expertise within the NICS.

I am conscious that when the economy starts to recovery P&T planners will have an important role to play in facilitating and helping to speed up that recovery. Therefore, in implementing arrangements for regrading and redeployment of staff, my Department will incorporate provisions that will enable those P&T planners redeployed to other duties in the NICS to retain their professional membership through continuous professional development.

The Department will also examine the scope for P&T staff to be considered for future vacancies in planning posts, whether in central or local government.

Weight Regulations

Mr P J Bradley asked the Minister of the Environment to detail the weight regulations that apply to new drivers of a car towing a trailer; and whether he is aware of the inconvenience the weight limit restrictions has caused to young farmers and construction workers.

(AQW 277/11)

Minister of the Environment: The Second European Directive on Driving Licences (Council Directive 91/439/EEC) was adopted in 1991 and implemented in NI with effect from 1997 through the Driving Licences (Community Driving Licence) Regulations (Northern Ireland) 1997 and the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1996.

In accordance with the Second Directive, since January 1997, anyone who passes a category B (car) test is only allowed to tow a trailer of a maximum authorised mass (MAM) not exceeding 750 kg, and the combined weight of the car and trailer cannot exceed 4,250 kg. However it is permissible to increase the weight of the trailer providing its MAM does not exceed the unladen weight of the towing vehicle and the combination weight does not exceed 3,500 kg. MAM in driving licence terms, is the maximum weight of a vehicle or trailer including the maximum load that can be carried safely while used on the road.

It is also possible to obtain a category B+E (car and trailer) licence by passing a test which will allow the towing of a trailer with a MAM greater than 750 kg by a category B vehicle whose mass does not exceed 3,500kg.

The Third European Directive on Driving Licences (Council Directive 2006/126/EC) was adopted in 2006 and its provisions must be fully implemented by early 2013.

Under the provisions of the Third Directive drivers with a Category B licence will be able to upgrade their licences in order to drive with a trailer in excess of 750kg provided that the MAM of the combination does not exceed 4,250kg. However, where the combination of tractor vehicle and trailer exceeds 3,500 kg, the driver must either complete a course of training or pass a test or both. The final decision on which of these approaches to adopt has yet to be decided as assessment of the responses to a recently carried out consultation on the proposals for implementing the requirements of the Third Directive is still ongoing. This variation on the category B licence is known as a B96 licence.

Category B+E drivers will also be restricted to towing a trailer with a maximum mass of 3,500kg by a category B vehicle (which has a maximum mass of 3,500kg). The minimum age at which a Category B+E licence will be issued will be 18.

During the consultation process no major expressions of concern were received with regard to this area of the Third Directive. Towing trailers requires a specialised skill set. The restrictions placed upon drivers towing trailers are there to enhance road safety and ensure that they are not a danger on the roads.

Planning Fees Review

Mr G Savage asked the Minister of the Environment if his Department plans to review planning fees as part of an overhaul of the Planning Service.

(AQW 309/11)

Minister of the Environment: A review team has been established within my Department to review the current planning fees structure in light of the prevailing economic situation. The review is carefully considering a range of options for change and will bring forward recommendations which will be the subject of public consultation in the very near future.

Planning Fees Lower than UK

Mr G Savage asked the Minister of the Environment why planning fees are significantly lower than in other planning authorities in the UK; and for his assessment of whether this represents a disadvantage to the Planning Service.

(AQW 311/11)

Minister of the Environment: The system of planning fees in Northern Ireland has been developed separately from those of other UK jurisdictions, and hence the level and structure of planning fees differs. A review team has been established within my Department to review the current planning fees structure in light of the prevailing economic situation. The review is carefully considering a range of options for change and will bring forward recommendations which will be the subject of public consultation in the very near future.

The current planning fees were determined in compliance with Treasury guidance with regard to full cost recovery and therefore, even though they are lower than the fees in other planning authorities in the UK, the Planning Service has not been disadvantaged. The economic downturn, which has resulted in a significant reduction in planning application income, has been the main driver for the fundamental review of planning fees.

Planning Service Reliance on Fees

Mr G Savage asked the Minister of the Environment whether there are any plans to reduce the reliance on fees as a source of funding for the Planning Service; and for his assessment of the appropriateness of this resourcing mechanism for accounting purposes.

(AQW 313/11)

Minister of the Environment: In parallel to the ongoing Review of Planning Fees and Charges, the Department intends to engage with the Department of Finance and Personnel to seek agreement to a revised framework for the future financial management of the Planning Service which more accurately reflects the demand led nature of planning application income. Discussions will be progressed as part of the Budget 2010 process.

Planning Service: Fit for Purpose

Mr G Savage asked the Minister of the Environment what steps he is taking to ensure that the Planning Service is fit for purpose and is in a position to aid economic recovery.

(AQW 316/11)

Minister of the Environment: The planning reform programme has brought about a number of performance improvements to the planning system over the past three years. The roll-out of streamlined council consultation procedures has already made a positive impact on the application process. Some 60% of applications are now streamlined and it is hoped to extend this to 80% by March 2011. This has led to improvements in processing times for all categories of application and the Agency is now exceeding a number of its Public Service Agreement (PSA) targets and is on track to achieve the remainder by March 2011. The Programme for Government (PfG) also contains a commitment to process large scale strategic investment planning proposals within 6 months provided there have been pre-application discussions. To date, 10 applications have met the criteria to apply the 6 month target. Of these, 9 have been processed on target with the remaining 1 on track for achievement.

As regards current initiatives, action is now being taken to reduce the number of cases that have already exceeded the PSA processing targets and a strategy for the 2010-11 business year is currently being implemented. It includes the implementation of challenging divisional targets for processing backlog cases with a particular emphasis on strategic and major applications.

Planned legislative changes to permitted development rights also have the potential to impact positively on future workloads.

My Department is also in the process of developing workforce models for the Planning Service which should assist in determining the Agency's future staffing requirements. In addition, a review of the Planning Service senior management structure is underway and any savings achieved will be directed towards reducing staff redeployments from the Agency.

Overgrown Invasive Plant Species

Mr T Burns asked the Minister of the Environment to detail (i) how many times his officials have cleared overgrown invasive plant species from his Department's property in each of the last five years; (ii) the cost involved; and (iii) the type of plant species removed in each case.

(AQW 378/11)

Minister of the Environment: Not all the information requested is available, but such information as is held by the Northern Ireland Environment Agency is supplied in the following tables.

CLEARANCE OF INVASIVE PLANT SPECIES AT NIEA COUNTRY PARKS

Year	Site	Species	Money spent
2005/6	Scrabo Country Park	Rhododendron / Cherry Laurel	£0
2006/7	Scrabo Country Park	Rhododendron / Cherry Laurel	£2887.50
2007/8	Scrabo Country Park	Rhododendron / Cherry Laurel	£0
2008/9	Scrabo Country Park	Rhododendron / Cherry Laurel	£300.00
2009/10	Scrabo Country Park	Rhododendron / Cherry Laurel	£0
2005/6	Peatlands Park	Rhododendron	£57,000
2006/7	Peatlands Park	Rhododendron	£65,000
2007/8	Peatlands Park	Rhododendron	£83,783
2008/9	Peatlands Park	Rhododendron	£99,735
2009/10	Peatlands Park	Rhododendron	£4,307
2005/6	Redburn Country Park	Cherry Laurel	£1400
2006/7	Redburn Country Park	Cherry Laurel	£11,300

Year	Site	Species	Money spent
2007/8	Redburn Country Park	Cherry Laurel	£4,900
		Japanese Knotweed	£50
2008/9	Redburn Country Park	Cherry Laurel	£10,700
2009/10	Redburn Country Park	Cherry Laurel	£300
		American Raspberry	£300
2005/6	Crawfordsburn Country Park	Cherry Laurel	£15,100
2006/7	Crawfordsburn Country Park	Knotweed	£600
		Winter Heliotrope	£400
2007/8	Crawfordsburn Country Park	Cherry Laurel	£3,000
		Bamboo	£300
2008/9	Crawfordsburn Country Park	Cherry Laurel	£13,700
		Pond invasives	£2,200
2009/10	Crawfordsburn Country Park	Cherry Laurel (clearance)	£1,100
		Cherry Laurel & Heliotrope spray	£1,000
		Knotweed	£340
		American Raspberry	£900
2005/6	Castle Archdale Country Park	Sycamore	£7000
2006/7	Castle Archdale Country Park	Rhododendron	£3000
2007/8	Castle Archdale Country Park	Rhododendron, Himalayan Balsam	£7,879
2008/9	Castle Archdale Country Park	Himalayan Balsam	£4269
		Japanese Knotweed	£1293
		Rhododendron	£930
		American Raspberry	£2175
		Sycamore	£1312
2009/10	Castle Archdale Country Park	Himalayan Balsam	£5,590
		Japanese Knotweed	£344
2005/6	Roe Valley Country Park	Japanese Knotweed	£500
2009/10	Roe Valley Country Park	Himalayan Balsam	£0

CLEARANCE OF INVASIVE PLANT SPECIES AT NIEA NATURE RESERVES

Year	Site	Species	Money spent
2009/10	Glenariff FNR	Rhododendron	£514
2008-09	Quoile NR	Sycamore	£2,177
2008-09	Rostrevor NR	Sycamore	£7,430
2008-09	Dorn NR	Spartina	£1,542
2009-10	Quoile NR	Sycamore	£343
2009-10	Dorn NR	Spartina	£556
2010-11	Quoile NR	Sycamore	£1,254
2010-11	Rostrevor NR	Sycamore	£1,394
2010-11	Hollymount NR	Sycamore	£697
2008/09	Marble Arch	Beech Removal	£352
2008/09	Castle Archdale Islands	Sycamore	£176
2008/09	Castle Archdale Islands	Beech	£967
2009/10	Tullywanna	Rhododendron	£37
2009/10	Castle Archdale Islands	Sycamore	£352
2006/07	Reas Wood	Rhododendron, Box Wood, American Raspberry, Piggy Back Plant, Laurel, Dog Wood, Japanese Knotweed	£1,586.25
2006/07	Randalstown Forest	Skunk Cabbage	£18
2006/07	Lough Neagh Islands	Himalayan Balsam	£55
2006/07	Brackagh Moss	Japanese Knotweed	£37
2007/08	Reas Wood	Rhododendron, Box Wood, American Raspberry, Piggy Back Plant, Laurel, Dog Wood, Japanese Knotweed	£5,923
2007/08	Randalstown Forest	Skunk Cabbage	£18
2007/08	Lough Neagh Islands	Himalayan Balsam	£55
2007/08	Brackagh Moss	Japanese Knotweed	£37
2008/09	Reas Wood	Rhododendron, Box Wood, American Raspberry, Piggy Back Plant, Laurel, Dog Wood, Japanese Knotweed	£4,356
2008/09	Randalstown Forest	Skunk Cabbage	£18
2008/09	Lough Neagh Islands	Himalayan Balsam	£55
2008/09	Brackagh Moss	Japanese Knotweed	£37

2009/10	Reas Wood	Rhododendron, Box Wood, American Raspberry, Piggy Back Plant, Laurel, Dog Wood, Japanese Knotweed	£2,085
2009/10	Randalstown Forest	Skunk Cabbage	£18
2009/10	Lough Neagh Islands	Himalayan Balsam	£55
2009/10	Brackagh Moss	Japanese Knotweed	£37
2010/11	Reas Wood	Rhododendron, Box Wood, American Raspberry, Piggy Back Plant, Laurel, Dog Wood, Japanese Knotweed	£1964 to date
2010/11	Randalstown Forest	Skunk Cabbage	£37
2010/11	Lough Neagh Islands	Himalayan Balsam	£55
2010/11	Brackagh Moss	Japanese Knotweed	£37

Northern Ireland Environment Agency

Mr J Dallat asked the Minister of the Environment if he has any plans to review the efficiency and effectiveness of the Northern Ireland Environment Agency, particularly in relation to delivering on its enforcement responsibilities.

(AQO 66/11)

Minister of the Environment: No, there are no such plans. The Agency was formed in 2008 following a significant independent review of environmental governance (The Burke Report). As far as enforcement is concerned a revised Enforcement Policy, which builds on the Agency's successful prosecution record, will be published this autumn and the NIEA Environmental Crime Unit now reports directly to the Chief Executive.

Planning: Enforcement

Mr J Wells asked the Minister of the Environment whether he has considered changing the current procedures to enable public representatives to receive regular updates in relation to the progress of planning enforcement cases.

(AQO 67/11)

Minister of the Environment: In all planning related enforcement investigations, my Department's standard procedure is not to enter into correspondence with a complainant or anyone else on the detail of the case other than to confirm that a case has been opened, that the site has been visited and investigation is ongoing involving the landowner and any other relevant parties. At the conclusion of the case Planning Service will inform the complainant of the outcome.

It is not the case that Planning Service is being unhelpful but due to the restrictions imposed by the Data Protection Act 1998 and the Environmental Information Regulations 2004 the Department is limited to the information that can be released in order to prevent an enforcement investigation being prejudiced and to safeguard the rights of all the individuals involved. The legislation applies equally to information that can be disclosed to individual members of the public and elected representatives, therefore I am prevented from making any changes to the current procedures.

Seal Deaths

Mr J Bell asked the Minister of the Environment for an update on the post-mortem investigation by the Northern Ireland Environment Agency into seal deaths on the Co. Down coast.

(AQO 69/11)

Minister of the Environment: As a result of the enhanced environmental monitoring associated with the trial Marine Current Turbine in the Strangford Narrows, NIEA collects all seal carcasses, excluding those in an advanced state of decay, found between Cloghy and Minerstown, including all of Strangford Lough.

These are forwarded to a veterinary pathologist for post mortem to determine cause of death.

In 2008 and 2009 a number of 'unnatural' seal deaths were recorded, the majority of which occurred in late autumn and early winter. None of these were attributed to the Marine Turbine.

So far this year there has been only one recorded instance of an unnatural death.

In April 2010 a seal was collected from Murlough beach that had significant trauma to the side of its face. The veterinary pathologist concluded that an implement such as a boat hook or gaff may have caused the injury.

NIEA continues to assume responsibility for carcase collection in the areas referred to, and has received a number of calls regarding suspicious activity involving seals since its recent press release on the matter.

George Best Belfast City Airport Planning

Mr B Wilson asked the Minister of the Environment what action his Department has taken to enforce planning agreements with the George Best Belfast City Airport.

(AQO 71/11)

Minister of the Environment: I am aware of a breach of the seats for sale restriction contained in the 2008 Planning Agreement between my Department and George Best Belfast City Airport. In light of the current request by the Airport to remove the restriction legal action has been held pending the outcome.

Rose Energy Planning Application

Mr M McLaughlin asked the Minister of the Environment to provide his rationale for approving the planning application for Rose Energy's incinerator at Glenavy despite local community objections, and in light of his decision for a public inquiry into a runway extension at George Best Belfast City Airport following local community objections.

(AQO 72/11)

Minister of the Environment: The two Rose Energy planning applications for a Biomass Fuelled Power Plant and a Water Abstraction Facility have been fully assessed having regard to the Development Plan for the area and all other material considerations including the views of third parties and the expert advice provided by consultees.

In determining the two planning applications, it has been concluded that the economic considerations in support of the power plant proposal and associated water abstraction facility should be given determining weight. In addition, the advice from DARD's scientific advisors is that a biomass fuelled incineration plant is currently the only proven technology for processing poultry litter on a commercial scale that significantly reduces the volume of litter to be disposed of. In addition, this type of facility can help Northern Ireland comply with EU Directives and avoid potential EU infraction costs.

Following advice from my planning officials, I am satisfied that the issues raised by third parties have either been satisfactorily addressed by the applicant or can be controlled either under the IPPC permitting regime or by the imposition of planning conditions.

Each planning application is determined on its merits' and the number of representations received in respect of a planning application is not justification in itself to cause a public inquiry to be held. The key test for the Department in deciding the process route is whether a public inquiry is necessary to provide a forum for presentation and consideration of issues arising from the representations received and which need to be assessed to allow the Department to determine the application.

In this case it is contended that a public inquiry is not required on the grounds that, it is not considered necessary to further consider the representations that have been made in order to assist the Department in arriving at a decision in this case.

Local Government: Transition Committees

Mr A Ross asked the Minister of the Environment what guidance has been given to local authorities in relation to Transition Committees continuing to meet.

(AQO 73/11)

Minister of the Environment: I am very conscious of the difficult position that Transition Committees find themselves in at present, in the absence of clarity from the Executive on the delivery timetable for local government reform.

I have not yet determined the precise role that Transition Committees will play in future and cannot do so until I have a clear decision from the Executive on the delivery timetable for local government reform and on the role that Transition Committees will play in delivering improvement, collaboration and efficiency across the local government sector in advance of the structural reorganisation of local government.

I can assure the Member that my aim is to reach the point where I am in a position to issue guidance to Transition Committees as soon as possible. In the meantime, my advice to Transition Committees is to exercise judgement as to when and whether they meet and in determining the issues they wish to pursue within the terms of the guidance already issued by my Department.

Department of Finance and Personnel

Lone Pensioners Allowance

Mr S Hamilton asked the Minister of Finance and Personnel to provide the latest figures for the uptake of Lone Pensioners Allowance, broken down by each Local Government district.

(AQW 74/11)

Minister of Finance and Personnel (Mr S Wilson): As of 31 August 2010, there are 25,633 current awards of Lone Pensioner Allowance (LPA).

Land & Property Services administers 21,280 current LPA awards to home owners. A breakdown of the number of awards made in each district council area, and their value, is set out in Table 1.

Awards of LPA for ratepayers in the social and private rented sectors are made by the Northern Ireland Housing Executive. The Executive has 4,353 current awards under the scheme. The Executive is able to supply details by district council but is not currently able to break down the value of the awards by council area. The NIHE figures are shown in Table 2 attached.

TABLE 1**LAND & PROPERTY SERVICES AWARDS OF LPA:**

LPS awards by council area	No of current awards	Total value of current awards
Antrim	503	£84,288
Ards	1121	£200,711
Armagh	655	£105,453
Ballymena	853	£146,563
Ballymoney	307	£47,644
Banbridge	430	£66,246
Belfast	3751	£721,577
Carrickfergus	559	£91,614
Castlereagh	1428	£223,935
Coleraine	869	£159,154
Cookstown	248	£38,842
Craigavon	821	£118,196
Derry	736	£127,868
Down	837	£151,298
Dungannon & South Tyrone	413	£58,262
Fermanagh	632	£90,100
Larne	494	£69,777
Limavady	235	£40,235
Lisburn	1440	£233,225
Magherafelt	291	£39,292
Moyle	220	£41,235
Newry & Mourne	752	£129,108
Newtownabbey	1270	£184,508
North Down	1723	£348,822
Omagh	437	£63,169
Strabane	255	£35,007
Total	21,280	£3,616,130

TABLE 2**NIHE AWARDS OF LPA:**

NIHE awards by region	No of current awards	
Antrim	126	
Ards	224	
Armagh	131	
Ballymena	214	
Ballymoney	62	
Banbridge	115	
Belfast	760	
Carrickfergus	159	
Castlereagh	223	
Coleraine	198	
Cookstown	42	
Craigavon	226	
Derry	155	
Down	148	
Dungannon & South Tyrone	78	
Fermanagh	115	
Larne	110	
Limavady	41	
Lisburn	335	
Magherafelt	53	
Moyle	39	
Newry & Mourne	133	
Newtownabbey	254	
North Down	295	
Omagh	75	
Strabane	42	
	Total	Total value of current awards
	4353	£429,039

Capping of Industrial Rates

Mr S Hamilton asked the Minister of Finance and Personnel how many companies benefitted from the capping of industrial rates; and how much was saved in total, broken down by each Local Government district.

(AQW 75/11)

Minister of Finance and Personnel: It is not possible to identify how many ‘companies’ pay industrial rates, given that not all ratepayers who qualify for industrial derating can be legally classified as a company.

To date in 2010/11 (as at September 2010), 4,232 ratepayers have benefitted from the 30% cap.

In terms of estimating the amount of rates forgone, which would represent the total saving to ratepayers, the following figures should be treated with caution. They are calculated with reference to what the same number of ratepayers in manufacturing would otherwise pay if liable to the full rate paid by other business sectors. The imposition of full rates, however, could easily jeopardise the viability of struggling manufacturing firms and therefore the savings figures can only represent a maximum. Actual savings cannot be determined with any certainty.

On this basis a maximum of £50.4m has been saved by those 4,232 ratepayers for the 2010/11 rating year.

For the 2009/2010 rating year (year ending 31 March 2010), 4,241 ratepayers benefitted from the 30% cap, with a maximum saving of £51.5m.

The relevant figures, as broken down by district council, are set out at Table 1.

Precise numbers are not available for the 2007/8 and 2009/10 rating years. However, based on outline figures published on a quarterly basis by LPS, it is clear that similar numbers benefitted, and the maximum level of savings would have been broadly equivalent in those rating years.

TABLE 1: NUMBER OF INDUSTRIAL RATEPAYERS AND AMOUNT OF SAVINGS FOR THOSE RATEPAYERS AS A RESULT OF INDUSTRIAL DERATING CAP (30%) BY DISTRICT COUNCIL AREA, COMPARED TO 100% LIABILITY.

	2010/11 rating year (as at September 2010)		2009/10 rating year	
	Number	Savings to ratepayers	Number	Savings to ratepayers
Antrim	145	£1,904,138	144	£1,894,880
Ards	164	£1,231,745	163	£989,712
Armagh	163	£1,309,933	163	£1,260,647
Ballymena	158	£2,758,114	152	£2,615,646
Ballymoney	80	£410,211	79	£404,476
Banbridge	112	£897,797	113	£845,684
Belfast	487	£6,959,686	489	£6,857,839
Carrickfergus	78	£1,072,271	76	£1,026,442
Castlereagh	144	£1,770,305	144	£1,771,776
Coleraine	134	£1,332,111	133	£1,200,874
Cookstown	144	£1,853,285	144	£1,650,196
Craigavon	236	£4,710,341	239	£4,631,205
Derry	212	£2,770,712	210	£2,692,273
Down	125	£847,604	126	£1,081,839
Dungannon & South Tyrone	256	£3,867,621	261	£3,794,361

	2010/11 rating year (as at September 2010)		2009/10 rating year	
	Number	Savings to ratepayers	Number	Savings to ratepayers
Fermanagh	159	£1,996,268	161	£1,877,422
Larne	57	£1,016,959	60	£876,134
Limavady	60	£347,255	59	£313,161
Lisburn	314	£4,237,372	315	£4,872,897
Magherafelt	176	£1,802,316	176	£1,667,083
Moyle	18	£61,575	18	£57,856
Newry & Mourne	278	£2,460,170	279	£2,474,551
Newtownabbey	183	£2,847,384	186	£2,713,098
North Down	139	£1,220,793	142	£1,192,940
Omagh	130	£1,156,091	132	£1,050,711
Strabane	80	£639,461	77	£602,424
Total	4232	£51,481,518	4241	£50,416,127

Non-Domestic Regional Rate

Mr S Hamilton asked the Minister of Finance and Personnel to detail the total amount saved by ratepayers by the freeze on the non-domestic regional rate, broken down by each Local Government district.

(AQW 76/11)

Minister of Finance and Personnel: The regional non-domestic rate has been frozen over the last three years (in either cash or real terms). The regional non-domestic rate was frozen in cash terms at 2008/2009 levels in 2009/2010, instead of increasing by an inflationary factor of 2.7% as originally intended. This produced a savings for non-domestic ratepayers of around £7.8 million. A detailed breakdown of the savings produced, by District Council area, was provided in response to AQW/5423/2009, dated 23 March 2009. The relevant data is reproduced at Table 1.

The regional non-domestic rate was frozen in real terms for 2010/2011, increasing only in line with inflation (i.e. by 2.7%) from 2009/2010 levels. This produced a cash saving for non-domestic ratepayers of around £2.1 million, compared to an increase of 3.3% which was the average non-domestic rate increase under direct rule. A detailed breakdown by District Council area is provided in Table 2.

Table 1: Savings in 2009/2010 to non-domestic ratepayers for each District Council area from freezing the regional non-domestic rate at 2008/09 levels, rather than increasing it by 2.7%. Columns may not add up due to roundings.

District	Revenue With Freeze	Revenue with no freeze	Savings to Non Domestic Rate payers
Antrim	£9,906,708	£10,174,189	£267,481
Ards	£6,475,163	£6,649,992	£174,829
Armagh	£5,356,058	£5,500,671	£144,614

District	Revenue With Freeze	Revenue with no freeze	Savings to Non Domestic Rate payers
Ballymena	£9,724,194	£9,986,747	£262,553
Ballymoney	£2,000,968	£2,054,994	£54,026
Banbridge	£4,090,353	£4,200,793	£110,440
Belfast	£96,799,421	£99,413,005	£2,613,584
Carrickfergus	£4,270,528	£4,385,832	£115,304
Castlereagh	£10,038,270	£10,309,304	£271,033
Coleraine	£9,124,539	£9,370,901	£246,363
Cookstown	£3,997,250	£4,105,175	£107,926
Craigavon	£12,766,232	£13,110,920	£344,688
Down	£6,214,835	£6,382,636	£167,801
Dungannon & South Tyrone	£6,137,103	£6,302,805	£165,702
Fermanagh	£8,176,018	£8,396,770	£220,752
Larne	£4,766,010	£4,894,692	£128,682
Limavady	£3,152,486	£3,237,603	£85,117
Lisburn	£16,693,094	£17,143,807	£450,714
Derry	£18,942,661	£19,454,113	£511,452
Magherafelt	£3,722,264	£3,822,765	£100,501
Moyle	£1,173,080	£1,204,753	£31,673
Newry & Mourne	£12,013,435	£12,337,798	£324,363
Newtownabbey	£13,473,034	£13,836,806	£363,772
North Down	£11,195,874	£11,498,163	£302,289
Omagh	£6,883,475	£7,069,329	£185,854
Strabane	£3,381,427	£3,472,725	£91,299
Total	£290,474,479	£298,317,290	£7,842,811

TABLE 2: SAVINGS IN 2010/2011 TO NON-DOMESTIC RATEPAYERS, BY DISTRICT COUNCIL AREA, FROM FREEZING THE REGIONAL NON-DOMESTIC RATE, IN REAL TERMS, AT 2009/2010 LEVELS, RATHER THAN INCREASING IT BY 3.3% COLUMNS MAY NOT ADD UP DUE TO ROUNDINGS.

DISTRICT	Revenue - freeze in real terms	Revenue with 3.3% increase in Rate	Savings to Non Domestic Rate payers
Antrim	£11,678,965	£11,749,746	£70,782
Ards	£7,761,375	£7,808,414	£47,039
Armagh	£6,099,267	£6,136,233	£36,965
Ballymena	£11,667,194	£11,737,904	£70,710

DISTRICT	Revenue - freeze in real terms	Revenue with 3.3% increase in Rate	Savings to Non Domestic Rate payers
Ballymoney	£2,483,746	£2,498,799	£15,053
Banbridge	£4,939,355	£4,969,290	£29,935
Belfast	£116,160,411	£116,864,413	£704,002
Carrickfergus	£5,146,961	£5,178,155	£31,194
Castlereagh	£12,416,552	£12,491,803	£75,252
Coleraine	£10,940,038	£11,006,341	£66,303
Cookstown	£4,778,325	£4,807,284	£28,960
Craigavon	£15,211,679	£15,303,871	£92,192
Down	£7,288,734	£7,332,908	£44,174
Dungannon & South Tyrone	£7,289,853	£7,334,034	£44,181
Fermanagh	£10,207,841	£10,269,707	£61,866
Larne	£5,864,534	£5,900,077	£35,543
Limavady	£3,713,948	£3,736,457	£22,509
Lisburn	£19,991,319	£20,112,479	£121,160
Derry	£22,389,244	£22,524,936	£135,692
Magherafelt	£4,575,477	£4,603,208	£27,730
Moyle	£1,364,971	£1,373,243	£8,273
Newry & Mourne	£14,097,925	£14,183,367	£85,442
Newtownabbey	£16,080,640	£16,178,098	£97,458
North Down	£13,599,727	£13,682,150	£82,423
Omagh	£8,575,202	£8,627,173	£51,971
Strabane	£4,113,074	£4,138,002	£24,928
Total	£348,436,356	£350,548,092	£2,111,735

Ministerial Cars

Mr G Savage asked the Minister of Finance and Personnel how much will be saved under the new contract for the provision of Ministerial cars.

(AQW 113/11)

Minister of Finance and Personnel: I am unable to advise you of any savings that may be achieved until decisions have been made regarding the future provision of Ministerial cars.

Website Maintenance and Construction Contracts

Mr S Gardiner asked the Minister of Finance and Personnel how many website maintenance and construction contracts from Government Departments and associated arm's length agencies were

awarded to firms and individuals from (i) within Northern Ireland; and (ii) outside Northern Ireland in each of the last five years; and what the monetary value of this work was in each of these categories.
(AQW 134/11)

Minister of Finance and Personnel: Between January 2005 and August 2010 the Central Procurement Directorate (CPD) awarded 23 contracts on behalf of Northern Ireland Civil Service departments, their agencies and associated non departmental public bodies.

Of those, 13 contracts valued in total at approximately £306,253.00, were awarded to firms within Northern Ireland and 10 contracts valued in total at approximately £246,608.00, to firms outside Northern Ireland. The number and value of contracts awarded during this time are listed in Table 1.

This response only includes those contracts awarded on behalf of departments by CPD and does not include any contracts established by the departments themselves.

TABLE 1

	2005	2006	2007	2008	2009	2010	Total
Total Number of Contracts Within NI	4	2	1	3	0	3	13
Total Value of Contracts Within NI	£110,854.00	£37,820.00	£34,545.00	£59,059.00	£0.00	£63,975.00	£306,253.00
Total Number of Contracts Outside NI	3	4	1	0	1	1	10
Total Value of Contracts Outside NI	£128,478.00	£61,150.00	£22,450.00	£0.00	£22,325.00	£12,205.00	£246,608.00
						Total	23
							£552,861.00

Risks of Disallowances or Infraction Proceedings

Dr S Farry asked the Minister of Finance and Personnel for his assessment of any risks of disallowances or infraction proceedings that could be taken in relation to the work of his Department or its related agencies; and to set out the measures being taken to mitigate any such risks.

(AQW 190/11)

Minister of Finance and Personnel: My department is responsible for ensuring that all EU receipts due to Northern Ireland are drawn down by the departments responsible.

The Structural Funds funding package for the period 2000-06 has closed with final documentation being prepared to meet the Commission's Regulatory deadlines. The risk of any disallowance as a result of the closure process has been mitigated by the development, by my department, of detailed closure guidance which conforms to the European Commission's requirements. This guidance is being used across all NI EU programmes.

For the 2007-13 period my Department mitigates the risk of decommitment of unclaimed balances by reviewing expenditure and claim forecasts from the Programme Managing Authorities. This provides an early warning of any expected shortfall to ensure remedial action is taken and full claims are submitted.

My department is also responsible for rating. The granting of rate reliefs for business would normally be considered unlawful State aid given in contravention of the EC's State aid rules, resulting in infraction proceedings and the recovery, with interest, of the payment from the recipient. However, industrial derating and freight transport relief are allowable as pre-accession aids. Small business rate relief, which was introduced on 1 April, operates the same way as the rest of the UK under de minimis rules, with a current ceiling of €200,000 on the total de minimis aid that can be granted to any one business from all public sources over a rolling three-year period.

There is always the risk that the Commission may intervene if the conditions associated with the various concessions are not complied with. However, it is my Department's assessment that such a breach is unlikely to occur.

The Department has sought to manage any risk of disallowance or infraction proceedings by considering the matter during policy development, through assessing legal advice, liaising with the State Aid Unit in DETI and examining practice elsewhere in the UK. Land and Property Services has also advised those in receipt of small business rate relief of their obligations under the de-minimis rules should the receipt of rate relief be likely to breach the threshold of allowable support.

Construction Industry

Mr G Savage asked the Minister of Finance and Personnel for his assessment of the impact of the economic decline on the construction industry; and what his Department has done in the last twelve months, and will do in the next six months, to help the construction industry.

(AQW 205/11)

Minister of Finance and Personnel: The construction industry makes an important contribution to the Northern Ireland economy. The latest Northern Ireland Statistics and Research Agency Construction Industry Bulletin for Quarter One 2010, published on 18 August 2010, indicates that the industry's turnover in the twelve months to 31 March 2010 was some £2.9bn, and that almost 63,000 people were employed in the industry.

The economic downturn has had a severe impact on the Northern Ireland construction industry. This has affected many firms and individuals. In August 2010, almost 13,000 people from the construction sector were claiming benefit, an increase of almost 28% since January 2009.

While such levels of unemployment are of real concern, the industry has benefitted significantly from capital expenditure by the Executive over the last twelve months. Indeed, without the unprecedented level of Government investment, representing in excess of 40% of the industry's turnover, the impact of the economic downturn on the industry would have been much worse.

Gross capital expenditure by NI departments in 2009-10 was £1.7 billion reflecting the highest ever level of gross capital expenditure in Northern Ireland. This was an increase of 0.5% on 2008-09 and an increase of almost 30% on 2005-06.

Despite a reduction in the level of capital receipts, the June monitoring outcome estimates that gross capital expenditure during 2010-11 will also be around £1.7 billion. This figure will be subject to ongoing review through the in-year monitoring process.

During the year, Central Procurement Directorate and the Centres of Procurement Expertise introduced changes to the way firms are selected to be invited to tender for construction works contracts. Following consultation, through the Construction Industry Forum, a revised pre-qualification process has been specifically developed to benefit SMEs by increasing their opportunities to bid for Government contracts and reduce their costs by streamlining the procurement process.

We will not know the precise details of the settlement for the NI Executive until the outcome of the 2010 Spending Review is announced on 20 October 2010. However, it is anticipated that the outcome of the Review will mean lower levels of capital expenditure by departments. Although not all capital expenditure is on construction projects, reduced levels of available funding will undoubtedly have an impact on the construction industry.

My department will, however, be working to ensure that Northern Ireland is not unfairly treated and that the Budget, despite being difficult, will be balanced and targeted at our long term strategic priorities.

Government Contracts: Central Procurement Directorate

Mr G Savage asked the Minister of Finance and Personnel what Central Procurement Directorate is doing to ensure that local companies benefit from the awarding of Government contracts.

(AQW 206/11)

Minister of Finance and Personnel: Public procurement is subject to EU Treaty obligations, which require freedom of movement, transparency and non-discrimination on the basis of nationality. Public sector buyers therefore cannot restrict their purchases of goods, works or services to favour local firms.

Government recognises the important contribution that local companies make to the economy of Northern Ireland. In support of this, Central Procurement Directorate (CPD) is taking forward a number of initiatives aimed at encouraging small and medium-sized enterprises (SMEs) and social economy enterprises (SEEs) to compete for public procurement contracts.

For example, CPD introduced eSourcing NI, an electronic tendering portal in May 2008. This is now operational across all Centres of Procurement Expertise (CoPEs). In addition, seven Councils have signed up to using the system. Use of the portal will make it easier for SMEs/SEEs to locate Government tendering opportunities. It will also help to simplify and standardise the tendering process, thereby reducing the cost and time required to participate in the procurement process.

In June 2010, CPD established a Business and Industry Forum for Northern Ireland (BIFNI). This Forum provides a strategically focused interface between representatives from CPD, the CoPEs and the wider business community, where parties can consider matters of mutual interest relating to all aspects of public procurement. The Forum held its second meeting on 8 September and will meet again in the New Year.

A number of Procurement Guidance Notes are being developed to help SME/SEEs access public sector contracting opportunities. This work is being assisted by CPD's participation in a number of cross-departmental working groups including the Social Entrepreneurship Programme Stakeholder Group, the Social Economy Policy Group and the Social Economy Procurement Group.

CPD has also implemented a number of key improvements to the construction procurement process. Opportunities for SMEs to bid for Government construction contracts have been increased by setting proportionate minimum standards for experience and financial standing and by accommodating applications from consortia. Bid costs have also been reduced through standardising and streamlining

the pre-qualification process by, for example, the introduction of a common standard for the assessment of contractors' health and safety competency which means that it need only be assessed annually and will be mutually recognised across all CoPEs.

These measures, which were agreed through the Construction Industry Forum for NI, have been incorporated into a standard template Pre-Qualification Questionnaire (PQQ). The roll out of this PQQ commenced on 1 March 2010 and CoPEs, with responsibility for construction procurement, have agreed that all pre-qualification will, as far as is practicable, follow this process from 1 September 2010.

During May 2010, CPD in partnership with the Construction Employers Federation (CEF) held 'Simplifying Procurement Roadshows' in Newry, Antrim and Omagh. These events were used to communicate how the standard PQQ will be applied as part of the electronic tendering process used by CoPEs. A total of 330 delegates attended the roadshows.

Since May 2008, CPD has also participated in an additional 34 workshops and delivered presentations on 'how to access Government procurement opportunities' to over 1770 delegates.

Government Department Recruitment

Mr A Maginness asked the Minister of Finance and Personnel to detail (i) the number of vacant posts; and (ii) the number of graduates recruited to fill those posts within each Government Department in (a) 2007; (b) 2008; (c) 2009; and (d) the first six months of 2010, broken down by graduates recruited by (i) direct entry for which a degree was not required; (ii) graduate recruitment; and (iii) professional/technical entry for which a graduate qualification was required.

(AQW 218/11)

Minister of Finance and Personnel: The number of vacant posts in the eleven NICS Departments from April 2007 to April 2010 is set out in table (i) attached.

(I) NICS VACANCIES BY DEPARTMENT APRIL 2007 TO APRIL 2010

DEPT	VACANCIES (FTE)			
	01/04/2007	01/04/2008	01/04/2009	01/04/2010
DARD	0.0	69.6	63.6	37.1
DCAL	52.0	73.2	63.0	4.0
DE	30.6	22.1	5.8	0.0
DEL	123.3	201.0	210.7	126.8
DETI	40.0	116.0	51.5	18.0
DFP	212.0	167.0	25.0	44.5
DHSSPS	74.0	78.0	2.0	14.0
DOE	263.0	405.0	343.0	64.0
DRD	182.0	259.0	214.0	265.7
DSD	622.0	410.0	102.6	90.0
OFMDFM	62.0	21.0	28.0	6.0
Total	1660.9	1821.9	1109.2	670.1

All external recruitment to the NICS is reported by financial year on an annual basis. Annual reports detail applications received and appointments made, by occupational group, to the NICS as a whole. Appointments to each Department are not reported separately.

Information on the number of graduates recruited to fill posts within Departments for which a degree is not required is not available. The NICS normally advertises a corporate administrative Degree Holder competition each year to attract new graduate entrants to the NICS. These graduate appointments are detailed in table (ii) below, by financial year. Appointments made to a professional and technical grade are also detailed in table (ii). It must be noted that some of these appointments, dependent on the position, may have required a degree qualification but it cannot be assumed that all professional and technical grades require a degree on entry.

ii) NICS APPOINTMENTS: 2007 - 2010

Financial Year	(i) Total appointments	(ii) Graduate appointments	(iii) Professional / Technical appointments
2007-2008	2166	55	200
2008-2009	2858	47	324
2009-2010	720	27	127
Total	5744	129	651

Energy Performance Certificates

Ms D Purvis asked the Minister of Finance and Personnel how many Energy Performance Certificates have been issued for (i) dwellings for sale, since 30 June 2008; (ii) new buildings, since 30 September 2008; (iii) properties for rent, since 30 December 2008; (iv) properties (other than dwellings) for sale, since 30 December 2008; and (v) public sector buildings, since 30 December 2008.

(AQW 312/11)

Minister of Finance and Personnel: The attached table sets out the number of Energy Performance Certificates (EPCs) registered as at 21 September 2010 for existing dwellings, new dwellings and non-dwellings as well as the lodgements of Display Energy Certificates (DECs) for public sector buildings. It is not possible to distinguish between EPCs issued for properties for sale and those for rental as a single EPC serves both purposes and may be used multiple times for either purpose during its 10 year validity period.

EPCS REGISTERED IN NORTHERN IRELAND AS AT 21 SEPTEMBER 2010

EPCs for existing dwellings since 30 June 2008	78,811
EPCs for newly built dwellings since 30 September 2008	10,940
EPCs for properties other than dwellings issued since 30 December 2008	1,573
DECs for public sector buildings issued since 30 December 2008	2,488

Energy Performance Certificates

Ms D Purvis asked the Minister of Finance and Personnel what discussions his Department has had with local Councils regarding the enforcement of Energy Performance Certificates.

(AQW 314/11)

Minister of Finance and Personnel: The Department has had extensive discussions with district councils both prior to and following the transfer of enforcement powers for the Energy Performance of Buildings Regulations in December 2009.

The amendment to the Regulations to transfer these powers was made with the full agreement of all 26 district councils. The councils agreed that Belfast City Council would carry out enforcement on behalf of all 26 district councils for a pilot period of 12 months, with the role being undertaken by the Building Control section. An enforcement protocol between Belfast City Council Building Control and the

Department was signed on 28 January 2010 setting out a framework for enforcement activities as well as a formal monitoring and reporting structure between the parties.

The Department provided training for the enforcement team on the interpretation and application of the Regulations. Outside of the formal reporting arrangements set out by the Protocol, officials in the Department continue to be a source of advice and guidance for the enforcement team and the wider Building Control on an ongoing basis.

The Protocol stipulates that a representative group of Building Control Officers and the Department meet on a quarterly basis to review enforcement activities undertaken, the effect on levels of compliance and the targeting of forthcoming enforcement activities. To date, two such meetings have been held and a further one is planned for early October.

Temporary Promotions in NI Civil Service

Mr P McGlone asked the Minister of Finance and Personnel what Equality Impact Assessment has been carried out into deputising arrangements or temporary promotions within the NI Civil Service, in the last three years.

(AQW 348/11)

Minister of Finance and Personnel: There has been no Equality Impact Assessments carried out into deputising arrangements or temporary promotions within the NI Civil Service, in the last three years.

Empty Homes Rating

Mr P Weir asked the Minister of Finance and Personnel for an update on the plans to rate empty homes, including the timescale, the scale of rating and any exemptions that are planned.

(AQW 391/11)

Minister of Finance and Personnel: I announced on 29 June 2010 that the rating of empty homes would be introduced from 1 October 2011.

It was intended to introduce the measure in April 2010, however, last year I decided to postpone it due to the exceptionally low level of activity in the housing market at that time.

This will allow those holding empty properties with additional time to prepare for the new charge, or get the home in question occupied. Liability will be set at 100%.

In order to avoid adversely impacting on the building industry, there will be an initial exclusion from the rating of empty homes for developers' unsold and never occupied stock. For those already built and those that are completed in the next financial year, there will be an 18 month initial exclusion. This will be reduced to 12 months for those properties eligible in subsequent years.

It is also planned to introduce a number of additional exclusions. While the legislative detail is currently being finalised, and will be brought to the Finance and Personnel Committee Assembly in early 2011, exclusions from the rating of empty homes will cover instances where:-

- a property has a rateable capital value of below £20,000;
- occupation of a property is legally prohibited or by government action;
- the person entitled to possession is receiving care or hospital treatment;
- the property is empty due to imprisonment or the owner's death (probate).

Northern Ireland Block Grant

Ms M Ritchie asked the Minister of Finance and Personnel for his assessment of the likely reduction in the resource and capital elements of the Northern Ireland Block Grant for 2011/12, based on his discussions with the Treasury.

(AQO 74/11)

Minister of Finance and Personnel: The latest analysis undertaken by my officials is that the October Spending Review announcement by the Chancellor will result in current expenditure staying flat in cash terms from 2011-12 onwards over the four years of the Spending Review. This means a decline of approx 2.7 per cent per annum in real terms. Capital however will contract by some nine per cent per annum over the period in real terms.

I believe these to be reasonable planning assumptions because they correlate closely to forecasts delivered to the Scottish Executive in a recent independent report. Also my officials are in frequent contact with their Treasury counterparts and they have not had any indication that our planning assumptions are unrealistic.

Budget Process: Committee Recommendations

Mr J O'Dowd asked the Minister of Finance and Personnel why he did not take account of the recommendations of the Committee for Finance and Personnel, as set out in its second Report on the Inquiry into the Role of the Northern Ireland Assembly in Scrutinising the Executive's Budget and Expenditure, before submitting his Department's Review of the Executive's Budget Process 2008-11 Action Plan to the Executive.

(AQO 78/11)

Minister of Finance and Personnel: I issued my revised Budget Process Action Plan paper to the Executive on 5 July this year. Unfortunately, this was before I appreciated Committee's concern on one particular recommendation relating to the role that Assembly Committees should play on the Budget consultation process.

While I understand that the Committees are not comfortable with this proposed coordination role, I still take the view that they should play a more pro-active role in terms of co-ordinating responses to departmental budget allocations. I have stressed to my ministerial colleagues that it is imperative that they engage as early as possible and in a transparent manner with their Committees.

Full and frank engagement is beneficial to both Committees and ministers. A minister who has the full support of his or her committee is surely in a stronger position when it comes to budget lobbying.

Vacant Properties

Mr F Molloy asked the Minister of Finance and Personnel why local Councils are being asked to identify vacant property on behalf of Land and Property Services; and for his assessment of whether this duplication of work represents value for money to the taxpayer.

(AQW 482/11)

Minister of Finance and Personnel: Land & Property Services and district councils have developed increasingly strong links over the last few years, recognising the importance of close collaboration in ensuring the effective operation of the rating system in Northern Ireland.

One important area of collaboration is the use of the information and local knowledge of councils and their staff regarding the occupancy (or vacancy) of properties. Many councils are actively working with LPS in this area. LPS also uses a number of other sources to gather the information it requires to issue rate bills, but recognises the central importance of its relationship with district councils. Coordination of the work ensures that there is no duplication of effort.

I am very pleased with the continuing development of the relationship between LPS and district councils, and that this continues to improve the effectiveness of the rating system, thereby benefitting both councils and the Executive through the collection of district and regional rates.

Outstanding Rates

Mr A McQuillan asked the Minister of Finance and Personnel to detail the amount in commercial or business rates that is still outstanding or unpaid for each of the last three financial years.

(AQW 502/11)

Minister of Finance and Personnel: The non-domestic rates unpaid for Northern Ireland at 18 September 2010, split by year of assessment, are as follows:

Financial year	Unpaid non-domestic rates
2007-08	£7.8 m
2008-09	£15.9 m
2009-10	£38.5 m

Land & Property Services continues to pursue all unpaid rates, whilst recognising the genuine financial difficulties of many ratepayers. The Agency seeks to agree payment arrangements with ratepayers where possible.

The Executive has introduced a number of measures to support businesses via the rating system, including the Small Business Rate Relief Scheme and the freezing of the Regional Rate, and has maintained industrial rates at 30% liability.

Reduction in Number of Quangos

Mr S Moutray asked the Minister of Finance and Personnel what assessment he has made of the savings to the public purse that could be made by a reduction in the number of quangos.

(AQW 504/11)

Minister of Finance and Personnel: I have not, as Minister of Finance and Personnel, made an assessment of what savings might be made by reducing the number of quangos.

This is an issue that is being considered by the Budget Review Group and I look forward to the Executive Sub-Group's consideration of the papers on this issue.

I am also aware that the Efficiency Review Panel established within OFMDFM is tasked with looking at this issue but I am not aware of its current status in terms of progress. Civil Service: Classic Plus

Classic Plus

Mr B Armstrong asked the Minister of Finance and Personnel how many current Civil Service staff are totally or partially covered by the Classic Plus retirement benefit scheme.

(AQO 82/11)

Minister of Finance and Personnel: The current number of civil servants who are totally or partially covered by the Classic Plus retirement benefit scheme are 314 current members, 89 pensioner members and 3 deferred members.

Put in context, this means that 0.9% of current members, 0.4% of pensioner members and 0.03% of deferred members are covered by the Classic Plus scheme.

I should add that membership of the Principal Civil Service Pension Scheme (Northern Ireland) is not restricted to civil servants and includes staff who work in a number of other public sector bodies.

Meetings with Chancellor of the Exchequer

Mr M McLaughlin asked the Minister of Finance and Personnel to outline any meetings he has had with the Chancellor of the Exchequer to secure an equitable level of funding which reflects our unique economic situation and particularly the need to grow our private sector.

(AQO 83/11)

Minister of Finance and Personnel: I have had a number of meetings with Treasury ministers over recent weeks. As recently as last Wednesday I met with the Chief Secretary to the Treasury who is charged with taking forward the UK Spending Review.

Along with my Scottish and Welsh counterparts I have repeatedly stressed the need for transparency and fairness in the allocation process.

The Northern Ireland economy is unique in its heavy dependence on the public sector and I have made the point that this needs to be reflected in our Spending Review settlement. We need time to grow our private sector to alleviate any impacts of the forthcoming spending reductions.

Civil Service Compensation Scheme

Mr C Lyttle asked the Minister of Finance and Personnel for his assessment of the impact that the changes to the Civil Service Compensation Scheme will have on staff.

(AQO 84/11)

Minister of Finance and Personnel: The Civil Service Compensation Scheme (Northern Ireland) was recently amended to comply with an Employment Tribunal judgment so that the lump sum element of Compulsory Early Retirement payments made to civil servants between age 57 and 60 will be paid in full, rather than being tapered if the person is within 3 years of the scheme pension age. New provisions were also added for a lump sum of 6 months' pay to be paid to staff who leave on compulsory retirement terms aged 60 or over, in the same circumstances as a lump sum is payable to those under age 60.

I am aware that the Minister for the Cabinet Office, Francis Maude, introduced a Superannuation Bill in the House of Commons on 15 July 2010 to place upper limits on the amount of redundancy payments made under the provisions of the Civil Service Compensation Scheme. The Bill, which would apply only to staff in the Home Civil Service in Great Britain, will cap all compulsory redundancy payments at 12 months pay, and limit payments for voluntary exits to 15 months' salary.

Budget 2010: Consultation and Time Frame

Mr P Ramsey asked the Minister of Finance and Personnel to explain the compressed timeframe for Budget 2010, in light of the challenging budget reduction; and how he will ensure that there will be meaningful consultation with the Assembly and the public.

(AQO 85/11)

Minister of Finance and Personnel: The decisions taken by the Executive as part of the Budget 2010 process will have an impact on all the people of Northern Ireland. In this context, it is essential that there is as much public engagement as possible.

However, for this budget process the Assembly finds itself in a highly constrained environment. HMT will announce a Spending Review outcome in October rather than the usual July date. The Executive needs to allow departments and their relevant bodies as much time as possible to plan ahead and setting budgets early is therefore critical.

Ideally the Executive will, just after the Spending Review announcement on 20th October, publish a draft budget for public consultation. This would allow the Assembly Committees until early December to consult on their proposed departmental budget allocations.

Departments have already been encouraged to engage with their key stakeholders in developing Budget 2010 spending proposals and should currently be discussing the contents of their Savings Delivery Plans with the groups that are expected to be most affected by them.

In addition my department has already had a series of pre-consultation meetings with key stakeholders encompassing business organisations, trade unions, the Equality Commission as well as the community and voluntary sector. My officials intend to continue this engagement after the publication of the draft budget.

The Executive intends to publish more supporting documentation than in previous Budget processes – this is to ensure that everyone has a full picture in respect of the choices facing the Executive.

Dormant Bank Accounts

Ms D Purvis asked the Minister of Finance and Personnel what progress has been made in relation to the Dormant Bank Accounts Scheme and when he expects the relevant legislation to be in place.

(AQO 86/11)

Minister of Finance and Personnel: We do not yet know the exact amount of money that will be available to Northern Ireland under the Scheme, although we can assume that the sums are not likely to be significant. In addition, the profile over which the money will be available for distribution is likely to be very much front-loaded and tail off quickly. Against this, the results of the public consultation exercise showed that support was evident for a wide range of priorities, but with a great degree of overlap between responses. For these reasons, careful consideration is needed of how best to direct such funds available. Essentially, I am concerned to ensure that every effort is made to develop our priorities and to put in place a distribution programme that reflects as much as possible the results of the consultation exercise. This I hope will result in positive change that will, as far as possible, provide opportunities and long-term benefits to local communities that will outlast what may well be a relatively short-term funding stream.

I am working to bring the draft Northern Ireland Dormant Accounts spending priorities to the Executive for approval, subject to endorsement by the First Minister and the deputy First Minister. The Finance and Personnel Committee and the Big Lottery Fund will also be consulted. At this point, I cannot say when the necessary legislation will be in place but I am working to ensure that there are no unnecessary delays.

Budget 2010: Bilaterals

Mr J Spratt asked the Minister of Finance and Personnel to outline progress to date in the Budget 2010 process, following his round of bi-lateral meetings with Ministerial colleagues.

(AQO 87/11)

Minister of Finance and Personnel: The timeframe I had outlined to Ministerial colleagues and departments involved the Executive, just after the Spending Review announcement on 20th October, publishing a draft budget for public consultation. This would allow Assembly Committees until early December to consult on their proposed departmental budget allocations.

I met with most of my Ministerial colleagues over the summer, which allowed me to hear their views on the Budget process and the specific issues facing their departments. Unfortunately since those meetings some Ministers have not co-operated with the process as fully as expected. For example, some ministers were extremely slow to engage with the Executive's Budget Review Group.

Whilst the timeframe remains as I have outlined, the lack of cooperation by some Executive colleagues mean that the Budget process may be delayed.

Protection of Front Line Services

Mr P J Bradley asked the Minister of Finance and Personnel for his assessment of how front-line services in his Department can be protected in light of the 25% budget cuts estimated by the First Minister.

(AQO 88/11)

Minister of Finance and Personnel: The precise quantum of reductions will not crystallise until the UK Spending Review outcome is announced in October 2010. However planning for the reductions cannot wait until then and in my own department we are proactively developing a draft Savings Delivery Plan which will publish around the time that the Draft Budget will be published.

The majority of DFP's expenditure is incurred in providing a range of services, including shared services, to other NICS departments and in supporting the Executive by ensuring that the financial resources available to Northern Ireland are allocated effectively to NI departments and provide maximum value for money services to the citizens of Northern Ireland. Frontline services are provided by my department's

two Executive Agencies, Land and Property Services and the Northern Ireland Statistics and Research Agency, which account for some 14% of the department's baseline.

In reviewing the savings options put forward by my department I will of course closely scrutinise these for the impact they will have on frontline services and seek to minimise adverse impacts in the same way that I am sure my other Ministerial colleagues are doing, in respect of their own frontline services.

Department of Health, Social Services and Public Safety

McDermott Brothers Case

Lord Morrow asked the Minister of Health, Social Services and Public Safety if Social Services staff attended any court hearings relating to the Owen-Roe McDermott or James McDermott case.

(AQW 2/11)

Minister of Health, Social Services and Public Safety (Mr M McGimpsey): Yes. Representatives of the Western Health and Social Care Trust were in attendance at the sentencing hearing in Omagh Court on Friday 18 June 2010.

Paramedic Response Times

Mr D O'Loan asked the Minister of Health, Social Services and Public Safety to detail any improvement made in paramedic response times in the Glens of Antrim area since the new arrangements for response were created by the Northern Ireland Ambulance Service in 2009.

(AQW 3/11)

Minister of Health, Social Services and Public Safety: The Northern Ireland Ambulance Service (NIAS) performance against its emergency response target is measured regionally and on the basis of Local Commissioning Group (LCG) areas. The Glens of Antrim falls within the Northern LCG.

NIAS has advised that, in August 2009, prior to the implementation of its Comprehensive Spending Review Efficiency Savings and Investment plans, 61.1% of life-threatening emergency calls in the Northern LCG were responded to within eight minutes. The equivalent figure for August 2010 was 63.1%.

Maxillofacial Surgery

Mr D O'Loan asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 6538/10, to detail the (i) social criteria; and (ii) clinical criteria used to determine admissions for planned maxillo-facial surgery.

(AQW 4/11)

Minister of Health, Social Services and Public Safety: Admission dates for planned maxillo-facial surgery may be agreed with patients to facilitate unavoidable personal social commitments which limit their availability eg attendance at educational courses outside Northern Ireland.

The care of patients requiring surgery may entail preparatory orthodontic or medical treatment before surgery can be undertaken. In some cases, particularly with children and young people, planned treatment may take place over several years.

Jaw Surgery Waiting Times

Mr D O'Loan asked the Minister of Health, Social Services and Public Safety (i) to detail the current waiting times for (a) single jaw surgery; and (b) double jaw surgery; (ii) how these waiting times compare to the targets set; and (iii) what steps are in place to reduce waiting times.

(AQW 5/11)

Minister of Health, Social Services and Public Safety: Patient waits for specialist maxillo facial jaw surgery, where it is the first or only part of the treatment, are subject to my 2010/2011 Priorities for Action (PfA) waiting list target which is that the majority of patients should be treated within 13 weeks with none waiting longer than 36 weeks. The length of time between being listed and then admitted for surgery is dependent upon clinical priority, length of wait and resource availability.

Separate data for single and double jaw surgery are not recorded. However, patient waits for jaw surgery at quarter ended 30 June 2010, the most recent official data available, are set out in the table below.

Weeks waiting	0-6	>6-13	>13-21	>21-26	26-36	>36	Total
Number waiting	7	5	4	0	1	0	17

Source: DHSSPS Inpatient Waiting Times Dataset

Health and Social Care Trusts will continue to seek to maximise theatre capacity within the available resource to ensure all patients are treated appropriately.

Cycling Accidents: A&E Attendance

Mr P Ramsey asked the Minister of Health, Social Services and Public Safety to detail the number of (i) adults; and (ii) children who attended A&E with head injuries resulting from cycling accidents in each of the last 5 years.

(AQW 9/11)

Minister of Health, Social Services and Public Safety: The information requested is not available.

Cycling Accidents: Hospital Admissions

Mr P Ramsey asked the Minister of Health, Social Services and Public Safety to detail the number of (i) adults; and (ii) children who were admitted to hospital due to head injuries resulting from cycling accidents in each of the last 5 years.

(AQW 10/11)

Minister of Health, Social Services and Public Safety: The table below provides figures on the number of admissions to hospital within the acute program of care throughout Northern Ireland due to head injuries resulting from cycling accidents, in each of the past 5 years.

Year	* Admissions	
	Children aged under 16	Adults aged 17 and over
2005/06	98	55
2006/07	83	36
2007/08	83	38
2008/09	85	51
2009/10	73	33

Source: Hospital Inpatient System

*Deaths and discharges are used to denote admissions.

A&E Waiting Areas

Mr P Ramsey asked the Minister of Health, Social Services and Public Safety which Health and Social Care Trusts have an A&E waiting area specially designated for children, broken down by hospital; and which do not.

(AQW 11/11)

Minister of Health, Social Services and Public Safety: Trusts should ensure the safety and security of all patients, particularly children, attending hospital Accident and Emergency Departments. I am advised that the current position in our hospitals is as shown in the table below:

Hospital	Current Position
Altnagelvin	Separate waiting area and separate cubicle for the treatment of children.
Erne	Separate waiting area and separate cubicle for the treatment of children.
Antrim Area	Designated children's waiting area and separate children's treatment area
Causeway	Designated children's waiting area and separate children's treatment area
Craigavon Area	Dedicated Children's Emergency Department with its own waiting area. All children will be treated in this Department Monday – Friday until 10pm. Outside of these hours children will, whenever possible, be treated in this Department or within separate cubicles in the main A&E Department
Daisy Hill	Does not have a separate children's waiting area; however, it does have a small separate treatment area for children.
Belfast City	Dedicated children's waiting area within their A&E Department and also have cubicles identified specifically for the treatment of children
Mater	Dedicated children's waiting area within their A&E Department and also have cubicles identified specifically for the treatment of children
RBHSC	Children, up to the age of 13, are seen in the A&E Department at Royal Belfast Hospital for Sick Children.
Ulster	Designated play area for children within the main waiting room of the A&E Department. Also has a separate treatment area for children.
Lagan Valley	Does not have a designated play area for children or a separate treatment area however, treatment for children under 5 is prioritised.
Downe	Designated play area for children within the main waiting room of the A&E Department. Also has a separate treatment area for children.

Written Assembly Questions

Mr A Ross asked the Minister of Health, Social Services and Public Safety how many written Assembly Questions he has received since becoming Minister; and how many times he has responded to say “the information is not available” or a similar answer.

(AQW 25/11)

Minister of Health, Social Services and Public Safety: Since becoming Minister in May 2007 I have received over 5600 Written Assembly Questions and been asked to provide input to a further 160 questions which were tabled to other departments. To date I have also received and answered almost 500 Oral and Urgent Oral Assembly Questions.

My Private Office does not categorize the responses given to Assembly Questions and I am therefore unable to advise regarding the number of questions that have been answered in the way that you

describe. I am confident however that full and comprehensive answers are provided to all reasonable questions where possible.

Consultant Paediatric Gastroenterologist for Royal Belfast Hospital for Sick Children

Dr S Farry asked the Minister of Health, Social Services and Public Safety for an update on the recruitment of a Consultant Paediatric Gastroenterologist to the Royal Belfast Hospital for Sick Children, including the reasons for re-advertising the post.

(AQW 27/11)

Minister of Health, Social Services and Public Safety: The Belfast Trust is still actively working to recruit a Consultant Paediatric Gastroenterologist to the Royal Belfast Hospital for Sick Children. The post has had to be re-advertised due to a lack of applications. In the interim, a locum clinical specialist with experience in paediatric gastroenterology has been in post since August and a Specialty Doctor appointed to the Paediatric Gastroenterology team in RBHSC is expected to take up post in November 2010.

Consultant Paediatric Gastroenterologists at Royal Belfast Hospital for Sick Children

Dr S Farry asked the Minister of Health, Social Services and Public Safety to outline the resources available for the provision of Consultant Paediatric Gastroenterologists at the Royal Belfast Hospital for Sick Children; and how this is benchmarked against similar provision in other jurisdictions.

(AQW 28/11)

Minister of Health, Social Services and Public Safety: Belfast Trust continues to have funding for 1.0 whole time equivalent (wte) Consultant Paediatric Gastroenterologist. This post is currently vacant and the vacancy has been covered by a locum since 1 May 2010.

The Trust has also recently appointed 0.5 wte speciality doctor for Paediatric Gastroenterology who it is anticipated will take up post in November 2010.

In addition to the clinical posts the Trust also has supporting infrastructure in the Royal Belfast Hospital for Sick Children, including scoping sessions, outpatient sessions, 1.0 wte nurse specialist, 0.5 wte dietitian, 0.5 wte clinical psychology and 0.5 wte secretarial support.

The Trust has had network support from Newcastle-Upon-Tyne Hospital Trust from May 2010 until 31 August 2010. They also continue to have support from Birmingham Sick Children's Hospital for patients with liver disease. Belfast Trust and commissioners are currently in discussion with Newcastle and Alder Hey regarding ongoing network support with outreach services in RBHSC.

Belfast Trust is currently considering what additional support is required to secure a sustainable service on an ongoing basis and will be taking this matter forward with commissioners. It is not possible to make direct comparisons with service arrangements in other jurisdictions. It is for the Health and Social Care Board, as commissioners of services, to assess the adequacy of resources available for the delivery of health and care services in Northern Ireland.

Bonfires

Mr T Burns asked the Minister of Health, Social Services and Public Safety to detail the number of times ambulances, paramedics or other medical crew were called to bonfires on 11th July 2010.

(AQW 30/11)

Minister of Health, Social Services and Public Safety: The Northern Ireland Ambulance Service (NIAS) has advised that it responded to 17 incidents at bonfire locations on the night of 11/12 July 2010.

Legal Advice

Mr J O'Dowd asked the Minister of Health, Social Services and Public Safety, pursuant to AQW8454/10, why information on the figures for legal fees paid for legal advice purchased from private legal practitioners (prior to the Directorate of Legal Services assuming sole responsibility for provision of legal advice to Health and Social Care organisations) was unavailable; (ii) how long his Department stores financial records, such as the payment of legal fees; and (iii) how long its various arms length bodies are advised to store this kind of financial information.

(AQW 39/11)

Minister of Health, Social Services and Public Safety: Prior to my decision in 2008 to make the Directorate of Legal Services the sole provider of legal services to Health and Social Care organisations, each organisation had the option of purchasing legal services from private legal practices, with these practices being engaged on a block contract basis.

The Directorate of Legal Services maintains a case-recording system which records time spent on each case, and which in turn allows for calculation of fees incurred in individual cases. However, legacy HSC organisations which purchased legal advice from other legal providers did not maintain records of costs incurred on an individual case basis (with the exception of the legacy Craigavon Area Hospital Trust). As Trusts no longer have contracts with these firms, and some of these firms no longer exist, it is therefore not possible to access information on legal costs associated with individual cases where legal services were provided by private practices.

Papers relating to clinical negligence cases are reviewed when the file is ten years old. Any payments made by the Department, including legal fees, were previously processed by the Department of Social Development. The Department retains copies of those payment records for eighteen months. Payments are now processed through Accounts NI.

Arms Length Bodies are advised to store this information for six years.

Autism Spectrum Disorder

Mr C Lyttle asked the Minister of Health, Social Services and Public Safety to outline the current average waiting time for children to be first contacted by the relevant parties following a diagnosis of autism spectrum disorder.

(AQW 50/11)

Minister of Health, Social Services and Public Safety: Figures are not available in the format requested.

FASA Office in Bangor

Mr A Easton asked the Minister of Health, Social Services and Public Safety for an update on the core funding for the FASA office in Bangor.

(AQW 51/11)

Minister of Health, Social Services and Public Safety: I refer the member to the answer I gave to AQW 7453/10.

Ravara House Residential Home in Bangor

Mr A Easton asked the Minister of Health, Social Services and Public Safety why Ravara House residential home in Bangor is not currently taking long-term stay residents.

(AQW 52/11)

Minister of Health, Social Services and Public Safety: The South Eastern Health and Social Care Trust has not been admitting permanent residents to any of its Residential Homes for Frail Elderly people since November 2007, as part of its plans for the reform and modernisation of statutory residential care. The Trust continues to utilise the existing capacity to provide Respite Care and Intermediate Care which includes rehabilitation, assessment and convalescence for older people.

South Eastern Health and Social Care Trust: Maghaberry Prison

Lord Morrow asked Minister of Health, Social Services and Public Safety to outline the cost to date to the South Eastern Health and Social Care Trust since it took over medical and care services in Maghaberry Prison.

(AQW 61/11)

Minister of Health, Social Services and Public Safety: The South Eastern Trust took on responsibility for provision of health services at Maghaberry from 2008/09.

I refer my colleague to the information provided in AQW 7714/10.

Banned Drugs

Mr T Burns asked the Minister of Health, Social Services and Public Safety (i) to detail all the drugs available through the Health Service that are banned in any other EU country; (ii) in which countries these drugs are banned; and (iii) which conditions these drugs are used to treat.

(AQW 77/11)

Minister of Health, Social Services and Public Safety: Details of drugs that have been banned in other EU countries cannot be provided as this information is not centrally held.

Blood Disposal

Mr T Burns asked Minister of Health, Social Services and Public Safety if any blood, or blood components, donated by the public have been disposed of without being used in each of the last five years; and to detail the types of blood components and volumes which have been disposed of.

(AQW 78/11)

Minister of Health, Social Services and Public Safety: Red Cell Components

	2005/06	2006/07	2007/08	2008/09	2009/10
Red cell components collected	62,846	59,534	56,313	56,490	57,888
Total red cell components discarded	2,462	2,253	2,622	3,018	3,865
Red cell components discarded due to time expiry	1,306	990	1,165	1,202	1,321
Red cell components discarded for other reasons	1,156	1,263	1,457	1,816	2,544

In summary, between 2-4% of blood components are discarded. Half of this is due to time expiry and the remainder relates to a miscellaneous group of reasons, such as underweight pack, overweight pack, burst pack in centrifuge, quality failures, validation failures, labelling errors and post donation information which disqualifies the donation.

Platelet Components

Platelets are collected in two ways. One is by apheresis which is a single or double dose platelet donation. Platelets can also be recovered from four whole blood donations, the platelet rich fraction of which is cooled from which a platelet component is prepared. The platelet rich component of a whole blood donation or "buffy coat" is a waste product and for this reason an excess of pooled platelet components are manufactured at no additional cost to provide cover in the event of a platelet shortage. It should be noted that platelets have an expiry of 5 days. Red cell components have an expiry of 35 days.

Details of platelet collections and discards for the five financial years are set out in the table below:

	2005/06			2006/07			2007/08			2008/09			2009/10		
	Pooled	Apheresis	Total	Pooled	Apheresis	Total	Pooled	Apheresis	Total	Pooled	Apheresis	Total	Pooled	Apheresis	Total
Platelet components prepared	2,640	6,692	9,332	3,610	6,039	9,649	3,077	6,357	9,434	2,808	5,714	8,522	3,030	5,355	8,385
Total platelet components discarded	463	1,231	1,694	665	1,123	1,788	691	852	1,543	656	757	1,413	682	930	1,612
Platelet components discarded due to time expiry	314	854	1,168	419	469	888	448	326	774	480	562	1,042	446	612	1,058
Platelet components discarded for other reasons	149	377	526	246	654	900	243	526	769	176	195	371	236	318	554

In summary, between 10 and 20% of platelet components are not transfused to patients. This is largely because of time expiry and the inherent short shelf life of these products

Blood Sale

Mr T Burns asked the Minister of Health, Social Services and Public Safety to detail (i) if any blood or blood components donated by the public have been sold in each of the last five years; (ii) who they were sold to; (iii) for what purpose they were sold; (iv) the volume of blood and blood components which were sold; and (iv) the amount of revenue received as a result.

(AQW 79/11)

Minister of Health, Social Services and Public Safety: The processing of donated whole blood collected by NI Blood Transfusion Service into blood components suitable for transfusion, results in surplus plasma as only 10% of the plasma produced is required by hospitals. Up until 2008, this plasma was incinerated as there was no other clinical use for it. As there is a commercial market for this component, since 2008, surplus plasma has been sold to two commercial firms, Nova Biologics and Randox, to be used in the manufacture of laboratory test reagents. The table below details the volume of surplus plasma sold and the revenue received.

	Litres	£
2009/10	11,046	331,367
2008/09	7,418	207,691

External Consultants

Mr P McGlone asked the Minister of Health, Social Services and Public Safety how much has been spent on external consultants in each of the last five years by (i) his Department; (ii) the Health Estates; and (iii) the Business Services Organisation; and (iv) how much of these amounts was paid to (a) PWC; (b) Deloitte; and (c) Ernst & Young

(AQW 82/11)

Minister of Health, Social Services and Public Safety: The expenditure on external consultancy is set out in the following table.

Financial Year	Categories	Core Department	Health Estates	Business Services Organisation	Total Annual Expenditure
2009/10	Total	699,862	Not Applicable	63,458	763,320
	PWC	0		0	
	Deloitte	30,496		0	
	Ernest & Young	23,806		0	
2008/09	Total	606,066	146,445	Not Applicable	752,511
	PWC	37,123	0		
	Deloitte	89,344	0		
	Ernest & Young	0	0		

Financial Year	Categories	Core Department	Health Estates	Business Services Organisation	Total Annual Expenditure
2007/08	Total	2,034,151	278,410	Not Applicable	2,312,561
	PWC	269,500	0		
	Deloitte	96,516	0		
	Ernest & Young	0	0		
2006/07	Total	2,231,473	271,014	Not Applicable	2,502,487
	PWC	321,486	0		
	Deloitte	227,196	14,430		
	Ernest & Young	0	0		
2005/06	Total	1,985,482	182,984	Not Applicable	2,168,466
	PWC	331,156	0		
	Deloitte	328,058	0		
	Ernest & Young	0	0		

Health Estates ceased to be an executive agency with effect from 1st April 2009 and is incorporated into the Core Department expenditure for financial year 2009/10.

Staff Bonuses

Lord Morrow asked the Minister of Health, Social Services and Public Safety if he can confirm that none of the £20m his Department received in the June monitoring round will be spent on bonuses for staff.

(AQW 89/11)

Minister of Health, Social Services and Public Safety: No element of the £20m funds received in the June Monitoring round will be spent on staff bonuses.

Tamiflu Tablets

Mr A Easton asked the Minister of Health, Social Services and Public Safety what plans his Department has to make use of, or dispose of, the stock pile of Tami Flu tablets.

(AQW 104/11)

Minister of Health, Social Services and Public Safety: Tamiflu is the first line antiviral treatment for pandemic flu and my Department has arrangements in place to maintain a stockpile as part of ongoing pandemic preparedness plans in line with UK policy. These antivirals would be required should another pandemic occur. Arrangements include the management of Tamiflu stock as it reaches expiry.

Oral and Maxillofacial Surgery Services

Mr S Hamilton asked the Minister of Health, Social Services and Public Safety to outline the reasons for the recent decision to remove the oral and maxillofacial surgery services from the Ulster Hospital in Dundonald.

(AQW 136/11)

Minister of Health, Social Services and Public Safety: I propose to answer questions AQW 136/11, AQW 137/11 and AQW 138/11 together.

The South Eastern Health and Social Care Trust has advised that there has been no removal of oral and maxillo-facial services from the Ulster Hospital. There has been no decision taken to remove these services nor are there any plans to remove these services in the future.

A maxillo-facial surgeon, based at the Ulster Hospital, retired in 2008 but a new surgeon was recruited to fill this vacancy.

Maxillofacial Surgeon at the Ulster Hospital

Mr S Hamilton asked the Minister of Health, Social Services and Public Safety if the South Eastern Health and Social Care Trust intends to appoint a new Maxillofacial surgeon to the Ulster Hospital in Dundonald.

(AQW 137/11)

Minister of Health, Social Services and Public Safety: I propose to answer questions AQW 136/11, AQW 137/11 and AQW 138/11 together.

The South Eastern Health and Social Care Trust has advised that there has been no removal of oral and maxillo-facial services from the Ulster Hospital. There has been no decision taken to remove these services nor are there any plans to remove these services in the future.

A maxillo-facial surgeon, based at the Ulster Hospital, retired in 2008 but a new surgeon was recruited to fill this vacancy.

Maxillofacial Surgery/Clinic at the Ulster Hospital

Mr S Hamilton asked the Minister of Health, Social Services and Public Safety to outline the timescale for the re-establishment of the oral and Maxillofacial Surgery/Clinic at the Ulster Hospital in Dundonald.

(AQW 138/11)

Minister of Health, Social Services and Public Safety: I propose to answer questions AQW 136/11, AQW 137/11 and AQW 138/11 together.

The South Eastern Health and Social Care Trust has advised that there has been no removal of oral and maxillo-facial services from the Ulster Hospital. There has been no decision taken to remove these services nor are there any plans to remove these services in the future.

A maxillo-facial surgeon, based at the Ulster Hospital, retired in 2008 but a new surgeon was recruited to fill this vacancy.

Medical Secretaries

Ms A Lo asked the Minister of Health, Social Services and Public Safety for his assessment of the proposal by the Belfast Health and Social Care Trust to make 50 medical secretaries redundant rather than middle management posts.

(AQW 149/11)

Minister of Health, Social Services and Public Safety: As a direct consequence of budgetary constraints imposed by the Executive all HSC employers have to be innovative about future spending and are having to make difficult decisions in order to safeguard front line services. Staff salaries form the largest part of HSC Trust costs so it is vital that staffing levels and grading in all areas of administration are kept under review. Over 750 administrative/management posts have already been removed from the HSC under the Review of Public Administration and while medical secretaries perform an important administrative service they cannot be exempt from this process.

In the recent review of Medical Secretary provision the Belfast HSC Trust looked at what they required in light of the needs of the service and developments in technology. This review is now at the

consultation stage and the Trust is proceeding with the consultation and negotiation as agreed with the Trade Unions. It would be inappropriate for me to comment further until this period of consultation is complete but I am assured that the review recommendations do not contain proposals for compulsory redundancies.

Prisoners Taking Prescription Medicine

Lord Morrow asked the Minister of Health, Social Services and Public Safety whether prisoners taking prescription medicine, including those in hospital wings, are in charge of their own medication or whether it is dispensed per dose by prison staff.

(AQW 163/11)

Minister of Health, Social Services and Public Safety: All prisoners who are prescribed medication are subject to a comprehensive risk assessment to determine their suitability to be in possession of their own medication. The risk assessment takes into account the prisoner, the medication and the location. If they are found suitable, they may receive their medication on a daily, weekly or monthly basis, depending on the drug. If not considered suitable to be in possession of their own medication, it will be issued to them dose by dose by a prison nurse.

Healthcare orderlies are the only prisoners in in-patient units who will have medication in their possession.

Disabled Facilities Grant

Ms M Ritchie asked the Minister of Health, Social Services and Public Safety what action has been taken to reduce the delays experienced by applicants for the Disabled Facilities Grant, with specific regard to Occupational Therapy and assessment.

(AQW 164/11)

Minister of Health, Social Services and Public Safety: My Department has progressively addressed the issue of Community Occupational Therapy assessment waiting times for some time now.

Currently there is a 9 week waiting time target between referral and treatment for Community Occupational Therapy Services.

The administration of the Disabled Facilities Grant System is the responsibility of the Northern Ireland Housing Executive and I am unable to answer specific questions regarding the time taken to process claims made under this grant.

However, a series of service improvement initiatives have been implemented to streamline housing adaptations delivery both by the DHSSPS and on an Interdepartmental basis.

Most recently my Department and the Department for Social Development (DSD) commenced a Joint Review of the Housing Adaptations Service in February 2010. This review will jointly propose strategies to ensure closer working practices and maximise the resources available to both the DHSSPS and DSD to meet the needs of disabled people in Northern Ireland during a period of significant economic downturn.

Rioting

Ms D Purvis asked the Minister of Health, Social Services and Public Safety (i) the number of children under 17 with whom Social Services has had contact in relation to safety concerns surrounding involvement in rioting in 2008-09 and 2009-10; (ii) how many of these children have been placed on the 'at risk' register; and (iii) what types of care packages have been put in place to support these children.

(AQW 166/11)

Minister of Health, Social Services and Public Safety: The information requested is not available.

Long-term Comas

Mr T Burns asked the Minister of Health, Social Services and Public Safety to detail the number of people currently in long-term comas who are being cared for by the Health Service; and the length of time each of these people has been in this condition.

(AQW 170/11)

Minister of Health, Social Services and Public Safety: Information on the number of people currently in long-term comas that are being cared for by the Health Service is not available.

Heart Attacks in Under 18s

Mr T Burns asked the Minister of Health, Social Services and Public Safety how many people under the age of 18 years have had heart attacks in each of the last five years.

(AQW 171/11)

Minister of Health, Social Services and Public Safety: Information on the number people under the age of 18 years who have had a heart attack in the last 5 years is not available

McDermott Brothers Case

Lord Morrow asked the Minister of Health, Social Services and Public Safety, given that the Lord Chief Justice has now clarified the position in relation to the McDermott brothers returning to Donagh, will he now instigate an investigation into the handling of this case by the Western Health and Social Care Trust and all the staff involved.

(AQW 452/11)

Minister of Health, Social Services and Public Safety: I have asked the Regional Health and Social Care Board to undertake a case review. I anticipate that this review will present interim findings to me within a month and a full report as soon as possible thereafter.

NHS Commissioning

Mr P Weir asked the Minister of Health, Social Services and Public Safety for his assessment of the effectiveness of the new commissioning arrangements.

(AQO 93/11)

Minister of Health, Social Services and Public Safety: The RPA reforms I introduced in April 2009 established the Health and Social Care Board and Public Health Agency and allow for the preparation of a regionally focused commissioning plan. For the first time, in 2010/11 we can plan the delivery of health and social care regionally but ensure local needs are accounted for through local commissioning groups, whilst giving due weight to the public health agenda.

These values underpinned my Health and Social Care reforms and the Commissioning Plan gives them written expression. My highest priority remains the improvement of the health and social well being of the people of Northern Ireland, reducing inequalities irrespective of where we live.

Antrim Area Hospital and Causeway Hospital: Complaints

Mr A McQuillan asked the Minister of Health, Social Services and Public Safety how many complaints have been received in relation to the Antrim Area Hospital and the Causeway Hospital in the last two years.

(AQO 96/11)

Minister of Health, Social Services and Public Safety: During 2008/09, the Northern Trust received 263 complaints relating to services at Antrim Area Hospital and 130 complaints relating to services at Causeway Hospital. In 2009/10, the Northern Trust received 211 relating to services at Antrim Area Hospital and 110 complaints in relation to services at Causeway Hospital.

To set these figures in context, in each of the last two years the Northern Trust hospitals have provided more than 190,000 outpatient appointments, more than 147,000 A&E attendances, more than 92,000 inpatient admissions and delivered more than 4,000 births.

Ophthalmology: Referrals

Mr W Clarke asked the Minister of Health, Social Services and Public Safety if there are any pilot electronic referral schemes in use by GPs to refer eye patients to eye specialists.

(AQO 97/11)

Minister of Health, Social Services and Public Safety: I have announced the introduction the Northern Ireland Electronic Referrals project which will introduce the capacity to transfer electronically referrals from GP Practices to consultant-led clinics in Secondary Care by 2012. A pathfinder pilot electronic referral scheme involving GP practices in the Southern Trust area will begin in January 2011. It is intended that all GP referrals to consultant-led clinics will be electronic, however a specific project to implement pilot ophthalmic referrals to eye specialists has not yet been developed.

Altnagelvin Area Hospital: Radiotherapy

Ms M Anderson asked the Minister of Health, Social Services and Public Safety for an update on the timescale for the development of a new satellite radiotherapy centre at Altnagelvin Hospital.

(AQO 98/11)

Minister of Health, Social Services and Public Safety: The Western Trust and my Department are working hard against a tight timescale to ensure that the new development is appropriate in terms of capacity, high quality and value for money for the taxpayer. It is important when planning a public investment of this scale that we get it right. The business case approval process requires that the Trust's proposal has the support of the Health and Social Care Board and the Department of Finance. The commissioner has given its support to this development however delivery of the scheme will be dependent on the outcome of budget negotiations with the Minister of Finance.

Health and Social Care: Demand

Mr D Kinahan asked the Minister of Health, Social Services and Public Safety how much demand rose for Health and Social Care services from 2007 to 2010 and what is the projected level of demand for 2011-2015.

(AQO 99/11)

Minister of Health, Social Services and Public Safety: Between 2007 and 2009 elective demand rose by 19%.

For example:

13,000 more elective operations were performed

19,000 more new A&E attendances

86,000 more referrals to outpatients

6,000 more emergency admissions

All this at a time when my funding only grew by less than 1%.

I anticipate demand and demographic growth in the region of 15.2% from 2011 to 2015. The growth we are seeing is not simply about increasing expectations, rather it is because we have and will have the fastest growing elderly population in the UK, because the NI population generally is growing and because we have objectively greater need for both health and social services in Northern Ireland

Antrim Area Hospital: Car Parking

Mr S Neeson asked the Minister of Health, Social Services and Public Safety what plans there are to provide extra car parking spaces at the Antrim Area Hospital.

(AQO 100/11)

Minister of Health, Social Services and Public Safety: The Northern Health & Social Care Trust will be providing 100 additional car parking spaces at Antrim Area Hospital. This work will alleviate shortages at peak periods and, in particular, visiting time. It will also help improve the segregation between patient/visitor parking and staff parking. Visitors and patients will have access to more convenient parking as a result. This is part of an overall scheme aimed at improving parking provision and management on the Antrim Area Hospital site. It is estimated that the places will be available in early 2011.

Child Protection

Mr J Bell asked the Minister of Health, Social Services and Public Safety for an update on the pressures faced by Child Protection Services within the Family and Childcare Social Work Programme.

(AQO 101/11)

Minister of Health, Social Services and Public Safety: It is widely acknowledged that family and child care services in Northern Ireland are around 30% underfunded compared to similar services in England.

Pressure on child protection services in Northern Ireland continues to rise and this is highlighted by a 33% increase in the number of children being referred to social services between 2004 and 2009.

In recent years I have invested over £20m in support of children's services. However, we all need to recognise that in the current climate of financial restraint the level of funding that can be sustained in support of these services will largely depend on the outcome of very difficult budgetary negotiations.

Belfast City Hospital: Cancer Patients

Mr P Doherty asked the Minister of Health, Social Services and Public Safety what plans he has to alleviate the substantial costs incurred by patients travelling to the Belfast City Hospital for cancer treatment.

(AQO 102/11)

Minister of Health, Social Services and Public Safety: The potential for patients to suffer financial hardship as a result of prolonged illness is common across a range of conditions, not just cancer.

Help from the Hospital Travel Cost Scheme is available to those patients in receipt of specified social security benefits or on low income. Similar schemes operate in England, Scotland and Wales. Cancer patients attending hospital for chemotherapy and radiotherapy are also exempt from car parking charges.

I have no plans to review the current scheme.

Antrim Area Hospital: Accident and Emergency Waiting Times

Mr D Hilditch asked the Minister of Health, Social Services and Public Safety for an update on the current waiting times for the Accident and Emergency Unit in the Antrim Area Hospital.

(AQO 103/11)

Minister of Health, Social Services and Public Safety: The latest information available on the waiting times for the accident and emergency unit in the Antrim Area hospital refers to July 2010. During July over 6,000 people attended the accident and emergency unit. 75.3% of patients were either treated and discharged, or admitted within four hours of their arrival in the Antrim Area emergency care unit, whilst 24 people waited in excess of 12 hours.

Department of Justice

Prison, Community Sentencing and Crime Report

Lord Morrow asked the Minister of Justice for his assessment of Professor Ken Pease's 'Prison, Community Sentencing and Crime' report published in August 2010.

(AQW 12/11)

Minister of Justice (Mr D Ford): The issues raised in the report are considered in the context of England and Wales. However, I will consider Professor Pease's comments alongside other views in my forthcoming review of alternatives to custody.

Community-based Sentencing

Lord Morrow asked the Minister of Justice, given his support for fewer custodial sentences, whether the Probation Board of Northern Ireland is adequately staffed to deal with the proposed increase in community-based sentencing, without detracting from its current workload.

(AQW 44/11)

Minister of Justice: I will be launching a review of alternatives to custody which will provide the opportunity to open up the debate on the range of community disposals currently available to the judiciary and on the value of short prison sentences. Decisions on the way forward will be considered in light of responses to the review and, of course, the resource impact these might have on the Criminal Justice agencies, including Probation Board for Northern Ireland.

Dissident Protest in Maghaberry Prison

Lord Morrow asked the Minister of Justice to provide the total cost of refurbishment following the damage caused by the dissident protest in Maghaberry Prison.

(AQW 45/11)

Minister of Justice: The refurbishment following the damage caused by the protest at Roe House in Maghaberry Prison is ongoing. It is estimated that when complete it will have cost £138,000.

Rioting

Lord Morrow asked the Minister of Justice how many people have been convicted, to date, in relation to rioting over the twelfth period; and of these, how many people reside outside the area where the rioting took place.

(AQW 46/11)

Minister of Justice: Information is not yet available on convictions for these offences and it is, in any event, likely to be some time before all such cases have completed due criminal process. However, I can advise that, as at 14 September, a total of 78 persons have been arrested in relation to disturbances across Belfast. 62 of those have been charged with various offences including 3 with the attempted murder of a police officer.

In Londonderry, 37 individuals were arrested for interface violence, during July and August; of those arrested, 5 were subsequently charged and 32 reported to the PPS. I regret that the information on the number of persons who reside outside the area where the rioting occurred is not collated in the format requested.

Juvenile Offenders

Lord Morrow asked the Minister of Justice to detail the current number of juvenile offenders in each policing district; and of these, how many were or are currently in care or are known to Social Services.

(AQW 63/11)

Minister of Justice: The number of juvenile offenders in each policing district 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.

You may therefore wish to direct your question to the PSNI.

Maghaberry Prison: Search Area

Lord Morrow asked the Minister of Justice to outline the total cost of the new search area for visitors to dissident prisoners in Maghaberry Prison.

(AQW 91/11)

Minister of Justice: There are no plans for a new search area for visitors to dissident prisoners in Maghaberry Prison.

In line with the agreement reached on 12 August, a new search building is being installed to facilitate searches of separated prisoners returning from their visits. Its cost is estimated at just under £100,000.

Maghaberry Prison: Football Pitches

Lord Morrow asked the Minister of Justice whether proposals have been made to roof the astroturf football pitches in Maghaberry Prison; and the estimated cost.

(AQW 142/11)

Minister of Justice: The need for a secure roof over the two Astroturf pitches has been risk assessed. This work is in hand - the estimated cost is £200,000.

Disruptive Behaviour at Court Buildings

Lord Morrow asked the Minister of Justice to detail the number of instances of disruptive behaviour at court buildings in each of the last two years.

(AQW 146/11)

Minister of Justice: The table below details the number of locally reported instances of disruptive behaviour for the last two years by court venue.

The incidents listed include a wide variety of circumstances, ranging from verbal abuse and minor scuffles to more serious disturbances. The table below does not include security incidents such as hoax calls.

NUMBER OF REPORTED INCIDENTS OF DISRUPTIVE BEHAVIOUR

Venue	2008	2009
Antrim	1	0
Ballymena	0	1
Bangor	1	2
Coleraine	2	1
Downpatrick	4	1
Dungannon	1	2
Enniskillen	0	1
Laganside	16	16
Londonderry	3	1
Newry	2	5

Venue	2008	2009
Newtownards	1	4
Omagh	2	1
Royal Courts of Justice	2	1
Total	35	36

Non-Molestation Orders

Lord Morrow asked the Minister of Justice how many Non-Molestation Orders were made in each of the last two years, broken down by county court division.

(AQW 148/11)

Minister of Justice: The table below states the number of non-molestation orders granted in the High Court and in each County Court Division in 2008 and 2009.

Number of Non-molestation orders made (Interim and Final Orders)

	2008	2009	Total
High Court	272	249	521
Antrim	1189	1423	2612
Ards	1129	1050	2179
Armagh & South Down	947	956	1903
Belfast	1742	1375	3117
Craigavon	603	538	1141
Fermanagh & Tyrone	464	487	951
Londonderry	1413	1292	2705
Total	7759	7370*	15129

* The figures provided in the answer to AQW6995/10 in respect of orders made in 2009 were provisional. The figure quoted in this table represents the fully validated data.

Assaults Against Prison Staff

Lord Morrow asked the Minister of Justice how many assaults against staff in prisons have resulted in (i) injury; and (ii) sick leave, in each facility, including Hydebank Young Offenders Centre and the Juvenile Justice Centre, in the last 12 months.

(AQW 180/11)

Minister of Justice: The number of assaults against NIPS prison staff that have resulted in injury and sick absence between 10 September 2009 and 10 September 2010 is 85 and 41 respectively. (These figures are not mutually exclusive.) There have been no such assaults within the Juvenile Justice Centre.

The table below provides a breakdown of this information in relation to each NIPS establishment and function. The figures for sickness absence arising out of assaults are shown in brackets.

Maghaberry	Magilligan	Hydebank	PECCS*
57 (19)	4 (3)	7 (7)	17 (12)

* PECCS is the in-house service for Prisoner Escorting and Court Custody.

Maghaberry Prison Discussions

Lord Morrow asked the Minister of Justice to detail (i) the individuals and agencies involved in negotiations in relation to the protests carried out by dissident republican prisoners in Maghaberry prison; and (ii) the costs of facilitating these negotiations, including the details of from where negotiators travelled.

(AQW 181/11)

Minister of Justice: Discussions with prisoners during the recent protest in Roe House in Maghaberry Prison were facilitated by the Joint Facilitation Group (JFG). The JFG was comprised of representatives from the Irish Congress of Trade Unions (Peter Bunting), Ráth Mór (Conal McFeely) and the Dialogue Advisory Group (Dr. Ram Manikkalingam).

The cost of facilitating the discussions, including the travel costs for the facilitators, were met by the JFG; consequently the Northern Ireland Prison Service (NIPS) does not hold any details of where the facilitators travelled from. However NIPS did provide some refreshments and hospitality throughout the discussions the cost of which amounted to a total of £64.

Remand Prisoners

Mr J O'Dowd asked the Minister of Justice to detail (i) the length of time served by the current longest serving remand prisoner; and (ii) how many prisoners currently in custody have served over one year on remand.

(AQW 194/11)

Minister of Justice: The current longest serving remand prisoner has been in custody since 13th September 2008, a total of 734 days at 16 September. There are currently 40 prisoners in custody who have served one year or longer on remand.

Lateral Entry Between An Garda Síochána and the PSNI: Working Group

Mr D McKay asked the Minister of Justice how many times the Working Group considering lateral entry between An Garda Síochána and the PSNI have met and on which dates.

(AQW 212/11)

Minister of Justice: Following the making of the necessary legislation to facilitate lateral entry, the Working Group met on 30 April 2009. Any future meeting is to be arranged by the Department of Justice, Equality and Law Reform.

Lateral Entry Between An Garda Síochána and the PSNI: Delay by Irish Government

Mr D McKay asked the Minister of Justice to outline the reasons given by the Irish Government for the delay in achieving lateral entry between An Garda Síochána and the PSNI as envisaged in the Patten Report.

(AQW 213/11)

Minister of Justice: All necessary legislation to allow lateral entry between the Police Service of Northern Ireland and An Garda Síochána, as envisaged by the Patten Report, is already in place for eligible and qualified candidates.

Both the DOJ and DJELR recognise that there are practical issues for individuals in relation to the transferability of police officers' pensions. These are not matters over which either department has control.

Lateral Entry Between An Garda Síochána and the PSNI

Mr D McKay asked the Minister of Justice what steps he intends to take in relation to the outstanding Patten recommendations on lateral entry and when he expects them to be achieved.

(AQW 214/11)

Minister of Justice: In line with the UK Government's commitments in the Patten Implementation Plan, statutory provision is in place to facilitate lateral entry into the Police Service of Northern Ireland. Lateral entry is encouraged through advertising posts in the Republic of Ireland.

Police College at Desertcreat, Cookstown

Mr P Weir asked the Minister of Justice for an update on the proposed police college at Desertcreat, Cookstown.

(AQW 222/11)

Minister of Justice: Plans are at an advanced stage 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 site is prepared and all survey work has been carried out.

A business case review has been carried out jointly by the DOJ and the DHSSPS and a number of issues were identified that required to be addressed before the business case can proceed to the next stage.

Anti-social Behaviour Orders

Mr P Weir asked the Minister of Justice to detail the number of Anti-Social Behaviour Orders served (i) in total; and (ii) in the North Down area, in each of the last three years, broken down by the statutory body which applied for the order.

(AQW 225/11)

Minister of Justice: The Department of Justice has been notified by the relevant authorities of the following information:

TOTAL NUMBER OF ASBOS ISSUED IN THE LAST THREE YEARS

Year	Total	PSNI	Councils	NIHE
2009	25	24	1	0
2008	32	28	4	0
2007	24	24	0	0

TOTAL NUMBER OF ASBOS ISSUED IN THE NORTH DOWN ASSEMBLY CONSTITUENCY IN THE LAST THREE YEARS

Year	Total	PSNI	Councils	NIHE
2009	1	1	0	0
2008	0	0	0	0
2007	0	0	0	0

Notes

The statistics record the year in which the ASBO was first issued.

The Anti-social Behaviour (NI) Order 2004 defines relevant authority as district councils, PSNI or Northern Ireland Housing Executive.

Pitch Incursions

Mr K Robinson asked the Minister of Justice for his assessment of the importance, in cultural terms, of celebratory pitch incursions in football, rugby and Gaelic games and whether pitch incursions will be treated in a flexible manner within any future sports legislation.

(AQW 233/11)

Minister of Justice: I do appreciate the practice of fans at times going on to the pitch to celebrate, for example, winning a major final or trophy. However, match organisers are increasingly conscious of the safety and public order implications of allowing free access to the pitch, even at the conclusion of a match. This will take on added importance as the Department of Culture Arts and Leisure's Safety of Sports Grounds legislation takes full effect especially in terms of permitting access to the pitch.

An important feature of the pitch incursion offence I intend to introduce in the forthcoming Justice Bill is that an incursion will be an offence only if it is not authorised by the match organisers or in the absence of a lawful excuse.

Laser Pens

Mr K Robinson asked the Minister of Justice what consideration he has given to making laser pens illegal items, alongside his proposals in relation to the possession of fireworks and flares at sports matches.

(AQW 237/11)

Minister of Justice: In terms of sporting events, event organisers would already be entitled to disallow entry or to remove anyone found using a laser pen. As part of my plans for a Justice Bill, I will consider banning the taking of laser pens into sporting events.

Youth Conference Order

Lord Morrow asked the Minister of Justice to outline what a Youth Conference Order entails and which agencies are involved.

(AQW 241/11)

Minister of Justice: A Youth Conference Order is an order of the court that the Youth Court must consider making following a finding of guilt by a young person. It requires the offender to comply with the requirements specified in a Youth Conference Plan in accordance with Part 4 of the Justice (Northern Ireland) Act 2002.

The Public Prosecution Service (PPS) may also consider a Diversionary Youth Conference as an alternative to prosecution in court for less serious offences. The diversionary youth conference is only available to prosecutors if the defendant admits that he committed the offence and agrees to accept and participate in the diversionary option.

The Youth Conference process is a meeting or series of meetings facilitated by a Youth Conference Co-ordinator from the Youth Justice Agency (YJA) and is available for an offender aged 10-17 who admits guilt and consents to undertaking the Youth Conference process. The Youth Conference process considers what the young person will do to put right the harm caused by the offence and steps they will take to stop reoffending. The meetings must involve the following persons to be considered part of the Youth Conference process- (i) Youth Conference Co-ordinator, (ii) the young person/offender, (iii) a police officer (generally a Youth Diversion Officer) and (iv) an appropriate adult.

Other people are entitled to attend the Youth Conference, including legal representatives, the victim, victim supporters and agencies with an interest in the young person. Others may be invited to participate if appropriate to the offence. However the Agencies that are required by statute to be involved in the process are the YJA, the PPS, the Police Service of Northern Ireland and the Courts.

At any Youth Conference, the Youth Conference Coordinator will encourage participation, provide support to the young person and support the victim if in attendance. Representations or participation

may also be made at the Youth Conference by individuals from the community, statutory and voluntary sectors. These will be people who either have statutory involvement such as a social worker, or have an interest in public protection/community safety.

The aim of the Youth Conference process is to produce a Plan that may include any number of nine requirements to be completed by the young person which include:

- Apology to the victim or persons affected by the offence
- Restitution to the victim
- Restriction of their movements
- Electronic monitoring
- Reparation for the victim
- Unpaid work or service
- Supervision by an adult
- Participation in programmes to stop offending

Once agreed, the plan is then presented to the Youth Court where the District Judge has the power, in consultation with the Youth Conference Co-ordinator, to vary the plan. However, once ratified by the Judge, the plan becomes a statutory order which is monitored by the YJA for compliance until completion. Non-compliance in the Youth Conference Plan / Order by the young person may result in breach of the Order and a return to court. In the case of Diversionary Youth Conferences, the plan is agreed or amended by the PPS. Failure to complete the plan may result in the PPS taking further action.

The use of Youth Conference Orders is the main disposal of the Youth Court.

Criminal Records Held by People Coming from Other Countries

Lord Morrow asked the Minister of Justice whether his Department is informed of any previous criminal records held by people coming from other countries to work or live in Northern Ireland.
(AQW 242/11)

Minister of Justice: My Department is not routinely informed of previous criminal records held by people coming from other countries to work or live in Northern Ireland.

There are, however, a range of mechanisms through which the PSNI may obtain criminal records from other nations. This includes application through the United Kingdom Central Authority-Exchange of Criminal Records (UKCA-ECR). The most common purpose of a request is for presentation to a court prior to sentencing.

Magilligan Prison Newbuild

Mr G Campbell asked the Minister of Justice what progress he expects to make in the next 12 months in relation to the new build for Magilligan Prison.
(AQW 257/11)

Minister of Justice: I am personally committed to providing a replacement prison for Magilligan. Much of the existing accommodation and infrastructure was condemned in the HMCI/CJINI report published on 13 September.

The Outline Business Case is nearing completion. Final decisions on making progress with a new prison must take account of the need to provide value for money and the availability of funding. I recognise that colleagues outside the Department of Justice will need to be involved in the process.

Average Cost of a Prison Place

Mr G Campbell asked the Minister of Justice to detail the change in the average cost of a prison place between 2008 and 2009.

(AQW 258/11)

Minister of Justice: The Northern Ireland Prison Service calculates an average cost per prisoner place for each financial year. The table below sets out the costs for 2008 and 2009 and the targets for those years, which were met.

Financial Year	Actual cost per prisoner place	Target cost per prisoner place
2007/08	£81,254	£82,500
2008/09	£81,340	£81,500

Tickets for Concerts and Sporting Events in Northern Ireland

Mr K Robinson asked the Minister of Justice what powers his Department has to pursue people from outside Northern Ireland who offer tickets for sale, above face value, for concerts and sporting events in Northern Ireland.

(AQW 307/11)

Minister of Justice: Currently there is no legislation in Northern Ireland to tackle the problem of unauthorised ticket sales or what is commonly known as “ticket touting”. In the context of the potential for crowd trouble and public disorder I have recently announced my intention to bring forward legislation by way of the Justice Bill to make it an offence for an unauthorised person to sell or dispose of tickets for certain association football matches. Policy on the sale or re-sale of concert tickets is not a matter for the Department of Justice.

Access NI

Lord Morrow asked the Minister of Justice to detail (i) the number of times Access NI has provided inaccurate information on individuals; and (ii) how many complaints have been received in relation to this matter to date.

(AQW 334/11)

Minister of Justice:

- (i) For the period 1 April 2009 – 31 July 2010 AccessNI received 191,936 applications for disclosure. In 384 cases, AccessNI has upheld disputes from applicants in respect of information contained within Disclosure Certificates and issued revised Certificates. The 384 cases can be categorised as follows;
 - 242 were minor errors; e.g.: involving incorrect spelling of names, addresses, position applied for or other details;
 - 40, or 0.02% of all applications received, were more serious errors relating to incorrect information provided by AccessNI in respect criminal record details;
 - 102 involved errors accredited to Police forces across the UK.
- (ii) AccessNI is unable to provide information on the total number of complaints received about Disclosure Certificates, but of those complaints received, 384 were upheld, as set out above.

Access NI Performance and Cost

Lord Morrow asked the Minister of Justice (i) for his assessment of the performance of Access NI; and (ii) how much it has cost to date.

(AQW 335/11)

Minister of Justice:

- (i) While AccessNI experienced considerable problems in returning disclosure certificates between April and December 2008, overall performance since that time has exceeded targets. The following table sets out performance since 1 April 2009 to 31 July 2010 against those targets;

Period	Target	Achieved
1 April 2009-31 July 2010	To deliver 90% of basic disclosures within 2 weeks	97% delivered within 2 weeks
1 April 2009-31 July 2010	To deliver 90% of standard disclosures within 2 weeks (3 weeks up to January 2010)	98% delivered within 2/3 weeks (as per target prevailing at that time)
1 April 2009-31 July 2010	To deliver 90% of enhanced disclosures within 4 weeks	96% delivered within 4 weeks

During this period the average delivery times were as follows;

Basic disclosures	8.12 calendar days
Standard disclosures	8.05 calendar days
Enhanced disclosures	15.98 calendar days

Over this period a total of 191,936 applications for disclosure were received.

Information is published each month on the AccessNI web-site, www.accessni.gov.uk in relation to its performance.

Furthermore, a customer survey carried out by the Northern Ireland Statistics and Research Agency in January concluded that 87% of organisations registered with AccessNI were satisfied with the service provided, while only 3% expressed dissatisfaction.

- (ii) The cost (including non-capital implementation start-up costs) of AccessNI since 2006 (up to the end of August 2011) is as follows;

	2006/07	2007/08	2008/09	2009/10	2010/11	Total
Imp costs	£189k	£304k				£493k
Running costs	£105k	£622k	£2,301k	£2,795k	£1,202k	£7,025k
Total						£7,518k

During this time AccessNI has received receipts from fees and other income amounting to £7,407k. Therefore AccessNI has not only recouped all its running costs but a significant proportion of its non-capital implementation costs also.

AccessNI is required to meet its yearly operating costs from the income derived.

Rioting

Mr A Ross asked the Minister of Justice what protocols or procedures are in place to enable his Department to pursue people from outside Northern Ireland who are alleged to have been involved in rioting.

(AQW 435/11)

Minister of Justice: The pursuit of people from outside Northern Ireland, who are alleged to have been involved in rioting, 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.

You may therefore wish to direct your question to the PSNI.

Drug Seizures

Mr A Easton asked the Minister of Justice how many drug seizures were carried out by the PSNI in each of the last three years.

(AQW 441/11)

Minister of Justice: The seizure of drugs 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.

You may therefore wish to direct your question to the PSNI.

Dissident Republican Terrorist-Related Offences

Mr A Easton asked the Minister of Justice to detail the number of convictions for dissident Republican terrorist related offences in each of the last three years.

(AQW 451/11)

Minister of Justice: I regret the information requested is not available. Court conviction data do not contain background information in relation to offences committed or the group with which an offender is affiliated. It is, therefore, not possible to determine the number of convictions for dissident Republican terrorist related offences.

Rioting Convictions

Mr A Ross asked the Minister of Justice how many convictions there have been to date for rioting during the recent marching period.

(AQO 110/11)

Minister of Justice: There is a robust criminal justice process being pursued to bring to account those responsible for the serious public disorder this summer. While we have not yet reached the stage of convictions, to date a total of 78 persons have been arrested in relation to the disturbances across Belfast. 62 of those have been charged with various offences including 3 with the attempted murder of a police officer.

In Londonderry, 37 individuals were arrested for interface violence during July and August, of those arrested, 5 were subsequently charged and 32 reported to the PPS.

As this is my first opportunity to do so in this chamber since the summer, I wish to pay tribute to the measured, proportionate and focused response of the PSNI in responding to the disorder. That reflects the absolute commitment of police officers to carry through a style of policing designed to protect life but also to avoid heavy handedness or overreaction, despite the ferocity of attacks that were waged on them.

I understand that Police in Londonderry are due to meet with representatives from the Human Rights Commission this afternoon to discuss concerns regards the use of Operation Exposure.

I welcome the support of the entire community in assisting the police with their investigation and ultimately bringing those responsible to account.

Repeat Offenders: Murder of Harry Holland

Mr G Adams asked the Minister of Justice for his assessment of the situation where a repeat offender, convicted of the murder of Harry Holland and deemed to be a high-risk offender, was released from prison and then re-offended.

(AQO 111/11)

Minister of Justice: The repeat offender was not convicted of murder, as you suggest. Had he been, he would have received an automatic life sentence and would only have been released from custody with the agreement of the Parole Commissioners for Northern Ireland. On release he would have remained under licence for life and been subject to recall.

In the event, the offender was convicted of the lesser charge of affray. Under the law applying to offences committed before May 2008, there was no provision for mandatory post-custody supervision. At that time, such supervision required the agreement of the individual offender, which was not forthcoming in this case.

From 15th May 2008, new sentencing arrangements came into force. These strengthened public protection from dangerous violent or sexual offenders in respect of offences committed from that date. The new arrangements provide judges with the capacity to issue public protection sentences, with release decisions for more serious offenders based on an assessment of risk and underpinned by compulsory supervision.

Should a similar case occur in the future, the judge would have the option of applying a public protection sentence. In addition, under the new sentencing regime, the offender would be subject to mandatory post-custodial supervision and recall if warranted.

Restorative Justice

Mr P Maskey asked the Minister of Justice to outline his strategy for supporting and developing community based restorative justice schemes.

(AQO 112/11)

Minister of Justice: The Review of the Criminal Justice System in Northern Ireland proposed a role for Community-based restorative justice schemes in dealing with low level crime coming to their attention in local communities, and a 'Protocol for CBRJ Schemes', enshrining strict safeguards, was published in February 2007. CBRJ schemes seeking Government accreditation are subject to inspection by Criminal Justice Inspection NI and individuals working in schemes are subject to rigorous child protection and police checks prior to approval by an independent Panel.

To promote the development of the CBRJ schemes, the Westminster government entered a "match funding" arrangement with Atlantic Philanthropies, a charitable organisation, which has come to the Department of Justice on devolution. It provides a total of £200k funding per year to schemes up to March 2011 when this arrangement will expire. It was anticipated that this funding would provide credibility and a platform for schemes to seek funding from statutory sources to facilitate their work. Following accreditation, CBRJ schemes have been able to secure significant funding for their work from statutory sources, including the Department for Social Development, the NI Housing Executive and the Probation Board. The latest CJINI inspection report indicates inward investment of around £2M in 2009-11.

We continue actively to support CBRJ schemes, and are about to embark on a pilot project. This initiative will allow PSNI to divert suitable cases they encounter to CBRJ schemes with the agreement of the victim, the offender and the Public Prosecution Service, providing the potential to expand the operation of CBRJ schemes. The PSNI are supportive of the work of CBRJ schemes, and have found them invaluable in developing cooperative relationships with communities where historically this has been difficult.

Crimes against Older People

Mr M Brady asked the Minister of Justice what steps he is taking to reduce crime against older people. (AQO 113/11)

Minister of Justice: The safety of older people and ensuring that they can live their lives free from crime and the fear of crime is of paramount importance to us all. Though statistics show that crimes against elderly are relatively rare they can have a disproportionate impact on the victims and increase fear in the wider community.

My Department developed and introduced Safer Ageing: 'A Strategy and Action Plan for Ensuring the Safety of Older People'. This sets out the actions and initiatives to help older people be safe and feel safe in their homes, neighbourhoods and communities. The development of the strategy recognises that although violent crime against older people accounts for less than 2%, we cannot afford to be complacent and are taking steps to enhance the safety of older people.

Since its launch of the 'Safer Ageing' Strategy my Department has been taking forward key actions in partnership with PSNI, the Northern Ireland Policing Board and older people's groups including the Older Person's Advocate, Age Sector Platform and Centre for Intergenerational Practice.

The key actions include: promoting Neighbourhood Watch, especially in those areas with elderly or vulnerable residents; advising older people of the practical steps they can take to secure their homes, and; reducing anti-social behaviour and reduce fear of crime through schemes such as the Good Morning Network and Intergenerational projects to help provide peace of mind for older people and make them more secure and provide peace of mind.

The "HandyVan" Scheme operating in greater Belfast is a practical initiative that my Department supports. This provides home security support to older people through practical measures such as additional locks, as well as repairs and home security advice. Up to June 2010 a total of 2433 homes have benefited from this scheme. The "Lock Out Crime Scheme" provided and installed, free of charge, security devices to those aged 65 and over, and offered them to those in receipt of specific benefits. Over 18,000 homes had this work completed.

Maghaberry Prison: Roe House

Mr A Maskey asked the Minister of Justice for an update on the current situation in Roe House at Maghaberry Prison. (AQO 114/11)

Minister of Justice: Following a protest by separated prisoners in Maghaberry about their conditions of detention, which was launched on Easter Sunday of this year, the Northern Ireland Prison Service entered a facilitation process with prisoners which led to the Agreement of 12 August. That Agreement has led to prisoners ending their protest and a significant reduction in tensions and I am grateful to the Joint Facilitation Group in helping to reach a solution which I am confident has the potential to provide lasting stability,

The management team at Maghaberry is implementing all of the recommendations from the Prisoner Ombudsman's Report, published on 11 June, and is taking forward the terms of the Agreement of 12 August (subject to any necessary infrastructural work, for example the installation of a new search facility).

There are some issues regarding the fine detail of the agreement, particularly in relation to full body searching and controlled movement. I am pleased to note that the management team at Maghaberry is continuing to work alongside the facilitators with a view to resolving the detail with prisoners. Local managers and prisoners are also discussing the issues through the Prisoner Forum, in line with the terms of the Agreement.

Physical improvements with regards to search and regime facilities have been agreed and some work has been completed, while more continues.

Implementation of the agreement is subject to ongoing monitoring and the Ombudsman continues to monitor the implementation of the recommendations from her report.

Prison Review Team

Mr F McCann asked the Minister of Justice if he is satisfied that the Prison Review Team has sufficient resources to fulfil its terms of reference.

(AQO 115/11)

Minister of Justice: Dame Anne has confirmed that she is satisfied that the resources allocated will allow her to address the scope of the review, as set out in the Terms of Reference. However I will of course keep this under review.

It is however important that there is a clear understanding that the resources required to implement the recommendations of the review, as distinct from conducting the review, is a separate matter and my views on this are already a matter of public record. Without prejudice to the outcome of the review, my belief is that radical change is both possible and necessary, but that, almost certainly, we will not have the resources to introduce a Patten-style severance package for NIPS.

I am confident that the Review Team has a vital role in setting out a compelling vision and strategic direction for the future development of the Prison Service. But in the meantime we need to press forward with making the Service more efficient and effective and ensuring that the building blocks for change – which will form the foundation for implementing the Review Team's recommendations – are put in place. That work has already been launched through the Service's Strategic Efficiency and Effectiveness Programme. The SEE Programme will design and launch new operating practices that will enable the transformation and modernisation of the Northern Ireland Prison Service.

Paedophile: Accommodation

Mr G Robinson asked the Minister of Justice what discussions he has had with his ministerial colleagues regarding accommodation arrangements for paedophiles, to ensure the protection of vulnerable people within residential settings.

(AQO 116/11)

Minister of Justice: The Department of Justice has overall policy responsibility for protecting the public from the risks posed by those who have been convicted of sexual offences. This responsibility is discharged principally through the public protection arrangements in Northern Ireland. The public protection arrangements are operated by a number of agencies which work together, sharing information in relation to offenders, assessing the risk that they pose and developing and delivering risk management plans. The main agencies involved are police, probation and social services. Others include the Prison Service and the Northern Ireland Housing Executive.

I have been holding a series of bilateral meetings with my ministerial colleagues in recent weeks, and the specific issue raised by the Member has not been raised. However, I would like to assure the Member that in assessing and managing the risks posed by those convicted of sexual offences, agencies develop risk management plans which take account of the offender's accommodation including residential settings such as approved hostels for those offenders who are under probation supervision.

The Department of Justice does not have responsibility for residential facilities. Approved hostels are funded to accommodate offenders through the Government's 'Supporting People' initiative, which is administered by the Northern Ireland Housing Executive. However, there are many more hostels in Northern Ireland providing accommodation for homeless people, some of whom may be offenders.

The notification requirements contained in the Sexual Offences Act 2003 require all those who have been convicted of a sexual offence, and who meet certain thresholds in relation to the seriousness of the offence, to notify personal details of identity and whereabouts to the police.

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 prohibit 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.

North/South Co-operation

Mr F Molloy asked the Minister of Justice to outline the areas of co-operation with his counterpart in the Irish Republic.

(AQO 117/11)

Minister of Justice: An Intergovernmental Agreement on Cooperation on Criminal Justice Matters provides for regular meetings with the Minister for Justice and Law Reform, Dermot Ahern TD, as well as a Working Group of officials that identifies areas in which criminal justice cooperation could be enhanced or initiated. The most recent meeting with Mr Ahern was held on 9 July 2010 and I reported the outcome of that meeting to the Assembly on 13 September.

At the meeting on 9 July, we discussed a range of issues of mutual interest and agreed a work programme which includes a number of priority areas for action by next summer. It builds on existing areas of cooperation including support for victims, public protection, risk management of sex offenders, youth justice, forensic science services and social diversity within the criminal justice system.

The two Departments will jointly host the annual Cross Border Organised Crime Seminar later this year, providing an opportunity further to strengthen partnerships between law enforcement agencies on both sides of the border by evaluating current strategies and seeking areas for improvement.

The two Departments will also jointly produce the Biennial Cross Border Organised Crime Assessment this year outlining serious and organised crime in both jurisdictions. Work will also continue between the Organised Crime Task Force, the Departments and law enforcement agencies in relation to cross border issues such as drugs, fuel fraud, human trafficking, illegal dumping and money laundering.

Antisocial Behaviour

Mr P Weir asked the Minister of Justice what new or additional action is planned to combat anti-social behaviour.

(AQO 118/11)

Minister of Justice: Tackling anti social behaviour is one of my Department's key priorities, and we are currently on target to deliver a 15% reduction in anti-social behaviour incidents by next March.

The approach to tackling anti-social behaviour can be summarised by 3 themes of prevention, intervention and enforcement which collectively have resulted in 17,000 fewer incidents of anti-social behaviour in 2009/10 than in 2007/08.

You will also be aware that the Home Secretary has recently announced a review into anti-social behaviour powers in England and Wales. My officials are liaising with the Home Office to ensure that the outcomes of the review of these powers and anti-social behaviour orders can be considered in a local context.

In the autumn my Department will be launching a consultation on a new Community Safety Strategy which will provide an opportunity to consider the current approaches to tackling anti social behaviour as well as obtaining views on the use of anti social behaviour orders and alternative approaches to addressing Anti social behaviour.

Dealing with this issue is not solely the responsibility of any one agency. It requires a partnership approach and my Department will continue to work with PSNI, district councils and the NI Housing

Executive in their actions to tackle anti-social behaviour. They are using the full range of tools available to them including verbal or written warnings, mediation, diversionary activities, acceptable behaviour contracts, injunctions, ASBOs, criminal prosecutions, and evictions.

Department for Regional Development

NI Water: Stakeholder Unit

Mr G Savage asked the Minister for Regional Development (i) for his assessment of why the Stakeholder Unit within his Department failed to identify the issues relating to the awarding of contracts within NI Water; and (ii) whether he has any plans to initiate an urgent review of the functions, roles and effectiveness of this unit.

(AQW 17/11)

Minister for Regional Development (Mr C Murphy):

- (i) The awarding of contracts in NI Water was and is the responsibility of the company. It was therefore the responsibility of the NI Water Board to ensure compliance with financial delegations and proper procurement practice and to seek Shareholder consent as appropriate in relation to the award of contracts. The Shareholder Unit was never intended to interfere in the day-to-day management or to duplicate the work of the company on such operational matters.
- (ii) The terms of reference for the Independent Review included the provision of an analysis of any failures by DRD as Shareholder and any necessary recommendations. The recommendations have been implemented and the role of the Shareholder Unit has been strengthened. For example, the Director now attends all NI Water Audit Committee meetings and the Department has also introduced a revised reporting format at all Quarterly Shareholder Meetings which provides more comprehensive assurances on adherence to delegations and other governance requirements. There has also been a change in process to ensure that the Shareholder Unit is provided with additional information regarding procurements conducted through single tender action for anything above £30,000. I have no current plans to further review the functions, roles and effectiveness of the Unit, although the Unit staff will continue to consider action that could further enhance its performance.

NI Water: E-mails from Permanent Secretary to Review Team

Mr G Savage asked the Minister for Regional Development if he can confirm that he was unaware of the emails from his Permanent Secretary to the Independent Review Team outlining desired changes to the report on NI Water.

(AQW 57/11)

Minister for Regional Development: I can confirm that I was unaware of the emails from my Permanent Secretary to the Independent Review Team outlining his desire to have changes made to the report on Northern Ireland Water.

NI Water Legislation

Mr G Savage asked the Minister for Regional Development if, and when, legislation will be brought forward to change the status of NI Water.

(AQW 59/11)

Minister for Regional Development: In my statement to the Assembly on 13 September 2010 on the governance of Northern Ireland Water (NIW) I outlined short and long term measures. I said that, in the lifetime of this Assembly, it would not be possible to enact the extensive legislation necessary to change the status of NIW. I said I would put proposals to the Executive based on the delivery of water and sewerage services by a body within the public sector for the longer term.

In the short term I announced measures to strengthen governance arrangements and said that I would, if necessary, propose legislation to ensure that public sector controls were in place.

NI Water: Atkins Contractors

Mr P McGlone asked the Minister for Regional Development, in relation to the Public Accounts Committee inquiry into NI Water, why his Department was reliant on Atkins Contractors to provide detail of the £5,222,144 paid by the Department to them between March 2002 and April 2007, in relation to DRD Water Service Contract work.

(AQW 83/11)

Minister for Regional Development: My Department was not reliant on Atkins Contractors to provide this detail. However, because of the amount of information that was requested by the PAC within tight timescales following the 1 July hearing, Atkins Contractors was approached directly.

Car Park in Perry Street, Dungannon

Lord Morrow asked the Minister for Regional Development, in relation to the car park in Perry Street, Dungannon, why the only two disabled parking bays are located in the fee-paying area with no disabled parking provision in the free area.

(AQW 90/11)

Minister for Regional Development: My Department's Roads Service has advised that, in a car park that has both pay and display parking and free car parking spaces, it is normal practice to provide the disabled spaces within the pay and display parking, due to such spaces being closer to the business centre and the car park exit/entrance. Pay and display disabled parking also ensures that there is a regular turnover of short duration disabled parking spaces within a car park.

I understand that the disabled parking spaces at Perry Street have been provided adjacent to the pay and display machine and close to the car park exit. I also can advise that Omagh Access Forum provided guidance to Roads Service regarding the location of the disabled parking bays. If disabled bays were provided in the free area of this car park, disabled people would have further to walk to the car park exit.

It should also be noted that, during parking usage surveys, disabled parking space is normally available in this car park. Roads Service has therefore no plans to alter the disabled parking provision within the car park.

Official Opening of the A1

Mr P J Bradley asked the Minister for Regional Development, in relation to the official opening of the A1 on 29 July 2010, to detail (i) the names of the elected representatives that were invited to attend; (ii) which office prepared the invitations; and (iii) which statutory bodies were consulted regarding the invitations.

(AQW 157/11)

Minister for Regional Development: My officials in Roads Service, Southern Division, following the practice normally adopted for previous similar events, intended to invite all elected representatives in the area where the new A1 Beech Hill to Cloghogue dual carriageway scheme was constructed. The following list of MLAs, MEPs and Councillors were invited to attend:

MLAs	Cathal Boylan, Dominic Bradley, William Irwin, Danny Kennedy, Mickey Brady
MEPs	Bairbre DeBrun, Jim Nicholson, Diane Dodds

Councillors	<p>Mayor: - Councillor M Murphy</p> <p>Deputy Mayor: -Councillor K McKevitt</p> <p>Crotlieve</p> <p>Councillor M Carr, Councillor M Ruane, Councillor J O'Hare, Councillor AV Williamson, Councillor C Mussen</p> <p>Fews</p> <p>Councillor J Feehan, Councillor A Moffett, Councillor T Murphy, Councillor JP McCreesh, Councillor G Oliver, Councillor P McGinn</p> <p>Newry Town</p> <p>Councillor B Curran, Councillor F Feely, Councillor M Mathers, Councillor C Casey, Councillor J McArdle, Councillor G Stokes, Councillor J Patterson</p> <p>Slieve Gullion</p> <p>Councillor G Donnelly, Councillor A Flynn, Councillor PJ McDonald, Councillor T Hearty, Councillor C Burns</p> <p>The Mournes</p> <p>Councillor WJ Burns, Councillor IB Hanna, Councillor M Connolly, Councillor H Reilly, Councillor S Rogers</p>
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* The list does not include elected representatives who participated in the official opening.

Roads Service has advised that, while the scheme extends into both the Newry and Armagh and the South Down Assembly and Westminster constituencies, an oversight resulted in only the MLAs from the Newry and Armagh constituency receiving an invitation. I understand that the Divisional Roads Manager has already written to you apologising for this oversight, and advising that the Divisional records have been updated to ensure this error does not occur again for future events. Despite this oversight, I am pleased to note that you were able to attend this event.

No statutory bodies were consulted regarding the invitations.

Unapproved Hoardings

Mr P J Bradley asked the Minister for Regional Development to outline his Department's policy on the removal of unapproved hoardings located on public property or on property under the control of the Department's agencies.

(AQW 159/11)

Minister for Regional Development: I can advise that Article 87 of the Roads (NI) Order 1993 makes it an offence to display an advertisement on a road or anything in or on a road and provides for a maximum fine of £500. It also provides for the Department's Roads Service to remove any advertisements displayed illegally and recover its costs, regardless of whether or not legal proceedings have been initiated. Roads Service property includes, but is not limited to, public roads. Article 87(1) of the Roads (NI) Order 1993 provides that any person that displays any advertisement, upon the surface of a road or upon any tree, structure or other works in or on a road, shall be guilty of an offence. Therefore any signs that are displayed on BT, or NIE poles, may be removed by Roads Service. Furthermore, Article 88 makes it an offence to obstruct the road. The Roads Order may not be used on land which the Department owns but is not public road.

The Department can also grant licence agreements to applicants to erect, affix and maintain hoardings at sites which are in the Department's ownership. These sites will have secured the necessary approval of Planning Service under the Control of Advertisements Regulations.

Advertising signs or hoardings erected on land which is not in the ownership of Roads Service, without the requisite planning approval, would normally be a matter for enforcement action under planning legislation.

Roads Service utilises a considerable resource in the removal of unauthorised hoardings located on the public road. Periodic sweeps of local areas are undertaken, as resources permit, and Roads Service endeavours to remove all unlawful advertising hoardings on the public road. Roads Service then seeks to recover its costs accordingly.

Free-Standing Advertising Boards

Mr P J Bradley asked the Minister for Regional Development whether his Department is aware that free standing advertising boards were recently taken away from business properties in the centre of Newry. **(AQW 160/11)**

Minister for Regional Development: One of Roads Service's core objectives is the safe passage of pedestrian traffic and therefore it is of paramount importance that footpaths are kept free from obstructions, such as advertising signs. These signs can be unsightly and can be particularly dangerous to vulnerable road users, such as pedestrians and cyclists.

Roads Service has a programme of regular inspections on main roads and streets to identify and remove unlawful advertising on its property. This has included the removal of a number of sandwich board type signs from the footways in Newry City Centre over recent months.

These regular patrols will continue throughout the area, subject to resources being available.

Free Travel on Public Transport

Mr P J Bradley asked the Minister for Regional Development for his assessment of the annual cost of providing free travel to an essential travelling companion of a passenger entitled to free travel on public transport. **(AQW 161/11)**

Minister for Regional Development: I have made no such assessment.

However, a policy review of the concessionary fares scheme carried out in 2006 estimated that the cost of providing free travel to those people in receipt of Carers Allowance would be in the region of £1 million per annum at 2006 prices. This figure does not include costs associated with setting up and administering such a scheme.

Closed Railway Stations

Mr T Burns asked the Minister for Regional Development to detail the cost of maintaining closed or mothballed railway lines, railway stations and bus stations, in each of the last five years; and to list the location of each station and line. **(AQW 167/11)**

Minister for Regional Development: Translink has told me that the following rail stations/halts are currently not used for scheduled services but are maintained:

Crumlin Station*)
Knockmore (branch platform)*) Antrim to Knockmore
Ballinderry Halt*) line
Glenavy Halt*)

* These were closed to scheduled rail services on 29 June 2003.

The rail line between Antrim and Knockmore is also maintained as a diversionary route in the event of emergency situations and has also been used for testing and training on new trains.

A table outlining the costs over the last 5 financial years associated with these facilities is below:

Location	2005/06 £	2006/07 £	2007/08 £	2008/09 £	2009/10 £
Knockmore Halt	33	2,510	0	1,400	0
Ballinderry Halt	521	6,714	2,073	400	323
Glenavy Halt	0	3,284	1,479	0	0
Crumlin Station	2,167	4,819	1,176	75	72
Antrim-Knockmore rail line	112,814	80,657	46,740	24,887	26,634
Total	115,535	97,984	51,468	26,762	27,029

Translink state that there are no bus stations, no longer in use but still being maintained. We have relinquished some bus parks over recent years but they incur no current maintenance costs.

Risks of Disallowances or Infraction Proceedings

Dr S Farry asked the Minister for Regional Development for his assessment of any risks of disallowances or infraction proceedings that could be undertaken in relation to the work of his Department and its agencies; and what measures he is taking to mitigate any such risks.

(AQW 211/11)

Minister for Regional Development: A high proportion of the statutory and regulatory framework for water and sewerage services is set out by EU requirements. It is a constantly developing area with ongoing implementation of directives on water framework, marine strategy, floods and revisions on drinking water. The risk of challenge at an EU level is correspondingly high.

Specifically, my Department is providing monitoring returns to the European Commission on two infraction cases concerning compliance with the Urban Waste Water Treatment Directive. The cases arose from historic failures to comply with waste water treatment requirements under the Directive. As a result of investment, the treatment works identified are now compliant and the ongoing monitoring returns are for the purpose of demonstrating compliance.

I recently approved changes to regulations transposing the Drinking Water Directive here in response to European Commission concerns about adequate transposition of the Directive. A response from the Commission is awaited.

My Department monitors potential infraction risks through communication with the Department for Environment, Food and Rural Affairs which is the coordinating authority. An example is the Commission's recent Reasoned Opinion about the design, monitoring and operation of intermittent discharges which could lead to more stringent EU requirements for waste water collection systems.

I have set EU compliance as a priority in my Social and Environmental Guidance for Water and Sewerage Services 2010-13. The Guidance envisaged that approximately £600 million will be invested in water and sewerage services over the next three years.

I will continue to make the case for the investment needed to deliver improvements in our water and sewerage infrastructure to mitigate infraction risks and improve services for consumers.

The risk of infraction procedures arising in the transport field is recognised due to the extent of EU involvement in this area and the complexity of the legislation involved. This risk is managed through in-house experience and expertise, input from legal advisers and well established working relationships with colleagues in Britain, the South and the EU. These measures are regarded as sufficient to manage the residual risk and to prevent formal infraction procedures or disallowance.

Dualling Between Eglington and Campsie

Mr G Campbell asked the Minister for Regional Development, following the completion of the dualling between Eglington and Campsie, when he expects the remainder of the scheme between Campsie and Maydown roundabout in Londonderry to be completed.

(AQW 264/11)

Minister for Regional Development: My Department's Roads Service has advised that the £25 million A2 Maydown to City of Derry Airport Dualling scheme continues to make good progress and is expected to be substantially complete by December 2010.

Maintenance of Street Lighting

Mr M Durkan asked the Minister for Regional Development for an update on the resolution of the contractual issues in relation to the maintenance of street lighting.

(AQW 380/11)

Minister for Regional Development: My Department's Roads Service ran simultaneous competitions for ten Measured Term Contracts, for the Maintenance and Improvement of Street Lighting, using the open tendering procedure. The contracts are to be awarded on the basis of the offers which the Department considers are the most economically advantageous and the arrangements for the competitions were such that the contracts could have been won by a number of small and medium size enterprises. Following the assessment of the offers made for each of the contracts, one contractor was deemed successful in all ten competitions, and had sufficient financial suitability to be awarded all ten contracts.

All of the contractors who had taken part in the competitions were notified of the intention to award the contracts to the successful contractor. However, during the mandatory standstill period before the awards can be made, solicitors representing two of the unsuccessful contractors raised a number of issues concerning the competitions. Based on legal advice from the Departmental Solicitor's Office (DSO), the standstill period was extended until midnight on 16 September 2010 to allow time to respond to the issues raised. The DSO responded to the letters on 14 September 2010 and on 16 September 2010, both firms of solicitors requested a further extension of the standstill period. Based again on the advice of the DSO, the standstill period was further extended until midnight on 23 September 2010.

Roads Service is conscious of the importance of its street lighting system to public safety and, in the interim, is making arrangements to have emergency works carried out and street lighting outages repaired.

Department for Social Development

Temporary Promotion

Mr T Clarke asked the Minister for Social Development (i) how many staff in his Department received temporary promotion or were designated to the next grade in each of the last 3 years; (ii) the length of time each individual was promoted; and (iii) the cost to the Department in each case.

(AQW 19/11)

Minister for Social Development (Mr A Attwood): The information sought in each of the limbs of the question is not held in the form requested and could only be obtained at disproportionate cost.

However, at 19 July 2010, there were 367 current temporary promotions in the Department. Information on the duration, within bands, of these temporary promotions at that date is given below.

	0 – 6 months	6 – 12 months	Over 1 Year	Total
No. of TPs	93	69	205	367

Staffing Levels

Mr T Clarke asked the Minister for Social Development to detail the (i) current; and (ii) required staffing levels in each branch or section of his Department, broken down by grade; and what plans there are to deal with the surplus staff or vacant posts in each case.

(AQW 22/11)

Minister for Social Development: The work of my Department is divided across a number of business areas (Social Security Agency, Child Maintenance and Enforcement Division and Departmental Core.)

The tables below show the number of staff in post at 31 August 2010 expressed in terms of whole time equivalents rather than actual headcount.

STAFF IN POST AT AUGUST 2010**SOCIAL SECURITY AGENCY (SSA)**

	Working Age Benefits Network Directorate (Including BBDC) Staff In Post 31 August 2010	Pensions, Disability and Carers Service Directorate Staff In Post 31 August 2010	Working Age Benefits Central Staff In Post 31 August 2010	Benefit Assurance Directorate Staff In post 31 August 2010	Operations Transformation Directorate staff in post 31 August 2010	Finance and Planning Directorate staff in post 31 August 2010	Business Development Directorate staff in post 31 August 2010	Total SSA staff in post 31 August 2010
Grade								
Grade 3	0.00	0.00	0.00	1.00	0.00	0.00	0.00	1.00
Grade 5	0.00	0.00	0.00	1.00	0.00	1.00	1.00	3.00
Grade 6	1.00	1.00	1.00	0.00	1.00	1.00	1.00	6.00
Grade 7	5.00	3.00	2.00	5.00	3.00	4.68	4.50	27.18
Deputy Principal	9.00	6.00	5.00	10.00	10.80	13.80	14.00	68.60
Staff Officer	51.00	13.81	12.28	30.90	36.97	19.74	27.81	192.51
Executive Officer 1	129.52	63.14	29.15	72.86	28.59	33.03	43.68	399.97
Executive Officer 2	631.94	315.15	166.31	165.94	6.00	79.40	77.59	1442.33
Administrative Officer	1376.53	369.24	336.65	40.90	2.80	178.17	13.60	2317.89
Administrative Assistant	210.82	80.58	81.16	14.00	0.00	35.61	1.00	423.17
Other Permanent Staff	40.52	12.00	2.50	5.96	0.00	0.00	26.28	87.26
Temporary Administrative Assistant	48.00	12.00	18.00	0.00	0.00	1.00	1.00	80.00
Temporary Support Grade Band 2	70.00	7.00	2.00	0.00	0.00	3.00	1.00	83.00
Other Temporary Staff	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total	2573.33	882.92	656.05	347.56	89.16	370.43	212.46	5131.91

CHILD MAINTENANCE & ENFORCEMENT DIVISION (CMED)

Grade	Northern Ireland Business Staff In Post 20 August 2010	Eastern Business Unit Staff In Post 20 August 2010	CMED Whole Time Equivalent Staff In Post 20 August 2010
Grade 3	1.00	0.00	1.00
Grade 5	0.00	0.00	0.00
Grade 6	2.00	1.00	3.00
Grade 7	3.90	2.00	5.90
Deputy Principal	10.99	5.70	16.69
Staff Officer	19.93	16.61	36.54
Executive Officer 1	24.96	33.15	58.11
Executive Officer 2	95.32	161.13	256.45
Administrative Officer	231.19	661.52	892.71
Administrative Assistant	10.60	36.82	47.42
Other Permanent Staff	1.77	0.00	1.77
Temporary Administrative Assistant	0.00	0.00	0.00
Temporary Support Grade Band 2	0.00	0.00	0.00
Other Temporary Staff	0.00	0.00	0.00
Total	401.66	917.93	1319.59

DSD CORE

Grade	Urban Regeneration Community Development Group Staff In Post 31 August 2010	Resources Housing and Social Security Group Staff In Post 31 August 2010	DSD Core Whole Time Equivalent Staff In Post 31 August 2010
Grade 3	1.00	1.00	2.00
Grade 5	5.00	5.00	10.00
Grade 6	1.00	2.00	3.00
Grade 7	28.60	20.48	49.08
Deputy Principal	45.18	60.13	105.31
Staff Officer	73.69	110.57	184.26
Executive Officer 1	37.29	104.65	141.94
Executive Officer 2	24.41	63.26	87.67
Administrative Officer	38.63	102.53	141.16

Grade	Urban Regeneration Community Development Group Staff In Post 31 August 2010	Resources Housing and Social Security Group Staff In Post 31 August 2010	DSD Core Whole Time Equivalent Staff In Post 31 August 2010
Administrative Assistant	10.00	22.78	32.78
Other Permanent Staff	13.80	29.40	43.20
Temporary Administrative Assistant	7.00	1.00	8.00
Temporary Support Grade Band 2	0	3	3.00
Other Temporary Staff	0	5	5.00
Total	285.60	530.80	816.40

- (ii) As the Department is still working on finalising its staffing position for 2010/11, it is not possible to provide definitive details of 2010/11 staffing requirements for each business area. The current projections in the Department are that it may have additional staff of approximately 350 posts. However the Department will manage any staff reduction under its established policy and strategy for redeployment and, as part of this, will introduce measures such as redeploying staff to vacant posts, applying the Northern Ireland Civil Service embargo on recruitment and promotion, reviewing temporary promotion arrangements and releasing temporary staff. There is also the normal staff turnover through leavers and retirees that will be used to absorb any surplus staff

Smoke and Carbon Monoxide Alarms

Mr A Ross asked the Minister for Social Development to detail any existing legislation requiring landlords and the Housing Executive to install (i) smoke alarms; and (ii) carbon monoxide alarms in their properties; and whether any further legislation is planned.

(AQW 24/11)

Minister for Social Development: The Building Regulations require fitting of smoke alarms to all new residential property. There is no legislation requiring the fitting of smoke alarms to existing stock however, arising out of its duty of care, the Housing Executive has a policy to install such alarms in their properties. My department through the Housing Association Guide requires Housing Associations to install smoke alarms in their properties.

There is no statutory requirement to fit carbon monoxide alarms to new or existing housing stock. However, in light of the recent tragic incident in Castlerock, a technical review has commenced by the Housing Executive and it is hoped to complete this by the end of December 2010. If the review indicated that carbon monoxide alarms were required in Social Housing dwellings any potential implementation programme would be subject to the availability of finance.

There is currently no requirement for private landlords to have smoke alarms in their properties except for landlords of Houses in Multiple Occupation (HMOs), which are covered by "The Housing (Management of Houses in Multiple Occupation) Regulations (Northern Ireland) 1993". As part of the Private Rented Sector Strategy the current fitness standard will be raised for the private rented sector and the issue of health and safety is being considered as part of this.

I welcome the recent motion on 'Carbon Monoxide Awareness and Strategy' and the debate which took place in the Assembly on 20 September, to compel builders to fit carbon monoxide alarms to all new

homes and to raise awareness of this silent killer and encourage people to fit carbon monoxide alarms in their homes.

My department currently has no plans to introduce legislation in respect of fitting of carbon monoxide alarms but will review this in light of the outcome of the review being undertaken by the Housing Executive.

Bonfire Sites

Mr T Burns asked the Minister for Social Development to detail the costs incurred by his Department in cleaning and repairing bonfire sites during the summer of 2010.

(AQW 29/11)

Minister for Social Development: The table below details the Housing Executive clean up costs in relation to bonfires during the period June to August 2010:-

Area	Costs
Belfast	£32,811
South	£7,382
South East	£20,057
West	£9,240
North East	£26,436
Total	£95,926

External Consultants

Mr P McGlone asked the Minister for Social Development (i) how much has been spent on external consultants in each of the last five years by (a) his Department; and (b) the Northern Ireland Housing Executive; and (ii) how much of these amounts was paid to (a) PWC; (b) Deloitte; and (c) Ernst & Young.
(AQW 81/11)

Minister for Social Development: The information on external consultancy spend within the Department for Social Development (including the Social Security Agency and Child Maintenance and Enforcement Division) and the Northern Ireland Housing Executive over the last five years is set out below. This includes a breakdown of expenditure to PWC, Deloitte and Ernst & Young.

EXTERNAL CONSULTANCY SPEND

	DSD	NIHE	Total
2005/06	£479,212	£173,653	£652,865
2006/07	£604,441	£4,000	£608,441
2007/08	£734,684	£18,022	£752,706
2008/09	£1,627,856	£8,058	£1,635,914
2009/10	£1,919,349	£184,650	£2,103,999

	PWC		Deloitte		Ernst & Young	
	DSD	NIHE	DSD	NIHE	DSD	NIHE
2005/06	£34,000	£13,200	£3,350	£45,725	Nil	Nil
2006/07	£9,625	£4,000	£160,052	Nil	Nil	Nil
2007/08	£55,131	£10,980	£142,562	Nil	Nil	Nil
2008/09	£50,000	Nil	£48,854	Nil	Nil	Nil
2009/10	£39,000	Nil	£16,211	Nil	£8,500	Nil

Community Worker for Kilcooley Estate in Bangor

Mr A Easton asked the Minister for Social Development for an update on the continuation of Housing Executive funding for the community worker in the Kilcooley estate in Bangor.

(AQW 105/11)

Minister for Social Development: The community development worker post in Kilcooley is funded by my Department through the Neighbourhood Renewal Investment Fund. The funding runs until 31 March 2011. I am unable at this time to provide an update on the continuation of funding after 31 March 2011. My Department's budget for 2011/2012 and subsequent years will be set as part of the Budget 2010 process which is currently underway. I will not be able to enter into any funding commitments beyond 31 March 2011 until that process is completed at the end of the year. However my budget 2011 – 15 bid sought an increase in funding for Neighbourhood Renewal.

Flats at West Green, Holywood

Mr A Easton asked the Minister for Social Development when the demolition of the flats at West Green in Holywood is due to start.

(AQW 150/11)

Minister for Social Development: Services are currently being disconnected from the flats and demolition has been scheduled for January 2011.

Multi-Element Schemes for Bangor

Mr A Easton asked the Minister for Social Development what Multi-Element schemes are planned for the Bangor area for the 2010/11 financial year.

(AQW 151/11)

Minister for Social Development: There are no Multi Element Improvement schemes programmed for the Bangor area for 2010/11 because the significant resources needed to take forward such a scheme are no longer available. The Savills Stock Condition Report said that the Housing Executive should develop a maintenance strategy which will be completed later this year and will determine the investment necessary on all Housing Executive stock. This investment strategy will also consider alternative ways to deliver the refurbishment of all Housing Executive stock. The Housing Executive has also been advised that Multi Element Improvement Schemes are not part of my Department's plans in the 2011-15 Budget.

However there are currently two Multi Element Improvement schemes on site in Bangor, at Kilcooley and Bloomfield which are due to complete in this financial year.

Multi-Element Schemes for Hollywood

Mr A Easton asked the Minister for Social Development what Multi-Element schemes are planned for the Hollywood area for the 2010/11 financial year.

(AQW 152/11)

Minister for Social Development: There are no Multi Element Improvement schemes programmed for the Hollywood area for 2010/11 because the significant resources needed to take forward such schemes are no longer available. The Savills Stock Condition Report said that the Housing Executive should develop a maintenance strategy which will be completed later this year and will determine the investment necessary on all Housing Executive stock. This investment strategy will also consider alternative ways to deliver the refurbishment of all Housing Executive stock. The Housing Executive has also been advised that Multi Element Improvement Schemes are not part of my Department's plans in the 2011-15 Budget.

Multi-Element Schemes for Donaghadee

Mr A Easton asked the Minister for Social Development what Multi-Element schemes are planned for the Donaghadee area for the 2010/11 financial year.

(AQW 153/11)

Minister for Social Development: There are no Multi Element Improvement schemes programmed for the Donaghadee area for 2010/11 because the significant resources needed to take forward such schemes are no longer available. The Housing Executive has also been advised that Multi Element Improvement Schemes are not part of my Department's plans in the 2011-15 Budget.

The Savills Stock Condition Report said that the Housing Executive should develop a maintenance strategy which will be completed later this year and will determine the investment necessary on all Housing Executive stock. This investment strategy will also consider alternative ways to deliver the refurbishment of all Housing Executive stock.

Multi-Element Schemes for Millisle

Mr A Easton asked the Minister for Social Development what Multi-Element schemes are planned for the Millisle area for the 2010/11 financial year.

(AQW 154/11)

Minister for Social Development: There are no Multi Element Improvement schemes programmed for the Millisle area for 2010/11 because the significant resources needed to take forward such schemes are no longer available. The Savills Stock Condition Report said that the Housing Executive should develop a maintenance strategy which will be completed later this year and will determine the investment necessary on all Housing Executive stock. This investment strategy will also consider alternative ways to deliver the refurbishment of all Housing Executive stock. The Housing Executive has also been advised that Multi Element Improvement Schemes are not part of my Department's plans in the 2011-15 Budget.

Houses for Travellers

Lord Morrow asked the Minister for Social Development how many houses have been built specifically for travellers in the last two years in each constituency.

(AQW 186/11)

Minister for Social Development: The table below details the units built specifically for travellers in the last two years 2008/2009 and 2009/2010:-

Year	Units	Constituency
2008/2009	10	Foyle
2009/2010	21	West Belfast

New Kitchen Schemes for Bangor

Mr A Easton asked the Minister for Social Development what new kitchen schemes are planned for the Bangor area for the 2010/11 financial year.

(AQW 192/11)

Minister for Social Development: A kitchen replacement scheme is programmed for Bangor in 2010/11 for 62 dwellings at Fern Grove /Bloomfield Place. Delivery of the scheme is subject to the availability of finance.

Window Replacement Schemes in Derry

Mr R McCartney asked the Minister for Social Development (i) when the proposed window replacement schemes for (a) Marianus Park; (b) Drumleck Drive; (c) Moyola Walk; (d) Moyola Drive; (e) Fern Park; and (f) Benview Estate, Derry will commence; (ii) to provide a timeline for the duration of the works; and (iii) for a summary of the main works to be carried out.

(AQW 201/11)

Minister for Social Development: The scheme for these areas is currently being surveyed by the contractor. Once completed, the proposed scheme design will then be presented to the Housing Executive for approval. It is at this stage that the final content and duration of the works will be determined. The start date for the scheme will depend on the availability of funding.

Works at Moyola Drive and Moyola Walk in Shantallow

Mr R McCartney asked the Minister for Social Development (i) when the kitchen replacement and re-wiring scheme at Moyola Drive and Moyola Walk in the Shantallow area will commence; (ii) to provide a timeline for the duration of the works; and (iii) for a summary of the main works to be carried out.

(AQW 202/11)

Minister for Social Development: This scheme involves the replacement of kitchens and electrical modernisation. It was approved in September 2010 and is now released to start on site. A preliminary site meeting with the contractor had been arranged this month. The anticipated scheme duration is 32 weeks.

Bungalow Accommodation

Mr P Ramsey asked the Minister for Social Development how many (i) general applications; and (ii) transfer applications there are currently on the housing waiting list for bungalow accommodation in each constituency.

(AQW 208/11)

Minister for Social Development: The information is not available in the format requested because the Housing Executive does not record the number of applicants on the Waiting List who specifically require bungalow accommodation, nor do they record the number of applicants on the Waiting List by constituency. The table attached details the number of applicants on the Waiting List requiring ground floor accommodation by Housing Executive area.

NUMBER OF PERSONS RECORDED ON THE WAITING LIST REQUIRING GROUND FLOOR ACCOMMODATION

A = Applicants H = Housing Association Transfers T = NIHE Transfers

Area	NIHE	A	H	T	Grand Total
Belfast	Belfast East	408	40	117	565
	Belfast North	355	26	159	540
	Belfast West	367	34	136	537

Area	NIHE	A	H	T	Grand Total
	Belfast South	301	31	148	480
	Shankill	159	30	105	294
Belfast Total		1590	161	665	2416
North East	Antrim	173	3	67	243
	Ballycastle	59	10	14	83
	Ballymena	282	10	81	373
	Ballymoney	86	2	28	116
	Carrickfergus	330	11	100	441
	Coleraine	308	18	98	424
	Larne	119	9	43	171
	Newtownabbey 1	205	6	96	307
	Newtownabbey 2	254	4	94	352
North East Total		1816	73	621	2510
South	Armagh	209	9	49	267
	Banbridge	168	5	64	237
	Dungannon	115	4	51	170
	Fermanagh	176	15	55	246
	Lurgan	300	17	101	418
	Newry	243	10	81	334
	Portadown	152	15	46	213
South Total		1363	75	447	1885
South East	Bangor	573	7	139	719
	Castlereagh	258	10	121	389
	Downpatrick	238	9	62	309
	Lisburn	512	20	162	694
	Newtownards	461	17	132	610
	Poleglass	66	22	77	165
South East Total		2108	85	693	2886
West	Collon Terrace	162	32	90	284
	Cookstown	79		20	99
	Limavady	97	8	40	145
	Magherafelt	96	2	27	125
	Omagh	116	1	32	149
	Strabane	115	11	53	179

Area	NIHE	A	H	T	Grand Total
	Waterloo Place	195	20	54	269
	Waterside	219	14	48	281
West Total		1079	88	364	1531
Grand Total		7956	482	2790	11228

Bungalow Accommodation

Mr P Ramsey asked the Minister for Social Development how many (i) general applications; and (ii) transfer applications there are currently on the housing waiting list for bungalow accommodation, which can accommodate wheelchair use, in each constituency

(AQW 209/11)

Minister for Social Development: The information is not available in the format requested because the Housing Executive does not record the number of applicants on the Waiting List who specifically require wheel chair friendly bungalow accommodation, nor do they record the number of applicants on the Waiting List by constituency. The table attached details the number of applicants on the Waiting List who have been awarded Functionality Points for using a wheelchair, by Housing Executive area.

WAITING LIST APPLICANTS AWARDED FUNCTIONALITY POINTS FOR USING A WHEELCHAIR

A = Applicants H = Housing Association Transfers T = NIHE Transfers

Area	NIHE DISTRICT	A	H	T	TOTALS
Belfast	East Belfast	20	0	5	25
	North Belfast	29	5	10	44
	Shankill	6	5	4	15
	South Belfast	20	3	5	28
	West Belfast	12	6	5	23
Belfast Total		87	19	29	135
North East	Antrim	15	2	4	21
	Ballycastle	6	3	0	9
	Ballymena	21	2	3	26
	Ballymoney	1	0	1	2
	Carrickfergus	10	2	3	15
	Coleraine	15	3	4	22
	Larne	3	1	4	8
	Newtownabbey 1	17	1	9	27
	Newtownabbey 2	14	1	5	20
North East Total		102	15	33	150
South	Armagh	14	2	3	19
	Banbridge	6	0	3	9

Area	NIHE DISTRICT	A	H	T	TOTALS
	Dungannon	4	1	3	8
	Fermanagh	11	0	1	12
	Lurgan	14	1	3	18
	Newry	16	1	4	21
	Portadown	6	0	1	7
South Total		71	5	18	94
South East	Bangor	27	0	6	33
	Castlereagh	10	2	3	15
	Downpatrick	20	0	2	22
	Lisburn Antrim Street	34	4	4	42
	Dairyfarm	6	3	4	13
	Newtownards	20	2	3	25
South East Total		117	11	22	150
West	Cookstown	4	0	2	6
	Derry 1	7	1	0	8
	Derry 2	15	0	3	18
	Derry 3	8	4	1	13
	Limavady	4	2	2	8
	Magherafelt	7	0	1	8
	Omagh	6	0	2	8
	Strabane	5	2	2	9
West Total		56	9	13	78
N. Ireland Total		433	59	115	607

New Kitchen Schemes: Donaghadee, Holywood and Millisle

Mr A Easton asked the Minister for Social Development what new kitchen schemes are planned for the (i) Donaghadee; (ii) Holywood; and (iii) Millisle areas for the 2010/11 financial year.
(AQW 228/11)

Minister for Social Development: There are no kitchen schemes planned for any of these areas for the financial year 2010/11.

Adaptation Schemes: Bangor and Holywood

Mr A Easton asked the Minister for Social Development what adaptation schemes are planned for the (i) Bangor; and (ii) Holywood areas for the 2010/11 financial year.
(AQW 229/11)

Minister for Social Development: The table below details the planned adaptations for Bangor and Holywood for the 2010/2011 financial year:-

Adaptation	Bangor	Hollywood
Extension	9 (2 on site)	1
Heating	22	4
Hardstandings	0	1

Housing Executive Maintenance

Mr P Weir asked the Minister for Social Development for a breakdown of the amount spent by the Housing Executive on maintenance to date in 2010/11 in each constituency.

(AQW 231/11)

Minister for Social Development: The information is not available in the format requested because the Housing Executive does not collate these details by constituency. However, the table attached details the spend by the Housing Executive on maintenance to date in 2010/11, by District Office.

HOUSING EXECUTIVE MAINTENANCE SPEND: APRIL 2010 – AUGUST 2010

	Area Planned Maintenance	General Maintenance	Grounds Maintenance	Reactive Maintenance	Total
Spend to August 10	£27,569,019 £s	£3,478,538 £s	£3,917,594 £s	£19,005,454 £s	£53,970,605 £s
Antrim District Office	459,094	143,236		612,302	1,214,631
Armagh District	531,454	38,345		412,143	981,942
Ballycastle District Office	27,398	10,487		142,791	180,676
Ballymena District Office	1,205,183	76,322		578,570	1,860,076
Ballymoney District Office	676,321	7,142		309,140	992,602
Banbridge District	662,609	11,324		310,158	984,091
Bangor District Office	185,348	38,499		512,259	736,107
Belfast East	750,000	88,666		546,587	1,385,253
Belfast North	1,824,060	895,028		1,277,312	3,996,400
Belfast Shankill	393,061	64,070		858,403	1,315,534
Belfast South	450,258	105,367		763,441	1,319,066
Belfast West	3,207,705	135,065		1,063,177	4,405,947
Carrickfergus District Office	281,729	14,018		376,586	672,333
Castlereagh District Office	945,075	358,415		692,088	1,995,577

	Area Planned Maintenance	General Maintenance	Grounds Maintenance	Reactive Maintenance	Total
Spend to August 10	£27,569,019 £s	£3,478,538 £s	£3,917,594 £s	£19,005,454 £s	£53,970,605 £s
Coleraine District Office	440,376	46,062		672,310	1,158,749
Collon Terrace District	786,479	29,385		708,776	1,524,639
Cookstown District	242,152	13,742		162,205	418,100
Downpatrick District	770,016	29,010		711,445	1,510,471
Dungannon District	517,088	25,616		445,637	988,342
Fermanagh District	1,021,445	25,777		436,500	1,483,723
Larne District Office	355,291	37,744		272,424	665,459
Limavady District	199,954	23,467		365,949	589,371
Lisburn District 1	766,082	407,311		629,472	1,802,865
Lisburn District 3	137,789	42,181		300,453	480,423
Lurgan District	1,009,774	117,484		711,517	1,838,774
Magherafelt District	84,668	11,496		208,263	304,427
Newry District	618,615	49,020		478,550	1,146,185
Newtownabbey District 1 Office	433,502	315,745		415,351	1,164,599
Newtownabbey District 2 Office	903,804	42,626		423,890	1,370,319
Newtownards District	1,589,694	28,421		942,809	2,560,924
Omagh District	206,905	29,979		488,248	725,132
Portadown District	238,726	21,818		494,176	754,719
Strabane District	296,114	21,745		514,254	832,113
Waterloo Place District	1,290,140	25,666		540,783	1,856,590
Waterside District	305,373	36,698		519,023	861,095

NB Some totals may be rounded to nearest £1

West Green Flats in Hollywood

Mr P Weir asked the Minister for Social Development to outline the proposed timetable for the West Green flats in Hollywood; and what progress has been made to date.

(AQW 232/11)

Minister for Social Development: In June I announced plans to invest £6 million for the redevelopment of West Green. The flats and adjacent properties will be demolished to make way for a more sustainable mix of new accommodation.

Services are currently being disconnected from the flats in preparation for demolition in January. There are still four tenants and one owner occupier in the adjacent properties and demolition here will commence immediately vacant possession has been achieved.

Social Economy Projects

Mr B McElduff asked the Minister for Social Development to detail the social economy projects involving community regeneration, leisure provision and job creation to which his Department has provided financial support, in each of the last four years.

(AQW 235/11)

Minister for Social Development: The table below details the social economy projects involving community regeneration, leisure provision and job creation to which his Department has provided financial support, in each of the last four years.

2006 -2007

Category	Project name	Project type			Amount
		Community regeneration	Leisure provision	Job creation	
Neighbourhood Renewal	Mayfair Business Centre Ltd., Portadown				166,085
Neighbourhood Renewal	First Friends Playgroup, Kilcooley, Bangor				35,557
Neighbourhood Renewal	Resource Centre Derry	√			61,891
Neighbourhood Renewal	North West Centre for Learning & Development			√	34,135
Neighbourhood Renewal	Creggan Country Park Enterprises.		√		55,527
Neighbourhood Renewal	Creggan Pre-school & Training Trust			√	40,120
Neighbourhood Renewal	Gortfoyle House	√		√	72,000
Neighbourhood Renewal	Waterside Health & Social Care Centre	√		√	58,641

Category	Project name	Project type			Amount
		Community regeneration	Leisure provision	Job creation	
Neighbourhood Renewal	Ardmonagh Family And Community Group	√		√	63,088
Neighbourhood Renewal	Ashton Centre	√		√	75,130
Neighbourhood Renewal	Blackie River Community Group	√		√	45,378
Neighbourhood Renewal	Cliftonville Community Regeneration Forum	√		√	45,948
Neighbourhood Renewal	Clonard Neighbourhood Development Partnership	√		√	28,071
Neighbourhood Renewal	Colin Neighbourhood Partnership	√		√	26,347
Neighbourhood Renewal	Conway Education Centre	√		√	62,513
Neighbourhood Renewal	Divis Joint Development Committee	√		√	44,148
Neighbourhood Renewal	Falls Women's Centre	√		√	110,646
Neighbourhood Renewal	Footprints Womens Centre	√		√	193,190
Neighbourhood Renewal	Holy Trinity Centre	√		√	46,472
Neighbourhood Renewal	Ionad Uibh Eachach	√		√	64,940
Neighbourhood Renewal	Roden Street Community Development Group	√		√	36,048
Neighbourhood Renewal	Scoil na Fuisioige	√		√	8,167
Neighbourhood Renewal	Short Strand Partnership	√		√	23,305

Category	Project name	Project type			Amount
		Community regeneration	Leisure provision	Job creation	
Neighbourhood Renewal	Springfield Charitable	√		√	23,930
Neighbourhood Renewal	Star Neighbourhood Centre	√		√	32,135
Neighbourhood Renewal	Upper Andersonstown Community Forum	√		√	113,036
Neighbourhood Renewal	Upper Springfield Development Company Limited	√		√	81,383
Neighbourhood Renewal	Whiterock Creche Association	√		√	21,887
Neighbourhood Renewal	Wishing Well Family Centre	√		√	47,148
Housing	Main Street, Toome	√			677,328
Housing	Acquisitions, PH 1E, West Belfast	√			323,527
Housing	Acquisitions, Phase 2A, West Belfast	√			374,573
Housing	Acquisitions, PH 1D, Poleglass	√			305,910
Housing	Acquisitions, Phase 2B,	√			126,754
Housing	19 Shimna Close, Castlereagh	√			147,545
Housing	Poleglass, Ph 2A	√			351,131
Housing	Poleglass, Ph 2B	√			236,683
Housing	1-3 Seaview, Millisle	√			324,648
Housing	Acquisitions, Phase 2C, West Belfast	√			267,005
Housing	19 Ballymurphy Crescent, Belfast	√			158,371
Housing	Acquisitions, Phase 2, West Belfast	√			299,392

Category	Project name	Project type			Amount
		Community regeneration	Leisure provision	Job creation	
Housing	Acquisitions Phase 2 C, Poleglass	√			292,088
Housing	Acquisitions Phase 2D, Poleglass	√			452,750
Housing	68 Laurelbank Poleglass Ph 2E	√			134,142
Housing	12 Ballymurphy Drive	√			170,164
Housing	3 McDonnell Street, Belfast	√			155,349
Housing	Newtownards, Phase 2	√			275,281
Housing	McQuistons Memorial Church	√			1,276,206
Housing	35-37 Shore Road, Hollywood	√			2,716,831
Housing	43 Juniper Rise, Twinbrook	√			118,859
Housing	3 Ladymar Grove, Belfast	√			130,321
Housing	440 Glen Road & 10 Watermouth Cres, Belfast	√			282,648
Housing	Candahar St, Belfast	√			4,086,267
Housing	Bennan Park, ballybeen	√			2,200,606
Housing	67 Rowan Drive, Kilmakee Dunmurry	√			157,379
Housing	12 Tynedale Grove, Belfast	√			125,606
Housing	1-3 Victoria Street, Carrickfergus	√			676,439
Housing	Longview Lisdalgin Replacement	√			1,184,826
Housing	119-121 + 195 Donaghadee Rd, Bangor	√			3,255,898

Category	Project name	Project type			Amount
		Community regeneration	Leisure provision	Job creation	
Housing	Ardaveen Park, Bessbrook	√			2,116,476
Housing	Castlehill, Dungannon	√			2,597,516
Housing	Lagmore Grove, Stewartstown Rd, Belfast	√			2,972,054
Housing	The Courtyard, Ph 2, Sites 1 - 5, Crumlin	√			858,908
Housing	Moir Rd/ Ballinderry Rd, Ph2, Lisburn	√			1,180,689
Housing	Bloomfield Road South, Bangor	√			1,404,795
Housing	Glenview Park, Belfast	√			3,585,395
Housing	33 Norglen Drive, West Belfast	√			151,911
Housing	41 East Mount, Newtownards	√			137,571
Housing	North Rugby Club, Ph 2, Belfast	√			4,668,367
Housing	62/64 Glenalina Rd, Belfast	√			350,533
Housing	Rurals, Ph 1, Comber	√			366,847
Housing	Acquisitions, Connswater	√			115,020
Housing	Acquisitions Phase 2 Connswater	√			687,601
Housing	10 Castleton Gardens, Belfast	√			87,063
Housing	49 Westland Drive, Belfast	√			81,220
Housing	Ardoyne Acquisitions Phase 5D, Belfast	√			92,948

Category	Project name	Project type			Amount
		Community regeneration	Leisure provision	Job creation	
Housing	Ardoyne Acquisitions, Phase 5E	√			99,502
Housing	Ardoyne Acquisitions, Phase 5F	√			143,766
Housing	Ardoyne Acquisitions Ph 6C	√			193,278
Housing	Ardoyne Acquisitions, Ph 6A, Belfast	√			381,211
Housing	Herbert St, Ph2, Belfast	√			3,611,936
Housing	Knockmore Ph 6, Lisburn	√			1,410,310
Housing	79 Torrens Crescent, Belfast	√			115,839
Housing	Castlecoole Road, 1-2 Wickham Place Enniskillen	√			1,467,460
Housing	Randalstown	√			1,109,532
Housing	New Lodge Rd, Belfast	√			735,563
Housing	Whiterock Crescent, Belfast	√			1,712,080
Housing	Crossmaglen, Ph 3,	√			1,237,414
Housing	Hawthorn Drive, Springtown Rd, Londonderry	√			4,100,970
Housing	Parkgate Avenue, Belfast	√			2,555,280
Housing	Twisel Lodge	√			282,930
Housing	10 Glenkeen, Poleglass	√			162,757
Housing	Gate Lodge, Ormeau Road, Belfast	√			219,724
Housing	Newington Acquisitions Ph 6A, Belfast	√			904,767

Category	Project name	Project type			Amount
		Community regeneration	Leisure provision	Job creation	
Housing	Westbank Ph 14A, Londonderry	√			585,433
Housing	The House, St Columns Well, Derry RI	√			1,222,786
Housing	Westbank Ph 14B, Londonderry	√			590,524
Housing	Woodbank House RI	√			129,344
Housing	Westbank Ph 14C, Londonderry	√			613,232
Housing	Rural Cottages, Ph 7, Strabane	√			650,815
Housing	Ballyarnett, Travellers, Londonderry	√			1,637,212
Housing	Glenluce Walk, Ph1, Belfast	√			3,080,607
Housing	Westbank Ph 14D, Londonderry	√			642,730
Housing	72 Steeltown Road, Londonderry	√			992,671
Housing	Oakland Park, Londonderry	√			3,700,607
Housing	Northumberland St, Belfast	√			1,329,286
Housing	Drumintee Rd, Ph 2, Meigh	√			629,493
Housing	Milk Marketing Board, Antrim Road Belfast	√			5,913,760
Housing	Princetown Rd, Bangor	√			1,030,288
Housing	Bryansford Rd, Newcastle	√			654,812
Housing	Tempo Rd, Enniskillen	√			979,938
Housing	Cregagh Community Centre, Belfast	√			934,688

Category	Project name	Project type			Amount
		Community regeneration	Leisure provision	Job creation	
Housing	Halliday's Road, Belfast	√			1,666,110
Housing	Conway St, Ph 2, Belfast	√			2,139,576
Housing	20, 28 & 48 Cappagh Avenue, Portstewart	√			444,632
Housing	Railway Court, Newtownbutler	√			145,066
Housing	Coolaghy Rd, Ardstraw, Ph 2	√			60,531
Housing	Landbrook, Newtownbutler	√			104,035
Housing	14 The Meadows, Irvinestown	√			124,568
Housing	16 Old Mill Court, Lisbellaw	√			134,615
Housing	Rural Acquisitions	√			926,335
Housing	Grangemore Road Ph 3A Keady	√			394,192
Housing	19 Boyd's Row, Armagh	√			307,886
Housing	4 Baronscourt, Belfast	√			495,484
Housing	Ballymacoss Cebtral, Ph 3, Lisburn	√			1,489,828
Housing	7 Highfield Grove	√			306,579
Housing	62 Carnmore Rise, Enniskillen	√			189,513
Housing	Acquisitions, West Belfast, Ph 2	√			366,906
Housing	Abbey Drive, Enniskillen	√			792,049
Housing	Acquisitions, East Belfast, Ph 1	√			244,382
Housing	5 Liburn Hall, Lurgan	√			340,291
Housing	Broom Street/ Parkview, Belfast	√			389,000

Category	Project name	Project type			Amount
		Community regeneration	Leisure provision	Job creation	
Housing	West Woodvale, Belfast	√			451,022

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	Project name	Project type (please tick as appropriate)			Amount
		Community regeneration	Leisure provision	Job creation	
Neighbourhood Renewal	Building Ballysally Together Healthy Eating Community Café - Salaries & Running Costs, Coleraine				2,037
Neighbourhood Renewal	Ballee Childcare Limited, Ballymena	√		√	75,978
Neighbourhood Renewal	Ballymena Environmental Action Team B.E.A.T. NI Ltd			√	73,006
Neighbourhood Renewal	CHIPS 2 Play care Services After School Club and Summer Scheme	√		√	49,069
Neighbourhood Renewal	Ballee After Schools Play Care Project, Ballymena	√		√	38,730
Neighbourhood Renewal	Ballee Pre School Play Group< Ballymena	√		√	23,867
Neighbourhood Renewal	Ballysaggart Business Park< Dungannon	√		√	45,000
Neighbourhood Renewal	Confederation of Community Groups, Newry	√			265,500
Neighbourhood Renewal	Resource Centre Derry	√			65,014
Neighbourhood Renewal	North West Centre for Learning & Development			√	31,362

	Project name	Project type (please tick as appropriate)			Amount
		Community regeneration	Leisure provision	Job creation	
Neighbourhood Renewal	Creggan Country Park Enterprises.		√		57,157
Neighbourhood Renewal	Creggan Pre-school & Training Trust			√	49,794
Neighbourhood Renewal	Feeny Crisp	√		√	382,670
Neighbourhood Renewal	Gortfoyle House	√		√	17,263
Neighbourhood Renewal	Waterside Health & Social Care Centre	√		√	97,735
Neighbourhood Renewal	Ardmonagh Family And Community Group	√		√	59,968
Neighbourhood Renewal	Ashton Centre	√		√	77,329
Neighbourhood Renewal	Ashton Centre Development			√	156,500
Neighbourhood Renewal	Blackie River Community Group	√		√	47,005
Neighbourhood Renewal	Cliftonville Community Regeneration Forum	√		√	47,301
Neighbourhood Renewal	Clonard Neighbourhood Development Partnership	√		√	45,329
Neighbourhood Renewal	Colin Neighbourhood Partnership	√		√	413,796
Neighbourhood Renewal	Conway Education Centre	√		√	98,966
Neighbourhood Renewal	Conway Mill Preservation Trust	√		√	35,508
Neighbourhood Renewal	Divis Joint Development Committee	√		√	94,718

	Project name	Project type (please tick as appropriate)			Amount
		Community regeneration	Leisure provision	Job creation	
Neighbourhood Renewal	Falls Women's Centre	√		√	116,948
Neighbourhood Renewal	Footprints Womens Centre	√		√	157,729
Neighbourhood Renewal	Holy Trinity Centre	√		√	48,192
Neighbourhood Renewal	Ionad Uibh Eachach	√		√	66,845
Neighbourhood Renewal	Roden Street Community Development Group	√		√	46,070
Neighbourhood Renewal	Scoil na Faiseoige	√		√	25,231
Neighbourhood Renewal	Short Strand Partnership	√		√	33,383
Neighbourhood Renewal	Springfield Charitable	√		√	35,357
Neighbourhood Renewal	Star Neighbourhood Centre	√		√	33,590
Neighbourhood Renewal	Upper Andersonstown Community Forum	√		√	118,078
Neighbourhood Renewal	Upper Springfield Development Company Limited	√		√	87,325
Neighbourhood Renewal	Whiterock Creche Association	√		√	22,543
Neighbourhood Renewal	Wishing Well Family Centre	√		√	47,280
Housing	14-20 University St, Belfast	√			2,796,989
Housing	221 Holywood Road, Belfast	√			4,547,931
Housing	Glenside, Ligoniel	√			3,424,816
Housing	Upper Crescent, Comber	√			6,922,471

	Project name	Project type (please tick as appropriate)			Amount
		Community regeneration	Leisure provision	Job creation	
Housing	339-343 Donegall Road	√			1,537,746
Housing	Cromwell's Close, Lisburn	√			1,217,755
Housing	McAuley Street, Phase 3, Belfast	√			1,896,428
Housing	99 Manor Street, Belfast	√			123,008
Housing	Gleneagles Gardens, Ballybeen	√			1,698,719
Housing	1 Donaghadee Road, Groomsport, Bangor	√			3,590,045
Housing	18 Inglewood Park / Belfast Road, Bangor	√			4,881,235
Housing	North Howard Street	√			6,354,231
Housing	2A Brookhill Avenue, Belfast	√			1,575,475
Housing	Greysteel Phase 2, Limavady	√			1,237,385
Housing	North Phase 2B, Balfour Avenue, Belfast	√			1,309,343
Housing	Norfolk Road, Belfast	√			2,537,212
Housing	Lower Antrim Road, Infill, Belfast	√			3,312,478
Housing	Harland Walk, Belfast	√			1,684,021
Housing	6-10 Severn St, Belfast	√			791,998
Housing	Connswater, Phase 3, Belfast	√			12,382,945
Housing	Thomas Street, Dungannon	√			1,009,577
Housing	Dunlea Vale, Dungannon	√			248,158

	Project name	Project type (please tick as appropriate)			Amount
		Community regeneration	Leisure provision	Job creation	
Housing	Gate Lodge, Flax Street, Belfast	√			797,019
Housing	Lismore Park, Sion Mills, Strabane	√			1,917,020
Housing	Knockbracken Healthcare Park	√			2,034,269
Housing	Springtown Road, Ph4, Londonderry	√			2,156,217
Housing	Derryveagh Drive, Suffolk Road, Belfast	√			247,558
Housing	Green Walk, Newtownabbey	√			2,031,721
Housing	Jamaica Street Phase 2A, Belfast	√			923,938
Housing	Hillview Rd/ Crumlin Rd, Belfast	√			8,413,562
Housing	Glendhu, Belfast	√			2,078,046
Housing	233 Whitewell Road, Belfast	√			1,628,034
Housing	Travellers Site, Monagh Road, Ph 1, Belfast	√			4,567,749
Housing	143d Glen Road	√			268,375
Housing	Stanhope Site, Phase 1, Belfast	√			1,320,483
Housing	Mayne House, Bloomfield Road, Bangor (Croft)	√			895,021
Housing	Colinpark Street, Belfast	√			352,486
Housing	Ilex Avenue, Newtownards	√			836,518
Housing	Annaclone, Ph2, Banbridge	√			869,916
Housing	Lisbane Park, Mayobridge	√			1,013,499
Housing	Old School Site, Phase 2, Kinallen	√			994,989

	Project name	Project type (please tick as appropriate)			Amount
		Community regeneration	Leisure provision	Job creation	
Housing	PSNI Site, Moy /Beechgrove, Dromore /Hillside Pk,Gilford	√			1,007,810
Housing	Canal Street, Phase 3, Newry	√			3,639,687
Housing	1 Old Rectory Park Cookstown	√			376,631
Housing	William Street, Newtownards	√			1,416,794
Housing	Dunmisk Park, Phase 3, Belfast	√			3,503,733
Housing	5 Dufferin Avenue, Bangor	√			92,689
Housing	Devonshire Tradas, Phase 2, Belfast	√			3,633,012
Housing	Bonds Hill, Londonderry	√			1,535,024
Housing	8 Lilburn Hall, 1 Bowens Close - Lurgan	√			718,687
Housing	Sycamore Drive, Enniskillen	√			760,543
Housing	Ballymacoss Central, Phase 5, Lisburn	√			9,140,695
Housing	Westbank Home, Palmerston Road, Belfast	√			5,277,910
Housing	East Belfast Acquisitions Phase 1A	√			1,399,323
Housing	24 Glenbawn Square, Poleglass	√			185,139
Housing	6 Bryson Square, Newtownabbey	√			137,252
Housing	81 Blenheim Drive, Newtownards	√			155,278
Housing	3 South Avenue, Bangor	√			173,653

	Project name	Project type (please tick as appropriate)			Amount
		Community regeneration	Leisure provision	Job creation	
Housing	Acquisitions, Ph 3, West Belfast	√			1,078,260
Housing	3 Rinnalea Grove (West Belfast Acq Ph3B)	√			188,731
Housing	108 Moyard Parade (West Belfast Acq Ph3D)	√			168,540
Housing	45A Bracken Avenue, Newcastle	√			143,943
Housing	Acquisitions Ph 1 Downpatrick	√			1,169,633
Housing	Acquisitions Ph3B Poleglass	√			518,446
Housing	East Belfast Acquisitions Phase 1	√			1,429,757
Housing	East Belfast Acquisitions Phase 1B	√			560,585
Housing	135 Horn Drive (West Belfast ACQ 3C)	√			193,483
Housing	8 McDonnell Street, Belfast	√			199,584
Housing	49 Ivan Street, Lisburn	√			162,660
Housing	20 Ballymurphy Parade, Belfast	√			190,977
Housing	16 Lenamore Park, Newtownards	√			183,972
Housing	40 Canberra Gardens, Newtownards	√			183,972
Housing	11Burnreagh Court, Newtownards	√			197,870
Housing	94 Shackleton Walk, Newtownards	√			155,312

	Project name	Project type (please tick as appropriate)			Amount
		Community regeneration	Leisure provision	Job creation	
Housing	11 Abbott Gardens, Newtownards	√			167,467
Housing	3 Laburnum Drive, Comber	√			174,445
Housing	10 Clifton Crescent, Belfast	√			218,089
Housing	38 Blenheim Drive, Newtownards	√			162,290
Housing	70 Mourneview Park, Newry	√			170,311
Housing	2 Marconi Park, Ballycastle	√			175,584
Housing	33 Stroanshesk Park, Ballycastle	√			175,584
Housing	18 Bloomfield Drive, Belfast	√			182,475
Housing	Acquisitions Phase 2A Connswater	√			325,292
Housing	Acquisitions, Poleglass Ph1B	√			881,888
Housing	West Belfast Acquisitions 1A	√			369,983
Housing	15 Bryson Court	√			179,020
Housing	Acquisitions, Dungannon	√			1,221,925
Housing	179 York Park	√			117,853
Housing	Ardoyne Acquisitions Ph 6B Belfast	√			539,645
Housing	Ardoyne Acquisitions 7A, Belfast	√			1,184,123
Housing	Ardoyne Acquisitions 7B, Belfast	√			209,294
Housing	13 Kingston Court	√			159,907

	Project name	Project type (please tick as appropriate)			Amount
		Community regeneration	Leisure provision	Job creation	
Housing	Ardoyne Acquisitions Ph7D	√			190,509
Housing	Ardoyne Acquisitions Phase 7C	√			158,060
Housing	Acquisitions Phase 7F	√			201,367
Housing	North Belfast Acquisitions Phase 1A	√			336,982
Housing	North Belfast Acquisitions Phase 1B	√			134,279
Housing	Acquisitions, Londonderry	√			984,192
Housing	Greater West Belfast ESPs Phase 1	√			959,763
Housing	Acquisitions, Newtownards	√			383,853
Housing	Greater West Belfast Acquisitions Ph1A	√			940,523
Housing	32 Jacksons Road, Holywood	√			202,726
Housing	40 Altananam Park, Ballycastle	√			143,695
Housing	17A Roemill Gardens	√			106,692
Housing	12 Rosemount Gardens, Belfast	√			531,168
Housing	Derry Acquisitions Phase 11	√			780,854
Housing	Newington Acquisitions Ph 6B Belfast	√			326,365
Housing	Newington Acquisitions, Ph7, Belfast	√			1,148,784
Housing	West Bank, Ph15A, Londonderry	√			818,881

	Project name	Project type (please tick as appropriate)			Amount
		Community regeneration	Leisure provision	Job creation	
Housing	West Bank, Ph15B, Londonderry	√			787,144
Housing	West Bank, Ph15C, Londonderry	√			736,254
Housing	West Bank, Ph15D, Londonderry	√			1,001,647
Housing	Westbank PH15E, Derry	√			1,106,651
Housing	Westbank PH15F, Derry	√			1,056,083
Housing	WestBank Phase 15G	√			1,079,847
Housing	Westbank Phase 15H, Derry	√			1,281,687
Housing	Westbank Phase 15I, Derry	√			1,131,290
Housing	Westbank Phase 15J, Derry	√			1,338,335
Housing	Westbank Phase 15K, Derry	√			1,402,578
Housing	Westbank Phase 15L	√			1,262,391
Housing	Westbank Phase 15M	√			1,499,127
Housing	Westbank Phase 15N	√			1,018,272
Housing	14 Bloomfield Court, Bangor	√			164,098
Housing	15 Ballyminetragh Gardens, Bangor	√			195,934
Housing	28 Bracken Park, Derry	√			164,037
Housing	14 Knockalla Park, Derry	√			152,149
Housing	10 Elaghamore Park, Derry	√			158,093

	Project name	Project type (please tick as appropriate)			Amount
		Community regeneration	Leisure provision	Job creation	
Housing	149 Gallaigh Park, Derry	√			164,037
Housing	33 Ballyminetrigh Gardens, Bangor	√			195,934
Housing	Rural Acquisitions Ballycanice Close	√			520,999
Housing	Ards ESPs Phase 1	√			522,565
Housing	Newry & Mourne ESP's	√			1,572,164
Housing	Ards Acquisitions Phase 1B	√			740,466
Housing	Rural Acquisitions Eglinton Phase 2	√			495,599
Housing	Down ESP's	√			336,119
Housing	Down ESP's Phase 2	√			322,429
Housing	2 & 8 Mill Line, Derrygonnelly	√			289,350
Housing	26 Mourne Park, Newtownstewart	√			151,097
Housing	Newry & Mourne ESPs Phase 2	√			416,759
Housing	15 Curragh Walk, Derry	√			157,788
Housing	42 Ballymurphy Road	√			182,479
Housing	Bellevue Manor	√			2,591,947
Housing	Maple Villas, Springfield Rd, Belfast	√			1,870,957
Housing	Springfield Mill, Springfield Rd, Belfast	√			1,036,328
Housing	Beechlands, Carnlough	√			723,424
Housing	Causeway Meadows, Lisburn	√			3,375,046
Housing	Millview Manor, Dungannon	√			3,547,889

	Project name	Project type (please tick as appropriate)			Amount
		Community regeneration	Leisure provision	Job creation	
Housing	Carvill Site, Annadale, Belfast	√			7,683,007
Housing	293 Antrim Road, Belfast	√			1,119,959
Housing	34 Cliftonville Road, Belfast	√			1,261,319
Housing	162-172 Antrim Road, Belfast	√			2,264,118
Housing	45 Cliftonville Road, Belfast	√			1,987,768
Housing	8 Glandore Avenue	√			515,542
Housing	Mill Road, Bawnmore	√			791,296
Housing	23 Thorndale Avenue, Belfast	√			309,464
Housing	Lawnbrook Avenue	√			725,850
Housing	Springtown, Martins Lane, Newry	√			2,892,250
Housing	Gilpin Mews, Old Portadown Road, Lurgan	√			2,579,616

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	Project name	Project type (please tick as appropriate)			Amount
		Community regeneration	Leisure provision	Job creation	
Neighbourhood Renewal	Building Ballysally Together Healthy Eating Community Café - Salaries & Running Costs, Coleraine				27290
Neighbourhood Renewal	Ballee Childcare Limited, Ballymena	√			161072
Neighbourhood Renewal	Ballymena Environmental Action Team B.E.A.T. NI Ltd			√	57901

	Project name	Project type (please tick as appropriate)			Amount
		Community regeneration	Leisure provision	Job creation	
Neighbourhood Renewal	CHIPS 2 Play care Services After School Club and Summer Scheme, Ballymena	√		√	69585
Neighbourhood Renewal	Ballee After Schools Play Care Project, Ballymena	√		√	40703
Neighbourhood Renewal	Ballee Pre School Play Group, Ballymena	√		√	67687
Neighbourhood Renewal	Enniskillen Enterprise Programme			√	3000
Neighbourhood Renewal	Coalisland retail and Development			√	41,467
Neighbourhood Renewal	Dungannon Enterprise Programme			√	5,400
Neighbourhood Renewal	Brownlow Ltd., Craigavon			√	829,000
Neighbourhood Renewal	80/20 Recycling, Newry			√	93,319
Neighbourhood Renewal	Newry and Mourne Enterprise Agency			√	147,437
Neighbourhood Renewal	Resource Centre Derry	√			62,632
Neighbourhood Renewal	North West Centre for Learning & Development			√	19,847
Neighbourhood Renewal	Creggan Country Park Enterprises.		√		58,550
Neighbourhood Renewal	Creggan Pre-school & Training Trust			√	4,170
Community Development	The Village Garden (Broughshane) Ltd	√			526,150
Community Development	Greater Shankill Partnership	√			267,861

	Project name	Project type (please tick as appropriate)			Amount
		Community regeneration	Leisure provision	Job creation	
Community Development	Shaftesbury Community & Recreation Centre		√		226,664
Community Development	Omagh Community House	√			299,487
Community Development	Donaghmore Community Services Hub Project	√			283,066
Community Development	St Peters Club Building for Tomorrow		√		248,625
Community Development	Youth Link NI	√			255,000
Community Development	Aware Defeat Depression	√			34,915
Community Development	Ballinran Rural Empowerment Programme	√			45,572
Community Development	Belfast Exposed Photography	√			94,401
Community Development	Best Cellars Music Collective	√			73,042
Community Development	Boho Community Assoc	√			80,409
Community Development	Brackaghreilly & District Community Association		√		24,251
Community Development	Burnfoot Community Development Assoc	√			59,811
Community Development	Carleton Street Community Development Assoc	√			97,950
Community Development	Citizens Advice Belfast	√			100,000
Community Development	Coleraine Riding for the Disabled		√		96,100
Community Development	Corpus Christi Services	√			100,000

	Project name	Project type (please tick as appropriate)			Amount
		Community regeneration	Leisure provision	Job creation	
Community Development	Crossfire Trust	√			72,281
Community Development	Dunsford Cross Community Resource Centre	√			94,281
Community Development	Ederney Community Development Trust	√			56,489
Community Development	First Housing Aid & Support Services	√			46,337
Community Development	Hillcrest House Family Centre	√			80,256
Community Development	Village Sure Start Childrens Centre	√			58,789
Community Development	Inter Estate Partnership	√			62,151
Community Development	Ionad Uibh Eachach	√			100,000
Community Development	Kilcranny House	√			82,636
Community Development	Kingsmills Committee	√			100,000
Community Development	Laganview Enterprise Centre			√	63,492
Community Development	Learmount Community Development	√			37,597
Community Development	Little Orchids	√			80,820
Community Development	New Life Counselling Service	√			49,346
Community Development	Newbuildings Youth and Community Project	√			59,994
Community Development	Newington Credit Union	√			91,482
Community Development	NI Association for Mental Health	√			82,292

	Project name	Project type (please tick as appropriate)			Amount
		Community regeneration	Leisure provision	Job creation	
Community Development	Opportunity Youth	√			98,779
Community Development	Orchardville Community Ctaering			√	33,502
Community Development	Pearse Og in the Community		√		100,000
Community Development	Peninsula Healthy Living Partnership	√			67,533
Community Development	Playboard	√			17,520
Community Development	Public Achievement	√			99,877
Community Development	Quaker Service	√			21,759
Community Development	REACH Across	√			24,645
Community Development	RNIB	√			80,114
Community Development	Shankill Lurgan Community Project	√			100,000
Community Development	Special Olympics		√		80,916
Community Development	Stepping Stones	√			28,624
Community Development	The Bytes Project	√			27,777
Community Development	The Rural College	√			96,995
Neighbourhood Renewal	Ardmonagh Family And Community Group	√		√	79,395
Neighbourhood Renewal	Ashton Centre	√		√	109,287
Neighbourhood Renewal	Ballysillan Community Forum	√		√	27,508
Neighbourhood Renewal	Blackie River Community Group	√		√	89,267

	Project name	Project type (please tick as appropriate)			Amount
		Community regeneration	Leisure provision	Job creation	
Neighbourhood Renewal	Cliftonville Community Regeneration Forum	√		√	50,675
Neighbourhood Renewal	Clonard Neighbourhood Development Partnership	√		√	50,198
Neighbourhood Renewal	Colin Neighbourhood Partnership	√		√	333,712
Neighbourhood Renewal	Conway Education Centre	√		√	61,730
Neighbourhood Renewal	Conway Mill Preservation Trust	√		√	162,212
Neighbourhood Renewal	Culturlann Mcadam O Fiaich	√		√	18,213
Neighbourhood Renewal	Divis Joint Development Committee	√		√	76,770
Neighbourhood Renewal	Falls Women's Centre	√		√	119,756
Neighbourhood Renewal	Flax Housing Association	√		√	60,747
Neighbourhood Renewal	Footprints Womens Centre	√		√	179,415
Neighbourhood Renewal	Holy Trinity Centre	√		√	50,055
Neighbourhood Renewal	Ionad Uibh Eachach	√		√	57,400
Neighbourhood Renewal	Newington Credit Union	√		√	28,705
Neighbourhood Renewal	Roden Street Community Development Group	√		√	48,178
Neighbourhood Renewal	Scoil na Faiseoige	√		√	28,958

	Project name	Project type (please tick as appropriate)			Amount
		Community regeneration	Leisure provision	Job creation	
Neighbourhood Renewal	Short Strand Partnership	√		√	36,340
Neighbourhood Renewal	Springfield Charitable	√		√	51,953
Neighbourhood Renewal	Star Neighbourhood Centre	√		√	52,420
Neighbourhood Renewal	Upper Andersonstown Community Forum	√		√	118,323
Housing	Main Street, Phase 2 Toome	√			401,204
Housing	1-3 Crawfordsburn Road, Bangor	√			2,863,369
Housing	Newtownabbey (Abbotts Cross)	√			1,667,970
Housing	3 Ashgrove Road, Newry	√			1,865,620
Housing	Seymour Street, Lisburn	√			6,249,518
Housing	31-35 Donaghadee Road, Newtownards	√			4,299,273
Housing	Ballybone, Oldpark	√			1,991,950
Housing	Downpatrick Road Ardglass	√			1,367,431
Housing	Guide Street, Broughshane	√			529,737
Housing	Torrens Phase 3A	√			16,904,377
Housing	Lourdes Hall, Waterloo Place, Londonderry	√			2,098,503
Housing	Church Street, Strabane	√			1,872,928
Housing	Dove Gardens, Phase 1, Derry	√			5,735,704
Housing	Longlands, Newtownabbey	√			6,945,142

	Project name	Project type (please tick as appropriate)			Amount
		Community regeneration	Leisure provision	Job creation	
Housing	Ellis Street, Carrickfergus (Ellis Street Replacement)	√			2,515,909
Housing	Shaftesbury Road, Bangor	√			4,426,742
Housing	Library Site, Sion Mills, Strabane	√			368,574
Housing	St. Gall's Site, Phase 2, Belfast	√			868,721
Housing	Ballygowan Levin/ Meadowbrook	√			2,820,162
Housing	2 Beechfield Street, Belfast	√			1,127,649
Housing	12 Alan Close, Newcastle	√			608,966
Housing	18 Coronation Park, Clough	√			134,185
Housing	38 - 40 Bryansburn Road, Bangor	√			1,424,081
Housing	115-117 Hamilton Road, Bangor	√			627,545
Housing	Church Street, Newtownards	√			1,857,216
Housing	38 Belfast Road, Comber	√			1,269,508
Housing	70 Sunnyside Street, Belfast	√			1,491,309
Housing	Stradreagh Challenging Behaviour Unit, Derry	√			2,700,386
Housing	Poleglass Acquisitions Phase 4A	√			1,131,608
Housing	West Belfast Acquisitions Phase 4A	√			164,748
Housing	East Belfast Acquisitions Phase 2A	√			706,068

	Project name	Project type (please tick as appropriate)			Amount
		Community regeneration	Leisure provision	Job creation	
Housing	East Belfast Acquisitions Phase 2B	√			1,871,998
Housing	East Belfast Acquisitions Phase 2C	√			1,312,353
Housing	2 Cherryvale Avenue (SP Complex Needs)	√			221,790
Housing	16 Iniscarn Close, Lisburn	√			207,114
Housing	46 Inisharoon Court, Newtownards	√			197,870
Housing	14 Lisvarna Place, Belfast	√			181,485
Housing	Ardoyne Acquisitions Phase 7E	√			351,973
Housing	Ardoyne Acquisitions Phase 8A	√			193,921
Housing	North Belfast Acquisitions Phase 1C	√			343,724
Housing	22 Templemore Street, Belfast	√			163,047
Housing	Westbank Phase 16A	√			1,397,122
Housing	Westbank Phase 16B	√			1,559,275
Housing	79 Thornhill Drive	√			180,511
Housing	Pond Park, Lisburn	√			837,427
Housing	Carrickvale Manor, Lurgan	√			1,050,491
Housing	Glenbryn Park	√			799,577
Housing	Chequer Hill, Armagh Road, Newry	√			3,580,184
Housing	Grange Meadows, Kilkeel	√			811,919

	Project name	Project type (please tick as appropriate)			Amount
		Community regeneration	Leisure provision	Job creation	
Housing	Glenwood, Newtownards	√			771,026
Housing	Atlantic Avenue	√			329,367
Housing	Church Lane, Donaghadee	√			603,395
Housing	Wolfhill Manor, Belfast	√			1,251,478
Housing	Foxhill	√			746,384
Housing	The Bush	√			673,874
Housing	Pottingers Quay, Belfast	√			3,316,235
Housing	Trinity Terrace, Lisburn	√			1,664,848
Housing	Fairy Glen, Crossmaglen	√			2,238,260
Housing	Slatequarry Road, Cullyhanna, Newry	√			663,778
Housing	Clanrye Avenue, Newry	√			730,262
Housing	Ard Grange, Derry	√			1,459,934
Housing	17 Milltown, Dungannon	√			518,928
Housing	124-126 Antrim Road, Belfast	√			687,389
Housing	7A Glen Road	√			636,271
Housing	Thorne Retail Park, Whitewell Road, Bangor	√			1,227,565
Housing	7 & 8 Beech Tree	√			236,911
Housing	Culowen, Blackwatertown, Co Armagh	√			592,648
Housing	Mark Street, Lurgan	√			2,514,744
Housing	Station Road, Dunloy	√			357,058
Housing	107A North Road	√			907,892

	Project name	Project type (please tick as appropriate)			Amount
		Community regeneration	Leisure provision	Job creation	
Housing	The Ferns, Rostrevor Road, Newry	√			1,118,480

2009 -2010

	Project name	Project type (please tick as appropriate)			Amount
		Community regeneration	Leisure provision	Job creation	
Neighbourhood Renewal	Building Ballysally Together Healthy Eating Community Café, Coleraine				24294
Neighbourhood Renewal	Ballymena Environmental Action Team B.E.A.T. NI Ltd			√	40492
Neighbourhood Renewal	CHIPS 2 Play care Services After School Club and Summer Scheme, Ballymena	√		√	57236
Neighbourhood Renewal	Ballee After Schools Play Care Project, Ballymena	√		√	41541
Neighbourhood Renewal	Ballee Pre School Play Group, Ballymena	√		√	27465
Neighbourhood Renewal	Dungannon Enterprise Programme			√	980
Neighbourhood Renewal	Coalisland retail and Development			√	15,133
Neighbourhood Renewal	Enniskillen Enterprise Programme			√	13,110
Neighbourhood Renewal	Coalisland Exploring enterprise Programme			√	4,905
Neighbourhood Renewal	CIDO (Craigavon Industrial Development Organisation)			√	6,758

	Project name	Project type (please tick as appropriate)			Amount
		Community regeneration	Leisure provision	Job creation	
Neighbourhood Renewal	Newry and Mourne Enterprise Agency			√	254,904
Neighbourhood Renewal	Newry and Mourne Enterprise Agency			√	100,193
Neighbourhood Renewal	Resource Centre Derry	√			66,079
Neighbourhood Renewal	The Cresco Trust			√	135,409
Neighbourhood Renewal	North West Centre for Learning & Development			√	29,795
Neighbourhood Renewal	Creggan Country Park Enterprises.		√		72,250
Neighbourhood Renewal	Creggan Pre-school & Training Trust			√	61,937
Neighbourhood Renewal	Feeny Crisp	√		√	22,216
Neighbourhood Renewal	Pennyburn Credit Union	√		√	191,382
Neighbourhood Renewal	Columba House	√		√	162,286
Neighbourhood Renewal	Waterside Health & Social Care Centre	√		√	37,302
Community Development	Ards Community Network Modernisation Project	√			1,079,342
Community Development	Coleraine Urban ~& Rural Network	√			1,500,000
Community Development	Confederation of Community Groups	√			1,306,197
Community Development	Holywell Trust	√			1,418,912

	Project name	Project type (please tick as appropriate)			Amount
		Community regeneration	Leisure provision	Job creation	
Community Development	Business in the Community	√			300,000
Neighbourhood Renewal	Ardmonagh Family And Community Group	√		√	51,121
Neighbourhood Renewal	Ashton Centre	√		√	111,902
Neighbourhood Renewal	Ballysillan Community Forum	√		√	50,416
Neighbourhood Renewal	Blackie River Community Group	√		√	125,387
Neighbourhood Renewal	Cliftonville Community Regeneration Forum	√		√	44,518
Neighbourhood Renewal	Clonard Neighbourhood Development Partnership	√		√	51,238
Neighbourhood Renewal	Colin Neighbourhood Partnership	√		√	330,599
Neighbourhood Renewal	Conway Education Centre	√		√	117,977
Neighbourhood Renewal	Conway Mill Preservation Trust	√		√	1,589,290
Neighbourhood Renewal	Culturlann Mcadam O Fiaich	√		√	30,344
Neighbourhood Renewal	Divis Joint Development Committee	√		√	95,969
Neighbourhood Renewal	Faillte Feirste Thair	√		√	85,355
Neighbourhood Renewal	Falls Women's Centre	√		√	123,004
Neighbourhood Renewal	Flax Housing Association	√		√	43,275

	Project name	Project type (please tick as appropriate)			Amount
		Community regeneration	Leisure provision	Job creation	
Neighbourhood Renewal	Footprints Womens Centre	√		√	157,991
Neighbourhood Renewal	Holy Trinity Centre	√		√	50,766
Neighbourhood Renewal	Ionad Uibh Eachach	√		√	50,272
Neighbourhood Renewal	Roden Street Community Development Group	√		√	49,376
Neighbourhood Renewal	Scoil na Fuisseoige	√		√	31,869
Neighbourhood Renewal	Short Strand Partnership	√		√	38,510
Neighbourhood Renewal	Star Neighbourhood Centre	√		√	40,229
Neighbourhood Renewal	Upper Andersonstown Community Forum	√		√	105,279
Neighbourhood Renewal	Upper Springfield Development Company Limited	√		√	131,315
Neighbourhood Renewal	Whiterock Creche Association	√		√	25,959
Neighbourhood Renewal	Wishing Well Family Centre	√		√	51,179
Housing	43 Whitewell Road, Belfast	√			1,480,803
Housing	100 Cliftonville Road, Belfast	√			1,203,976
Housing	Killough Road, Downpatrick	√			1,598,734
Housing	Bass Brewery Site, Glen Road, Belfast	√			17,666,342
Housing	36A - 38 Park Avenue, Belfast	√			2,375,402

	Project name	Project type (please tick as appropriate)			Amount
		Community regeneration	Leisure provision	Job creation	
Housing	57 Rosevale Avenue, Newtownards	√			1,341,363
Housing	Roden Street, Phase 2, Belfast	√			5,056,132
Housing	Enniskillen EMI, Phase 1	√			4,152,534
Housing	Crossmaglen Phase 4	√			1,222,976
Housing	Eden 3A, Carrickfergus	√			797,144
Housing	Upper North Street, Newtownards	√			2,773,839
Housing	Dunsy Way, Comber	√			2,961,910
Housing	Tesco Site, Donegall Road, Belfast	√			7,298,500
Housing	Westbank, Derry	√			11,687,984
Housing	Ivan Street, Belfast	√			627,223
Housing	St. Patrick's PS, North Queen Street, Belfast	√			4,186,693
Housing	98 Whitewell Road, Belfast	√			1,046,799
Housing	Old Warrenpoint Road, Newry	√			2,835,488
Housing	31 The Brae, Ballgowan	√			1,516,941
Housing	Re-improvement, Glenarm	√			1,046,173
Housing	26-30 Cliftonville Road, Belfast	√			699,816
Housing	53/59 Camden Street, Belfast	√			1,080,623
Housing	Rathgill Zone 1, Bangor	√			2,339,874

	Project name	Project type (please tick as appropriate)			Amount
		Community regeneration	Leisure provision	Job creation	
Housing	51 Main Street, Crumlin	√			404,238
Housing	Regent Street, Mill Street Newtownards	√			4,271,884
Housing	Travellers Site, Monagh Road, Ph2, Belfast	√			1,320,853
Housing	Jamaica Street, Phase 2, Belfast	√			1,900,138
Housing	PSNI Site, Rosemount, Derry	√			1,665,679
Housing	Drumawill Phase 1, Enniskillen	√			3,085,422
Housing	Shiels St, Belfast	√			619,780
Housing	6 - 12 Breda Park Newtownbreda	√			4,280,562
Housing	Coolnagard, Omagh (Challenging Behaviour)	√			1,376,637
Housing	Drumalla House, Carnlough	√			884,665
Housing	270-272 Falls Road, Belfast	√			842,448
Housing	Gibson's Lane, Bangor	√			1,537,734
Housing	Carrick Hill/Library Street, Belfast	√			782,409
Housing	PSNI Site, Newcastle Road, Castlewella	√			549,449
Housing	St. Theresa's Site, Glen Road, Belfast	√			1,928,988
Housing	Carrowshee Park, Lisnaskea	√			1,655,660
Housing	Central Avenue, Bangor	√			5,004,253
Housing	Highway, Highfield Estate, Belfast	√			203,857

	Project name	Project type (please tick as appropriate)			Amount
		Community regeneration	Leisure provision	Job creation	
Housing	Thomas Street, Portadown	√			1,129,612
Housing	Prince's Close / Street, Craigavon	√			280,959
Housing	Beechgrove, Dromore Phase 2	√			439,660
Housing	Ennis Green, Lurgan	√			703,456
Housing	Portadown Rehabs	√			1,047,056
Housing	Caherty Road, Broughshane	√			3,813,253
Housing	Garryduff Gardens Ballymena Road, Ballymoney	√			310,873
Housing	Finaghy Rd South, Belfast	√			1,250,382
Housing	Dunmisk Park Phase 2, Belfast	√			2,989,591
Housing	21 Ashley Park, Dunmurry	√			786,228
Housing	Grove Street East, Belfast	√			1,521,806
Housing	Strand Avenue, Hollywood	√			2,002,548
Housing	Ladas Way, Belfast	√			1,758,987
Housing	Appletree House, Bridge Street, Downpatrick	√			3,006,126
Housing	74 Cedar Avenue, Belfast	√			622,299
Housing	Charter Youth Club, Sandy Row, Belfast	√			339,228
Housing	East Belfast Acquisitions	√			418,988
Housing	Dungannon Acquisitions Phase 1	√			668,590

	Project name	Project type (please tick as appropriate)			Amount
		Community regeneration	Leisure provision	Job creation	
Housing	Dungannon Acquisitions Phase 2	√			848,348
Housing	Dungannon Acquisitions Phase 3	√			321,586
Housing	Dungannon Acquisitions Phase 4	√			757,366
Housing	Armagh Acquisitions	√			164,137
Housing	Cookstown Acquisitions	√			392,610
Housing	Omagh Acquisitions	√			79,942
Housing	20 Arosa Parade, Belfast (Part DPF)	√			25,509
Housing	Westbank 17A	√			444,217
Housing	Westbank 17B	√			548,569
Housing	Dungannon Coalisland Acquisition	√			539,084
Housing	Acquisitions 17D	√			620,991
Housing	Carrickvale Manor, Lisburn Part DPF	√			185,212
Housing	Old Bleach Green, Banbridge	√			713,380
Housing	Woodbrook Park Phase 2	√			732,536
Housing	Sherman Court, Derry	√			1,700,505
Housing	Curzon Cinema Site	√			4,284,493
Housing	Woodbrook Phase 1, Lisburn	√			700,608
Housing	Annaghbeg Park South	√			139,310
Housing	Diamond Court, Dungannon	√			361,434

	Project name	Project type (please tick as appropriate)			Amount
		Community regeneration	Leisure provision	Job creation	
Housing	Millview Manor Phase 3	√			375,186
Housing	Lisnaree, Dungannon	√			261,206
Housing	Milestone, Dungannon	√			396,474
Housing	Gortin Park	√			298,522
Housing	Ballygawley Road	√			342,056
Housing	Lurgaboy Lane	√			517,437
Housing	The Square, Clough	√			500,205
Housing	Clonard Gardens, Belfast	√			1,102,965
Housing	Camden Street, Belfast	√			902,312
Housing	Dunanney Avenue, Rathcoole	√			2,531,214
Housing	1-3 Jubilee Court Jubilee Road, Dromore	√			212,137
Housing	Bartley's Wood	√			986,094
Housing	Peggy's Loaning, Banbridge	√			4,861,183
Housing	Chequer Hill Phase 2	√			397,539
Housing	Swilly Park, Portstewart	√			2,246,136
Housing	Dungannon Coalisland Purchases	√			794,845
Housing	Millview Manor, Phase 2, Coalisland	√			1,854,878
Housing	Lurgaboy Lane, Dungannon	√			898,458
Housing	Springtown, Derry	√			1,960,836
Housing	Ashdene, Dungannon	√			835,168

	Project name	Project type (please tick as appropriate)			Amount
		Community regeneration	Leisure provision	Job creation	
Housing	Knocknagreena, Warrenpoint	√			1,117,492
Housing	Henderson Avenue, Belfast	√			312,032
Housing	Oakfield Court, Tempo Road, Enniskillen	√			787,671
Housing	Millvale Close, Annaclone	√			523,537
Housing	Aghagay Meadows, Newtownbutler (OTS)	√			295,561
Housing	Gilpins Mews, Old Portadown Road, Lurgan	√			321,201
Housing	Greenhall Highway, Coleraine	√			1,907,025
Housing	Chapel View, Bellaghy	√			193,015
Housing	Chapel View, Bellaghy Phase 2	√			191,636
Housing	Churchfields, Rasharkin	√			224,066
Housing	28-32A Maloon Manor	√			333,119
Community Development	Ballylaw Regeneration Group	√			43,784

Armagh Neighbourhood Renewal Partnership: Funding Allocation

Mr C Boylan asked the Minister for Social Development for a breakdown of how the money claimed by the Armagh Neighbourhood Renewal Partnership in each of the last five years has been allocated to the various programmes outlined in its Action Plan; and which statutory agencies were responsible for these programmes.

(AQW 288/11)

Minister for Social Development: The information, based on the value of projects approved each year, is as follows:

FINANCIAL YEAR 2005/2006

Project	DSD Funding	Statutory Agency	NR Programme
Cathedral Road Playground Development	11,085.00	Armagh City & District Council	Physical Renewal
Drumarg Community House Running Costs	4,027.00	Community led	Community Renewal
Neighbourhood Partnership Technical Assistance/Resource Support	63,011.00	Armagh City & District Council	Technical Assistance
O'Fiaich Community Centre - Security Measures	8,366.00	Community led	Physical Renewal
Drumarg Multisports Groundwork NI	53,459.44	Armagh City & District Council	Physical Renewal
Callanbridge Multisports Groundwork NI	70,603.00	Armagh City & District Council	Physical Renewal
Mullacreevie Multisports Groundwork NI	42,184.74	Armagh City & District Council	Physical Renewal
Drumarg Community House Refurbishment	39,000.00	Northern Ireland Housing Executive	Community Renewal
Mullacreevie Community Premises Development	13,880.28	Community led	Physical Renewal
Neighbourhood Partnership Building the Capacity (Tech Assistance (2))	6,100.00	Armagh City & District Council	Technical Assistance
Cathedral Road First Floor Refurbishment	75,366.30	Armagh City & District Council	Community Renewal
Neighbourhood Partnership Building the Capacity (Tech Assistance 2)	5,000.00	Armagh City & District Council	Technical Assistance
Drumarg Community House Running Costs 2	6,413.31	Community led	Community Renewal

FINANCIAL YEAR 2006/2007

Project	DSD Funding Awarded	Statutory Agency	NR Programme
Mount St Catherine's Out of Schools Club	20,715.00	Southern Education & Library Board	Social Renewal

Project	DSD Funding Awarded	Statutory Agency	NR Programme
Development of Drumbreda Play Facility	80,000.00	Armagh City & District Council	Community Renewal
Neighbourhood Partnership Technical Assistance Resource Support	12,079.05	Armagh City & District Council	Community Renewal

FINANCIAL YEAR 2007/2008

Project	DSD Funding	Statutory Agency	NR Programme
Regeneration of NR Estates / DRD Vol 2	£220,444.00	DRD	Physical Renewal
Sports Support Programme	£58,321.20	Armagh City & District Council	Community Renewal
Drumarg Community House Running Costs 2	£8,118.43	Armagh City & District Council	Community Renewal
Sustaining & Building Community Confidence	£158,000.00	Armagh City & District Council	Community Renewal
Armagh / Dungannon / Coalisland - Health & Wellbeing Programme	£120,784.80		Social Renewal
Neighbourhood Partnership Technical Assistance 3	£74,722.00	Armagh City & District Council	Technical Assistance
Armagh FE College - Social renewal Education Programme	£99,602.00	Southern Regional College	Social Renewal
SELB - Social Renewal Education Programme	£130,036.00	Southern Education & Library Board	Social Renewal
Culdee, Drumarg and Callanbridge - fencing and walls	£22,600.00	NIHE	Physical Renewal

FINANCIAL YEAR 2008/2009

Minor Works, Callanbridge Community House and Culdee Flats	£29,189.50	NIHE	Physical Renewal
Support to Community Houses	£38,400.00	Armagh City & District Council	Community Renewal
Social Renewal Education Programme	£266,000.00	Southern Education & Library Board	Social Renewal
NIHE Physical Renewal Programme	£80,258.10	NIHE	Physical Renewal

Minor Works, Callanbridge Community House and Culdee Flats	£29,189.50	NIHE	Physical Renewal
Cathedral Road upgrade of playing Field	£175,000.00	Armagh City & District Council	Physical Renewal
Neighbourhood Partnership Technical Assistance/Resource Support	£10,111.89	Armagh City & District Council	Technical Assistance

FINANCIAL YEAR 2009/10

Project	DSD Funding	Statutory Agency	NR Programme
Southern Education and Library Board – Schools Equipment	£192,754.22	Southern Education & Library Board	Social Renewal
Neighbourhood Partnership Technical Assistance (4)	£43,100.00	Armagh City & District Council	Physical Renewal
Community House Running Costs (2)	£24,000.00	Armagh City & District Council	Community Renewal
Mullacreevie Community Facility Refurbishment	£59,769.00	NIHE	Community Renewal

Armagh Neighbourhood Renewal Partnership: Education Programmes

Mr C Boylan asked the Minister for Social Development for an update on the results of the education programmes funded by his Department, through the Armagh Neighbourhood Renewal Partnership; and for his assessment of their effectiveness.

(AQW 289/11)

Minister for Social Development: A formal evaluation of the Neighbourhood Renewal funded education programmes in Armagh is not due to be undertaken until after the current academic year ends in June 2011. However quarterly monitoring information provided by the Southern Education and Library Board indicates that the programmes are achieving the targets which were set for them.

Armagh Neighbourhood Renewal Partnership: Whiteboards

Mr C Boylan asked the Minister for Social Development (i) which Armagh Neighbourhood Renewal Partnership Action Plan programme provided for the purchase of interactive white boards for local schools; (ii) the total cost of these white boards; and (iii) at which Armagh Neighbourhood Renewal Partnership meeting this was agreed.

(AQW 290/11)

Minister for Social Development: The interactive whiteboards were provided as part of an Armagh education capital programme which cost £192,259.22 and was approved by the Armagh Neighbourhood Renewal Partnership Board at its meeting on 10 February 2010.

Contracted Projects

Mr P Doherty asked the Minister for Social Development to detail (i) the number of projects to which his Department is currently contracted; (ii) the total expected financial commitment for each of these projects; (iii) the location of each of these projects; and (iv) the money spent to date on each of these projects.

(AQW 292/11)

Minister for Social Development: The table below details the urban regeneration committed projects. There are 790 projects across Northern Ireland with contracts in place, requiring £52.5m of funding and £101.6m has been spent to date on these projects.

TABLE: URBAN REGENERATION COMMITTED PROJECTS

Location	Total Spend to Date (£)	Future Committed Spend (£)	Total Expected Financial Commitment (£)	No. of Projects
Antrim	150,283.96	127,843.54	278,127.50	4
Armagh	1,063,922.73	406,182.36	1,470,105.09	15
Ballycastle	112,699.76	26,553.34	139,253.10	2
Ballyclare	356,450.38	18,840.20	375,290.58	3
Ballygawley	118,297.24	5,000.00	123,297.24	1
Ballymena	1,709,721.00	1,089,416.57	2,799,137.57	30
Ballymoney	236,059.26	77,932.74	313,992.00	3
Ballynahinch	0.00	50,000.00	50,000.00	1
Banbridge	50,700.38	132,608.42	183,308.80	2
Bangor	609,007.77	170,998.21	780,005.98	13
Belfast	45,421,657.36	32,881,931.61	78,303,588.97	392
Bellanaleck	715,420.88	31,000.00	746,420.88	1
Bessbrook	12,801.41	0.00	12,801.41	1
Blackwatertown	647,070.05	8,459.30	655,529.35	1
Broughshane	260,192.00	265,958.00	526,150.00	1
Caledon	107,837.61	0.00	107,837.61	1
Carrickfergus	122,139.99	79,996.01	202,136.00	2
Castlereagh	68,774.58	96,284.42	165,059.00	1
Coalisland	237,102.02	9,916.66	247,018.68	6
Coleraine	3,504,612.94	1,078,533.42	4,583,146.36	17
Cookstown	65,601.62	91,842.28	157,443.90	2
Craigavon	4,132,198.82	995,561.15	5,127,759.97	28
Devenish	135,636.67	56,351.61	191,988.28	6
Down	77,026.24	107,836.76	184,863.00	2
Downpatrick	2,134,310.06	1,912,167.94	4,046,478.00	9

Location	Total Spend to Date (£)	Future Committed Spend (£)	Total Expected Financial Commitment (£)	No. of Projects
Dungannon	670,080.04	2,303,956.64	2,974,036.68	16
Dunmurry	452,052.25	163,268.99	615,321.24	3
Enniskillen	174,996.85	30,823.00	205,819.85	3
Fermanagh	209,421.06	130,925.67	340,346.73	4
Fintona	91,426.45	24,382.93	115,809.38	1
Holywood	91,004.16	36,405.84	127,410.00	1
Kilkeel	838,461.24	505,660.76	1,344,122.00	2
Larne	296,070.15	148,321.60	444,391.75	7
Limavady	499,294.50	219,486.59	718,781.09	9
Lisburn	1,898,856.45	776,209.16	2,675,065.61	21
Londonderry	15,844,065.97	3,459,732.51	19,303,798.48	83
Lurgan	2,849,426.64	206,108.68	3,055,535.32	8
Magherafelt	419,860.56	144,720.35	564,580.91	3
Newcastle	3,473,022.72	0.00	3,473,022.72	1
Newry	2,020,640.83	1,620,521.46	3,641,162.29	19
Newtownabbey	251,881.78	252,106.16	503,987.94	7
Newtownards	734,507.16	739,857.84	1,474,365.00	7
Newtownhamilton	132,377.40	3,000.00	135,377.40	1
North Down	120,319.58	94,247.42	214,567.00	2
Omagh	430,773.54	480,260.29	911,033.83	16
Pomeroy	684,775.50	7,188.87	691,964.37	1
Portadown	4,348,239.50	758,935.36	5,107,174.86	8
Portrush	151,523.82	0.00	151,523.82	1
Randalstown	77,003.75	30,805.25	107,809.00	1
Sion Mills	919,551.51	9,425.00	928,976.51	1
Sixmilecross	542,879.38	2,000.00	544,879.38	1
Strabane	594,054.46	448,666.13	1,042,720.59	15
Various	761,790.62	183,786.17	945,576.79	4
Total	101,627,882.60	52,502,017.21	154,129,899.81	790

Notes:

1. The figures above include revenue and capital commitments. Spend to date is to August 2010.
2. The Department has a revenue funded baseline of £48m per annum (subject to efficiencies) to cover future regeneration requirements.

Housing Executive Improvement Schemes in Coleraine

Mr G Campbell asked the Minister for Social Development when he expects work to commence on the Housing Executive improvement schemes, including kitchen schemes, in Ballygallin Park and Loughanhill Park, Coleraine,
(AQW 294/11)

Minister for Social Development: The kitchen replacement scheme for Ballygallin Park is included in Phase 2 of the Ballysally Kitchen Replacement Scheme. It includes 127 dwellings and is programmed for the next financial year, with an estimated start date of January 2012, subject to finance. The kitchen replacement scheme in Loughanhill Park is included in Phase 1 of the Ballysally Kitchen Replacement Scheme and is programmed to start in January 2011.

Winter Fuel Payments

Mr K Robinson asked the Minister for Social Development how much money has been ring-fenced for winter fuel payments in 2010/11; and how this figure compares to the uptake of winter fuel payments in 2009/10.
(AQW 297/11)

Minister for Social Development: The Department's Main Estimate provision for the 2010/11 financial year includes an amount of £68.9m for Winter Fuel Payments. The Department will review and revise this figure throughout the year depending on demand via the estimate process.

This amount is not ring-fenced but forms part of the Department's overall estimate for social security benefit expenditure, or Annually Managed Expenditure, that is available for the 2010/11 financial year.

The expenditure on Winter Fuel Payments for the 2009/10 financial year was £68.8m.

Flats at West Green, Holywood

Mr A Easton asked the Minister for Social Development for an update on the flats at West Green, Holywood.
(AQW 306/11)

Minister for Social Development: In June I announced plans to invest £6 million for the redevelopment of West Green. The flats and adjacent properties will be demolished to make way for a more sustainable mix of new accommodation. Services are currently being disconnected from the flats in preparation for demolition in January. There are still four tenants and one owner occupier in the adjacent properties and demolition here will commence immediately vacant possession has been achieved.

General Employment/Pay and Conditions in NI Civil Service

Ms D Purvis asked the Minister for Social Development whether there are any circumstances in which his Department would derogate from the rules on General Employment/Pay and Conditions set out in the NI Civil Service Staff Handbook.
(AQW 315/11)

Minister for Social Development: There has been one part of the Department (formerly the Child Support Agency) that has sought under its delegations to derogate from the Staff Handbook to change terms and conditions to meet specific business needs. Such changes were required to be approved by the Department of Finance and Personnel (DFP). The Department has also used discretion when the particular circumstances of some individual staff cases are not covered by the provisions of the Staff Handbook.

Welfare and Social Security Reform

Mr P Weir asked the Minister for Social Development what discussions his Department has had with the new Westminster Government in relation to welfare and social security reform.

(AQW 326/11)

Minister for Social Development: Following the recent announcement by the Secretary of State for Work and Pensions of a number of proposals for welfare reform, I met with Lord Freud, the Welfare Reform Minister on 19 July and the Secretary of State for Work and Pensions, Ian Duncan Smith, on 2 September. Although the detail of the proposals is yet to be finalised I raised my concerns about how they will impact on the most vulnerable in society, and particularly, those living in Northern Ireland.

I am currently working with my Department and experts outside the Department to identify measures to ease the impact of welfare cut backs and shall robustly continue to make Northern Ireland's case to the London Government.

I intend to continue my dialogue with Lord Freud during the development of any proposals on welfare reform to ensure that account is taken of the unique circumstances of the most vulnerable in Northern Ireland. I have a further meeting with Lord Freud on 27 September.

Egan Contracts

Ms J McCann asked the Minister for Social Development to detail (i) the Egan contracts to which the Housing Executive is currently contracted; (ii) the duration of these contracts; (iii) the cost of each contract; and (iv) the function of each contract.

(AQW 330/11)

Minister for Social Development: The table attached details the works and services which the Housing Executive is currently contracted for under 'Egan' contracts.

HOUSING EXECUTIVE 'EGAN' CONTRACTS

Scheme Title	Duration	Estimated Cost	Function of Contract
Major Heating	5 years from 01.06.01 with provision for ext. to max of 11	Est £10 M per annum	Implementation of Decent Homes Standard. Heating Replacement and Maintenance and including Heating Adaptations. 3 contracts let to cover the Province Expires 31.05.12
Response Maintenance Repairs	Previously let for up to 5 years. Currently 4 years from 01.09.10 to expire 31.08.14 subsequent phases will be for 4 years from date of possession	Total £ 40 millions per annum	The provision of an all trades Response Maintenance Service. The first contract was let in 2001 and followed by the appointment of one contractor per District in 2003 and 2004. A new procurement has been completed in respect of nine District offices (four contracts) and 12 are due for retender next week. The remainder will be published in the Official Journal early in October

Scheme Title	Duration	Estimated Cost	Function of Contract
Revenue Replacement / External Cyclical Maintenance Framework	4 years with possible 1 year extension from 28.01.08 to 27.01.12/ 13	Est £36 M per annum	Implementation of Decent Homes Standard. 1 contractor appointed to each Housing Executive Area to undertake all Revenue Replacement (Kitchens/Bathrooms) and External Cyclical Maintenance work within that area and for which funding is available.
Tree Management Services	4 years from 01.10.08 to 30.09.12	Est £1.4 M per annum	Statutory Duty One contractor appointed per Area to undertake tree management works and services.
Rathcoole Multi Storey Framework	4 years from 22.04.09 to 21.04.13	Up to approx £10 Millions for the 4 blocks	Implementation of Decent Homes Standard. Single Member Framework. Phase 1 let and subsequent phases will be let if finance becomes available during the 4 years
Grounds Maintenance	5 + 2 years from 01.11.04 to 31.10.11	Est £8 M per annum	Statutory Duty Eight contracts let
Vertical Lifts for Disabled	5 + 2 years from 15.09.03 to 14.09.10	£750 K to £900K per annum	One Contractor for Province Tenders currently being assessed following retender for 4 year period
Stair Lifts for Disabled	5 years from 01.12.05 to 30.11.10	£500k per annum	1 Contractor for Province. Currently in process of retender
Void Property Maintenance	4 years from 01.04.06 to 31.03.10	£600 K per annum approx.	1 Contractor for Province. Revised documentation almost complete. OJEU prepared for publication week commencing 20.09.10
Adaptations (Major Works) Framework	4 years from 25.08.10 to 24.08.14	Est. £20 M	1 contractor appointed to each Area to undertake required works during the 4 year period

Scheme Title	Duration	Estimated Cost	Function of Contract
Warm Homes Scheme	3 years from 01.07.09 to 30.06.12 with 1 + 1 year extension to 30.06.14	Est £20 M per annum	Relieve Fuel Poverty Two Scheme Managers appointed to undertake the provision of heating and insulation where the owners/occupiers meet the Statutory Requirements

Neighbourhood Renewal Funding

Ms C Ní Chuilín asked the Minister for Social Development whether Neighbourhood Renewal funding will continue after March 2011.

(AQW 357/11)

Minister for Social Development: It is my intention to continue funding the NR programme after 2011 and my Budget 2011-15 bid demonstrates a continuing increased commitment. As the flagship programme of the Executive to tackle disadvantage, the programme is essential and critical at a time of recession, with potentially fewer public sector jobs and in order to maintain stability. In addressing poverty and disadvantage Executive colleagues should work collaboratively both with government and with the community. The absence of this carries the risk of a fragmented, partial and unsuccessful approach.

Unfunded Commitments

Ms C Ní Chuilín asked the Minister for Social Development to detail the current unfunded commitments within his Department.

(AQW 358/11)

Minister for Social Development: The Department has placed a bid of £0.9m in the September monitoring round to cover contractual commitments that are deemed unfunded commitments. If the September bid is not successful, the commitment will be reconsidered as part of the December monitoring round proposals.

The Department has capital requirements for year on year normal baseline capital projects that extend into the new budget period. The position on capital funding for the years 2011-2015 is of course still to be agreed by the Executive.

Egan Contracts

Ms J McCann asked the Minister for Social Development to detail the cost incurred by the Housing Executive following the extension of any Egan contracts in each of the last five years.

(AQW 365/11)

Minister for Social Development: The Housing Executive confirms that no additional costs were incurred by the extension of any Egan Contracts.

Translation of Departmental Papers

Mr A Bresland asked the Minister for Social Development how much his Department spent on the translation of departmental papers into (i) Irish; and (ii) Ulster Scots in (a) 2007/08; (b) 2008/09; and (c) 2009/10.

(AQW 383/11)

Minister for Social Development: My Department has not incurred any expenditure on translating departmental papers into either Irish or Ulster Scots in the period requested.

Contracts Awarded by the Northern Ireland Housing Executive for Adaptations

Miss M McIlveen asked the Minister for Social Development if people employed under contracts awarded by the Northern Ireland Housing Executive for adaptations are protected under the Transfer of Undertakings (Protection of Employment) Regulations 2006 and the Service Provision Change (Protection of Employment) Regulations 2006, meaning that their employment, including the rights accrued through that employment, will transfer to the new contract holder.

(AQW 443/11)

Minister for Social Development: The letting and award of any contract by the Housing Executive is undertaken by it in accordance relevant procurement law. Once a contract has been awarded by the Housing Executive, the relationship between it and its contractor is largely governed by the terms and conditions of the contract existing between them.

Where such an award results in a change from one contractor to another both the incoming and outgoing contractor must comply with any legal obligations imposed on them and in particular the Transfer of Undertakings (Protection of Employment) Regulations 2006 ("the TUPE Regulations") and the Service Provision Change (Protection of Employment) Regulations.

The determination as to whether TUPE is to apply is entirely a matter between the two contractors involved and if it cannot be resolved by agreement between them, is then a matter for determination by a Tribunal on application by the affected employees. It is not a matter in which the Housing Executive could or should become involved other than to provide the relevant historical information relating to the work carried out under the old contract.

Northern Ireland Assembly

Friday 1 October 2010

Written Answers to Questions

Office of the First Minister and deputy First Minister

Strategic Investment Board

Mr G Savage asked the First Minister and deputy First Minister (i) to list all projects currently under the stewardship of the Strategic Investment Board; (ii) to detail if the project is currently (a) on budget; and (b) on time; and (iii) to account for any delays or overspends.

(AQW 204/11)

First Minister and deputy First Minister (Mr P Robinson and Mr M McGuinness): In preparing the Investment Strategy (ISNI), the Strategic Investment Board (SIB) has played an important role in the Executive's successful drive to improve and invest in our infrastructure. Additionally, the SIB's expert Strategic Advisors have worked across departments to support and add value to a wide range of projects.

Whilst SIB makes valuable contributions to the projects it is involved in, the ownership of those projects remains with their respective departments. SIB's role is to assist in the areas where it is invited to contribute to by the responsible department and at the moment all such assistance being provided by SIB is on time and on budget.

A list of projects which SIB is currently working on or has worked on in the last financial year is included below for your information.

SIB SUPPORTED PROJECTS AS AT 31/8/10

Project	SIB Role*
Addiction Education Programme	Strategic Advisor
Arc 21 Residual Waste Treatment Project	Project Director
Belfast Metropolitan College	Strategic Advisor
Belfast Bus Rapid Transit	Project Director
Belfast Strategic Partnership (7 new schools)	Strategic Advisor
City of Derry Airport	Strategic Advisor
Clarendon Site Master Plan	Strategic Advisor
Coláiste Feirste	Strategic Advisor
Commercialisation (Wider Markets)	Strategic Advisor
Connswater Community Greenway	Strategic Advisor
Crusaders Shared Sports Stadium & Sports Educational Village	Strategic Advisor
Derry City of Culture	Strategic Advisor

Project	SIB Role*
Desertcreat Joint Public Services College	Project Director
Downshire Site Regeneration	Project Director
DVA: Support to DoE	Strategic Advisor
Emergency Services Investment Programme	Strategic Advisor
Enniskillen Community Campus	Strategic Advisor
Enniskillen Acute Hospital	Strategic Advisor
EASAIT Education Estates	Strategic Advisor
Glen 10 Development Framework	Strategic Advisor
Glen Community Framework	Strategic Advisor
Holylands Student Accommodation Study	Strategic Advisor
Lagan College & Tor Bank School	Strategic Advisor
Lagan Waterways Project	Strategic Advisor
Lisanelly Educational Campus	Project Director
Maze/Long Kesh Development Corporation	Project Director
NIPS: New Prisons	Strategic Advisor
Odyssey Trust Company: support to DCAL	Strategic Advisor
Omagh Military Sites	Strategic Advisor
Portrush Regeneration Strategy	Strategic Advisor
Productive Opportunities	Strategic Advisor
Public Bike Hire Scheme for Belfast	Strategic Advisor
Rathfriland Site Development Plan	Strategic Advisor
Roads: A5/A6/A8	Strategic Advisor
Sally Gardens Poleglass: Sports Zone	Strategic Advisor
Social Housing	Strategic Advisor
Social Regeneration	Strategic Advisor
Sports Stadia	Strategic Advisor
St Comgall's School Site, Falls Rd, Belfast	Strategic Advisor
St Mary's University College: Strategic Plan	Strategic Advisor
Titanic Quarter Signature Project	Project Director
Workplace NI	Strategic Advisor

*** Strategic Advisor**

The role of the strategic advisor is to work with customer organisations to accelerate the delivery of projects and programmes through the provision of specialist skills and advice. Strategic Advisors can be involved in every aspect of project delivery including the identification of need, procurement,

funding, governance, communications, business case analysis, contract development and consultancy management.

Project Director

Where SIB staff fulfil the role of Project Director they have full responsibility for the management and delivery of the project or programme. Normally such staff are embedded within the customer organisation and are directly accountable to the project's Senior Responsible Owner. Programme for Cohesion, Sharing and Integration

Cohesion, Sharing and Integration Strategy: Consultation

Mr R McCartney asked the First Minister and deputy First Minister how groups, such as ex-prisoner groups, victims groups and groups involved in the conflict, will be consulted with regard to the Cohesion, Sharing and Integration strategy; and to provide details of these consultations.

(AQW 256/11)

First Minister and deputy First Minister: The consultation on the Programme for Cohesion, Sharing and Integration has been designed to include both public meetings and more focused, sectoral events. It is hoped that these dual elements will complement each other to produce rich, informed and meaningful consultation responses.

The purpose of the sectoral events is to give particular sectors the opportunity for more focused discussion on aspects of the Programme for Cohesion, Sharing and Integration.

The sectoral consultation events for these groups will take place during October.

These events will in no way preclude any groups from attending any of the public meetings.

Attorney General's Office

Dr S Farry asked the First Minister and deputy First Minister for a breakdown of the proposed budget for the Attorney General's office; and to explain the rationale for maintaining the same proposed level of funding throughout the next four financial years in the context of tight public spending pressures.

(AQW 351/11)

First Minister and deputy First Minister: John Larkin's report and our response to it are available to members in the Assembly library. In our response we highlighted that budgetary issues needed to be considered.

The running costs of the Attorney General's office in 2010/11 are forecast at £1.3 million resource and £0.5 million capital. These are part-year costs, reflective of the incremental process of establishing staff to the new Office.

In Budget 2010 the department has bid for a proposed annual budget for the Attorney General's office as follows:

Salary costs	£1,540,000
Accommodation Costs & Other Costs	£360,000
Annual Total	£1,900,000

This is subject to the normal budget process and Executive approval.

Actual operating costs will be monitored on a regular basis and any potential for efficiency savings or a reduction in costs will be pursued. Staffing structure and operating costs of the Attorney General's office will be subject to a review after 18 months of operation to ensure that they are still appropriate.

Translation of Departmental Papers

Mr A Bresland asked the First Minister and deputy First Minister how much their Department spent on the translation of departmental papers into (i) Irish; and (ii) Ulster Scots in (a) 2007/08; (b) 2008/09; and (c) 2009/10.

(AQW 384/11)

First Minister and deputy First Minister: Our department has spent the following on the translation of departmental papers into (i) Irish and (ii) Ulster Scots over the last three financial years:

IRISH

2007/08	£1756.07
2008/09	£1430.60
2009/10	£1676.13

ULSTER SCOTS

2007/08	£606.10
2008/09	£350.00
2009/10	£743.59

Spending Review

Mr J Bell asked the First Minister and deputy First Minister if they have any plans to meet with representatives of the UK Government to discuss the spending review.

(AQW 387/11)

First Minister and deputy First Minister: We will be meeting the Chancellor on 28 September to discuss the Spending Review and plan to meet Prime Minister David Cameron before the mid-October Budget announcement.

Review of Funding for the Women's Sector

Mr P Weir asked the First Minister and deputy First Minister for an update on any review of funding for the women's sector currently being carried out by their Department.

(AQW 457/11)

First Minister and deputy First Minister: Work is well underway in respect of an OFMDFM-led interim review of funding for women's groups and organisations, with the intention of submitting a draft report for consideration by OFMDFM Ministers and the Minister for Social Development later this year. Once finalised, the review will be made available to the Executive.

Sustainable Development Commission

Mr B Wilson asked the First Minister and deputy First Minister to detail the annual cost of the Sustainable Development Commission.

(AQW 490/11)

First Minister and deputy First Minister: The Sustainable Development Commission is an organisation owned and funded by the UK, Scottish and Welsh Governments and the NI Executive. Total actual expenditure including salaries and Commissioners' costs in the previous financial year (2009/10) was £5,143,654.36. OFMDFM currently contributes £120k per annum towards the funding of the Sustainable Development Commission.

Sustainable Development Commission

Mr B Wilson asked the First Minister and deputy First Minister if they plan to continue funding the Sustainable Development Commission.

(AQW 491/11)

First Minister and deputy First Minister: The Executive remains committed to the principles of sustainable development and to progressing the priorities and strategic objectives set out in its new Sustainable Development Strategy.

In light of DEFRA's decision to withdraw funding from the Sustainable Development Commission, we are currently considering options relating to the future of the organisation. Any decision will, of course, have to be taken against the background of current spending pressure reviews faced by all Departments.

Sustainable Development Commission

Mr B Wilson asked the First Minister and deputy First Minister to detail any savings made by Government Departments as a result of efficiencies highlighted by the Sustainable Development Commission.

(AQW 496/11)

First Minister and deputy First Minister: The Sustainable Development Commission (SDC) has a remit to work with Government Departments to help them to improve the sustainability of their operations. In this capacity, the SDC has helped Departments to find more efficient ways of working, including by supporting the promotion of energy efficiency.

Placing a value on the efficiency savings made as a direct consequence of the SDC's work is, however, difficult because the value of the contributions made by the SDC and others are not straightforwardly disaggregated.

At present we are developing an Implementation Plan for the Sustainable Development Strategy that sets quantified targets to build on the progress achieved to date. The SDC continues to support us in this work.

UK Comprehensive Spending Review

Mr S Anderson asked the First Minister and deputy First Minister to outline the work that they (i) have already undertaken; and (ii) are currently carrying out in preparation for the UK Comprehensive Spending Review announcement.

(AQW 550/11)

First Minister and deputy First Minister: At its special meeting at Greenmount Agricultural College on 6 July, the Executive fully recognised the need to undertake a collective and corporate approach to the major and unprecedented fiscal challenges it faces. For this purpose, it agreed that a Budget Review Group consisting of Ministers representing all the parties in the Executive should be established to oversee the development of the Executive's response.

Extensive preparatory work was commissioned from all departments to provide the fullest range of information and analysis on a variety of issues to underpin the Budget Review Group's work. This material has now been provided to individual Group members for their preliminary consideration and the Group will meet on 30 September.

We also continue to engage directly with the UK Government on this issue and we will be meeting with the Chancellor of the Exchequer on 28 September 2010 to discuss the economic and fiscal environment we face over the next five years.

Children's Commissioner

Mr S Moutray asked the First Minister and deputy First Minister whether any functions currently carried out by the Children's Commissioner could be undertaken by any Executive Department.

(AQW 551/11)

First Minister and deputy First Minister: A review of the effectiveness of the office of the Commissioner for Children and Young People is currently ongoing. The review is examining a range of issues including the best way to deliver the services and how delivery of those services could be improved in the future.

The legislation which established the Commissioner for Children and Young People (The Commissioner for Children and Young People's (NI) Order 2003), provides the Commissioner with a range of powers, functions and duties aimed at promoting and safeguarding the rights and best interests of children and young people.

The Commissioner's powers include: the power to bring, intervene in or assist in legal proceedings; to carry out a general review of advocacy, complaint, inspection and whistleblowing arrangements of relevant authorities. It would therefore be inappropriate for Departments to get involved in this type of work.

Presbyterian Mutual Society

Mr J Spratt asked the First Minister and deputy First Minister for an update on the situation regarding the Presbyterian Mutual Society; and to detail any guarantees available to savers.

(AQW 584/11)

First Minister and deputy First Minister: We continue to explore the options and are making good progress with the Ministerial Working Group, chaired by the Secretary of State Owen Paterson. The reconvened group met on 8 September 2010 in London and more recently on 22 September 2010 in Stormont House which we attended along with the Minister of Enterprise, Trade and Investment, Arlene Foster, NIO Minister of State, Hugo Swire and the Finance Secretary to the Treasury, Mark Hoban.

Real progress has been made by the Working Group in considering the options previously identified and work is progressing on resolving a number of technical matters. This work continues, with the aim of finding a fair and just resolution. The aim is to complete this work and report to the Prime Minister, David Cameron in time for the forthcoming Spending Review.

Officials continue to work together intensively and the Ministerial Working Group is meeting again on 7 October in order to work towards a mid-October deadline in line with the Government's Spending Review announcement.

Income Inequality

Mr L Cree asked the First Minister and deputy First Minister what action they have taken, through their Central Anti-Poverty Unit, to address figures from the Institute of Fiscal Studies which show that recent budget cuts have reduced the income of the poorest people in society by 5 per cent, compared to a reduction for the richest people of only one per cent.

(AQO 124/11)

First Minister and deputy First Minister: The total amount of funding available to the Executive will only be confirmed when the outcome of the 2010 UK Spending Review is announced on 20 October 2010.

It will be for the Executive to decide its priorities for the new Spending Review period and only following public consultation on the Programme for Government, Budget and Investment Strategy and Assembly endorsement will final allocations be confirmed.

The Assembly will be aware, however, that following the Executive away day at Greenmount, we made it clear that one of our priorities would be protecting the most vulnerable citizens, especially those people at risk of poverty and social exclusion.

In our own bids for the forthcoming CSR we have sought funding in order to target some of our most disadvantaged areas and also for a Pilot Project to look at the impact of an increase in Earnings Disregard.

Through the workings of the Executive Sub-Committee on Poverty and Social Inclusion, we have also asked our officials to undertake work with colleagues from the other Departments to progress priority actions that will benefit those individuals, groups, and areas who are currently in greatest objective need.

We are also developing a Child Poverty Strategy and this will be laid before the Assembly by 25 March 2011 and will set out the Executive's plans to work towards the eradication of child poverty.

British-Irish Council: Secretariat

Mr I McCrea asked the First Minister and deputy First Minister for their assessment of whether the establishment of a Standing Secretariat for the British Irish Council will be achieved at the next British Irish Council Summit to be hosted by the Manx Government in December.

(AQO 125/11)

First Minister and deputy First Minister: The establishment of a standing secretariat for the British Irish Council has been discussed as one element of the BIC Strategic Review at recent BIC Summit meetings.

The core functions, staffing profiles, secondment arrangements and legal framework for the standing secretariat were endorsed by the Council at the Cardiff Summit on 13 November 2009.

A decision on the location of the standing secretariat in Scotland was subsequently reached at the most recent BIC Summit which took place in Guernsey on 25 June.

Following that decision the Council tasked the BIC Co-ordinator's group of officials with taking forward work on setting up the Secretariat and agreeing a model for sharing the costs associated with its establishment and operation.

The Council will be considering a paper from the Co-ordinator's group on these matters at the next Summit meeting in the Isle of Man in December.

Programme for Cohesion, Sharing and Integration

Mr C McDevitt asked the First Minister and deputy First Minister why the Programme for Cohesion, Sharing and Integration does not contain any targets or review mechanisms.

(AQO 126/11)

First Minister and deputy First Minister: The programme for Cohesion, Sharing and Integration is an Executive document and one of the most important parts of the document is the proposals for a mechanism that will enable Ministers to work closely together to focus the activities, priorities and resources of Departments on specific challenges of CSI at the same time.

The Ministerial Panel, proposed in Chapter 10 of the document, will also include key decision makers of statutory bodies and representatives of the community and voluntary sector.

In the implementation of CSI, the Ministerial Panel will set out the targets, objectives and indicators of key programmes of work that are intended to tackle the themes which will include: shared spaces, interfaces, young people, racial equality, hate crime, respecting cultures and other interdependent themes.

It is important to realise that CSI is intended as a framework document through which improved co-ordination through tiers of government and the community and voluntary sector is intended to deliver a more efficient and better value response to the challenges of sectarianism and racism here.

It is our belief that we all aspire to see proposals which go well beyond sound-bites. A document which is policy but without clear, substantive actions will do nothing to achieve the shared and better future we are all signed up to.

Community Funding

Mr M Durkan asked the First Minister and deputy First Minister what discussions they have had within the Executive or with other Departments regarding new community funding proposals, including the proposed Removing Barriers to Community Prosperity project.

(AQO 127/11)

First Minister and deputy First Minister: This policy area is currently being developed and will include consultation with a number of relevant departments and other organisations.

Our department has policy responsibility for addressing poverty, cohesion, sharing and integration and also looking at issues of community renewal.

Our objective is to have sustainable intervention in areas of disadvantage. This will be done at a number of levels by providing tangible programmes to deal with these very difficult issues.

It is apparent that disadvantage, poor relations and issues around interfaces feed off each other and mutually contribute to a continuation of the problems that remain stubbornly difficult to resolve.

Jobs, community confidence and positive environments help to underpin equality and sharing of areas and services.

This programme will therefore be developed through OFMDFM and its partner organisations working with the most disadvantaged communities to develop plans that all of us in the Executive can respond to.

The programme we hope to develop will be additional and complementary to those of other departments. Collectively we need to have a significant intervention that will tackle deprivation, sectarianism and poverty in a strategic way where the impact can be seen, felt and believed by everyone in the community.

Economic Linkages

Mr P Weir asked the First Minister and deputy First Minister what action their Department, or the Executive, has taken to improve international economic linkages with Northern Ireland.

(AQO 128/11)

First Minister and deputy First Minister: We recognise that if our economy is to grow and prosper it is vital that we contribute fully to the inward investment effort by maximising opportunities to promote Northern Ireland on the international stage.

As part of our focus on growing the economy, we use every available opportunity to promote investment, to encourage trade and to help the tourism industry on the international stage. In particular, we continue to be active in securing investment from the United States and we have used our visits there to engage with President Obama, Secretary of State Hillary Clinton, and Mayor Bloomberg of New York, Mayor Daley in Chicago and with senior executives from corporate America.

We have been welcomed at the White House by both President Bush and President Obama and we have used those opportunities to highlight business opportunities here. We enjoy a level of support and access which many larger countries must envy.

We have worked closely with Declan Kelly, the US Economic Envoy on a number of projects – we are the only region to have someone specifically appointed to support economic growth from the United States.

One of the most significant outcomes of Declan Kelly's appointment is the forthcoming US Economic Conference on 19 October which is specifically aimed at promoting further US investment here. We will be travelling to Washington at the invitation of the Obama Administration to join the US Economic Envoy and Secretary Clinton at this bespoke economic conference. We will be addressing a select, but very senior audience of decision makers about why Northern Ireland is an excellent business opportunity.

We are also continuing to engage positively and effectively in Europe and with its institutions, because this is vital to our interests and will be another important element in our economic recovery.

We must position ourselves in such a way as to exert the maximum influence on European policy and derive the maximum benefit from European funding. Our Department's European Division co-ordinates European policy across Departments, liaising directly with European Institutions in Brussels and continues to be vital in this regard.

St Patrick's Barracks Site, Ballymena

Mr P Frew asked the First Minister and deputy First Minister for an update on the development of the former St. Patrick's barracks site in Ballymena.

(AQO 129/11)

First Minister and deputy First Minister: The former St Patrick's site at Ballymena is one of the four former military bases to be gifted to the Executive under the Agreement at Hillsborough Castle of 5 February 2010. The Hillsborough Agreement anticipated that a portion of the land in Omagh will be used for an educational campus but expected that disposal proceeds from the other sites would be used to meet exceptional resource pressures.

At this stage, gifting of the St Patrick's barracks site has not yet taken place and it remains the property of the Ministry of Defence. Our officials have been in liaison with the Department for Social Development, which we understand is working with a housing association on the possible use of part of the site for social housing.

Racial Equality Strategy

Mr K McCarthy asked the First Minister and deputy First Minister for an update on the future of the Racial Equality Strategy.

(AQO 131/11)

First Minister and deputy First Minister: The Office of the First Minister and deputy First Minister remains committed to the implementation of the current Racial Equality Strategy, endorsed by the Assembly on 3 July 2007. It is not intended to be replaced or subsumed by the new Programme for Cohesion, Sharing and Integration. Rather, CSI will provide a framework for delivery of aspects of the Strategy.

We consider that the six shared aims set out in the Racial Equality Strategy are robust and comprehensive and that the section concerning the "Scale of the challenge" in the Strategy is more relevant now than ever before.

We will re-visit the six shared aims following the launch of the new Programme. This will be done in close consultation with minority ethnic groups and the wider community. We are committed to the partnership process which developed the six shared aims originally. We remain open; of course, to suggestions as to how we might strengthen these six shared aims.

We will also consider whether the strategy itself should not be updated to take account of CSI, policy development and changes on the ground.

Presbyterian Mutual Society

Mr D Kennedy asked the First Minister and deputy First Minister what progress has been made in resolving the Presbyterian Mutual Society issue. [R]

(AQO 132/11)

First Minister and deputy First Minister: We continue to explore the options and are making good progress from the Ministerial Working Group, chaired by the Secretary of State, Owen Paterson. The reconvened group met on 8 September 2010 in London and more recently on 22 September 2010 in Stormont House which we attended along with the Minister of Enterprise, Trade and Investment, NIO Minister of State, Hugo Swire and the Finance Secretary to the Treasury, Mark Hoban.

Real progress has been made by the Working Group in considering the options previously identified, and work is progressing on resolving a number of technical matters. This work continues, with the aim of finding a fair and just resolution. The aim is to complete this work and report to the Prime Minister, David Cameron, in time for the forthcoming Spending Review.

Officials continue to work together intensively and the Ministerial Working Group will meet again soon in order to work towards a mid-October deadline in line with the Government's Spending Review announcement.

Public Expenditure

Mr J Bell asked the First Minister and deputy First Minister what progress has been made in preparing for the outcome of the UK Comprehensive Spending Review announcement.

(AQO 133/11)

First Minister and deputy First Minister: At its special meeting at Greenmount Agricultural College on 6 July, the Executive fully recognised the need to undertake a collective and corporate approach to the major and unprecedented fiscal challenges it faces. For this purpose, it agreed that a Budget Review Group consisting of Ministers representing all the parties in the Executive should be established to oversee the development of the Executive's response.

Extensive preparatory work was commissioned from all departments to provide the fullest range of information and analysis on a variety of issues to underpin the Budget Review Group's work. This material has now been provided to individual Group members for their preliminary consideration and the Group will meet formally on 30 September.

At the completion of its work, the Budget Review Group will bring forward proposals for discussion and agreement by the full Executive.

Department of Agriculture and Rural Development

Risks of Disallowances or Infraction Proceedings

Dr S Farry asked the Minister of Agriculture and Rural Development for her assessment of the risk of any further disallowances or infraction proceedings being brought in relation to the work of her Department or its related agencies; and to set out the measures being taken to mitigate any such risks.

(AQW 141/11)

Minister of Agriculture and Rural Development (Ms M Gildernew): Infraction may arise from failing to implement EU Directives in a timely or complete manner and DARD business areas therefore take steps to ensure the full and timely transposition of EU legislation.

Within DARD, measures are in place for the management and mitigation of risk. These vary according to the nature of the risk identified. They are formally logged on the department's Corporate Risk Register, regularly reviewed by the Departmental Board and supported by Divisional Risk Plans. Examples of such measures include independent verification checks, compliance with operating manuals and Memorandum of Understanding (MOU), a programme of inspections by an independent audit function and the formal response by business areas to any specific concerns identified.

In line with the mitigation of risk outlined above, the Department will continue to monitor the risk of disallowance/infraction on issues such as:-

Area Aids schemes (including Single Farm Payment, Less Favoured Areas Compensatory Allowance and Agri-Environment schemes);

Co-funding of costs related to the transport and rendering of contaminated carcasses and animals during the dioxin incident, and for animals which died on farm prior to the commencement of the cull and disposal scheme;

Implementation of the Modiolus Restoration Plan in Strangford Lough;

EU Floods Directive; and

Potential infraction across the north and Britain relating to legislation governing ramp angles of livestock transport vehicles.

Social Economy Projects

Mr B McElduff asked the Minister of Agriculture and Rural Development to detail the social economy projects involving community regeneration, leisure provision and job creation to which her Department has provided financial support, in each of the last four years.

(AQW 234/11)

Minister of Agriculture and Rural Development: The information requested by the Member is contained in the attached tables.

Name of project	Year letter of offer issued	Location	Amount
Age Concern Causeway – B4U Be there for you	2010	Rural towns and villages in the Coleraine, Ballymoney and Moyle Council areas.	£5000
Age Concern Cookstown – The Body & Mind project	2010	Rural areas around Cookstown	£3300
Aware Defeat Depression – Mood Matters for Young People	2010	Lisnaskea, Brookborough, Fivemiletown, Clogher, Augher	£4950
Aware Defeat Depression – Depression Awareness Training for Young People	2010	Lisnaskea, Brookborough, Fivemiletown, Clogher, Augher	£4525
Aware Defeat Depression – Mental Health First Aid Training Programme	2010	Lisnaskea, Brookborough, Fivemiletown, Clogher, Augher	£5000
Ballymoney Community Resource Centre – Ethnic Minorities Support Project	2010	Kilrea	£5000
Bridge Accessible Transport-Shopmobility Foyle	2010	Rural areas around Derry City	£5000
Camowen Farmers Combined Ltd – Camowen Farmers are IT	2010	Rural areas of Omagh, Dungannon & South Tyrone and Cookstown Councils	£5000
Community Focus Learning - ReachIT	2010	Ahoghil, Cullybackey, Portglenone, Broughshane, Bellaghy, Maghera, Magherafelt, Kilrea, Toome	£5000
Community Network – Combating Isolation	2010	Rural areas of Coleraine Ballymoney Moyle & Larne Borough Councils	£4667
Cookstown & Western Shores Area Network – Migrant Worker Support Project	2010	Ardboe, Coagh Ballyronan	£5000

Name of project	Year letter of offer issued	Location	Amount
Co. Armagh Community Development Committee Ltd – Tackling Rural Isolation & Poverty in Newtownhamilton	2010	Newtownhamilton and surrounding district	£5000
Creagan Research & Education Service – Rural Empowerment for Carers on Health, Information & Leisure	2010	Carrickmore, Mountfield, Greencastle, Loughmacrory , Sixemilecross	£5000
Dennett Interchange Ltd – Silver Surfers Project	2010	Donemana	£3700
Derg Valley Care Ltd – Chronic Disease	2010	Castlederg, Drumquin, Newtownstewart	£3308
Derg Valley Care Ltd - Carers	2010	Castlederg, Drumquin, Newtownstewart	£3015
Derg Valley Care Ltd – Older People Lifestyle Matters	2010	Castlederg, Drumquin, Newtownstewart	£3034
Down Armagh Rural Transport (DART) – Arts Express	2010	Banbridge, Gilford, Laurencetown, Derrytrasna, Aghagallon, Donaghcloney, Waringstown, Bleary, Portadown, Craigavon, Seapatrick, Rathfriland	£4444
Derry Healthy Cities – Rural Health & Well Being Clinic	2010	Claudy, Dungiven Bready, New Buildings, Donemana	£4975.75
EGSA Connecting Adults with Learning - Lisnaskea realising its Potential	2010	Lisnaskea, Donagh, Newtownbutler & Maguiresbridge	£4980
Erne East Community Partnership Ltd, - Erne East Basic Footcare Service	2010	Roslea, Newtownbutler, Donagh, Brookborough & Lisnaskea	£5000
Fermanagh Womens Aid – Reconnect – Abuse Isolates; Recovery Reconnects	2010	All rural towns & villages in Fermanagh	£4500
Glasgowbury Music Group – Boogie Buddies	2010	Draperstown	£5000
Growing Connection NI – Time out for Carers	2010	Millisle, Kircubbin, Portavogie, Portaferry & Ballywalter	£5000
Hands that Talk – Cooking & Living on a Budget	2010	Dungiven, Claudy, Foreglen, Benedy, Greysteel, Eglinton Cookstown, Dungannon, Maghera, Magherafelt	£4728

Name of project	Year letter of offer issued	Location	Amount
Hands that Talk - Sign Support Network	2010	Dungiven, Claudy, Foreglen, Benedy, Greysteel, Eglinton, Cookstown, Dungannon, Maghera, Magherafelt	4000
Loughgiel Community Association – A project to meet today's computer 's needs	2010	Loughgiel	£5000
National Autistic Society NI – ASD Western Health & Well Being Initiative	2010	Fintona, Owenkillew, Carrickmore, Trillick, Drumquin, Sixmilecross, Drumnakilly, Omagh, Newtownstewart, Strabane, Castlederg	£4956
Niamh Louise Foundation – Creating Positive Attitudes	2010	Rural areas of Dungannon & South Tyrone , Cookstown and Armagh Councils	£5000
RNIB – Work IT Programme	2010	Dungiven & Feeny	£4800
RNIB – Rural Vision, Omagh KMCM	2010	Trillick, Dromore, Drumquin, Clanabogan, Fintona, Sixmilecross, Beragh, Gortin, Killyclogher	£2610
RNIB – Rural Vision Enniskillen	2010	All rural areas of Fermanagh	£3020
Shopmobility Belfast - Try Out Rural Challenge	2010	Crumlin, Ballyclare, Ballynahinch, Hillsborough, Annahilt, Moira, Downpatrick, Portaferry, Comber, Glenarm	£5000
Singing Kettle - Supporting U	2010	Darkley, Keady	£4995
Sixmilecross Enterprise Ltd - Sixmilecross Autumn Years & Befriending Service	2010	Sixmilecross, Beragh, Carrickmore	£5000
Sixmilecross Enterprise Ltd - Sixmilecross Community Youth Club	2010	Sixmilecross, Beragh, Carrickmore	£5000
South Armagh Childcare Consortium - SEEDS	2010	Bessbrook, Camlough, Crossmaglen, Forkhill, Newtownhamilton Silverbridge	£5000
South Tyrone Empowerment Programme (STEP) - Rural Information & Advice Fairs	2010	Rural areas of Dungannon & South Tyrone, Cookstown and Magherafelt District Councils	£5000
South Tyrone Empowerment Programme (STEP) – The Empowerment of the Socially Excluded	2010	Rural areas of Newry & Mourne, Armagh and Dungannon & South Tyrone District Councils.	£4222
St Columbs Park House – Coming in from the Cold	2010	Lettershandoney, Eglinton, Claudy, Drumahoe	£5000

Name of project	Year letter of offer issued	Location	Amount
Strabane & District Community Network – Newtownstewart I.T. Way 2 Work	2010	Newtownstewart, Baronscourt	£4450
Strabane District Playclub – Let us Play	2010	Rural areas of Strabane District Council	£3440
TADA (Tyrone, Armagh, Down & Antrim) Rural Support Network – Growing Success	2010	Rural areas of Craigavon Borough & Banbridge District Councils	£5000
The Cedar Foundation – Active Futures Travel Training Programme	2010	Rural villages & areas in Ballymoney, Moyle & Coleraine District Councils	£5000
The Rural College – Creative Respite for Carers	2010	Rural areas of Magherafelt, Cookstown and Dungannon & South Tyrone District Councils	£4900
The Rural College – Winning New Opportunities	2010	Rural areas around Magherafelt	£5000
Womens Aid – Young Persons Programme	2010	Rural wards of Larne Borough Council	£5000
Glenullin Childcare Ltd - Apple Tree Childcare Centre of Excellence Project	2009/10	Glenullin, County Derry	£95,000
Naiscoil Na Speirini - Childcare Premises Project	2009/10	Draperstown, County Derry	£95,000
Tiny Tots Playgroup - Special Needs Childcare Assistant Project	2009/10	Strathfoyle, County Derry	£16,448.45
Sticky Fingers Early Years Art – Creative Beginnings Childcare Project	2009/10	Rural communities across County Down and Armagh	£48,000
Barnardos - Children First Outreach Service Childcare Project	2009/10	Rural communities from Magherafelt, Cookstown and Omagh	£100,000
Glendurragh Childcare Centre - Outdoor “Indoor” Childcare Play Project	2009/10	Kesh, County Fermanagh	£17,500
ARC Healthy Living Centre – Childcare Shared Services Added Value Initiative	2009/10	Rural communities in County Fermanagh	£76,408
South Armagh Childcare Consortium - S.T.A.R.T. South Armagh Rural enterprise Childcare project	2009/10	Rural communities in the South Armagh area	£96,000

Name of project	Year letter of offer issued	Location	Amount
Glencraig Integrated Children's Centre- Outdoor Play Area Childcare project	2009/10	Hollywood, County Down	£27,200
Carrowdore Early Years Centre- Development of Breakfast Club and Afterschool Club	2009/10	Carrowdore, County Down	£38,855
Eskra Childcare Ltd - Out of School Childcare Service Extension	2009/10	Beragh, Camowen, Fintona, Newtownsaville, Augher, Clogher and, Ballygawley, County Tyrone	£75,386
Positive Futures - Creating Opportunities and Changing Lives Childcare project	2009/10	Strathfoyle, New Buildings and Culmore, County Derry.	£92,699
Laughterland Playgroup- "Towards DENI Accreditation" Childcare project	2009/10	Ballymaguigan, Newbridge and Bellaghy, County Derry	£18, 097.50
Claudy Rural Development Ltd – Renovation of Diamond Centre Children's Facility	2009/10	Claudy, County Derry	£91,000
Northern Ireland Childminding Association - Promoting Accessible Rural Childminding	2009/10	Regional Rural Childcare project	£172,596
Ballykinlar Cross Community Playgroup - Ballykinlar Rural Childcare Project	2009/10	Ballykinlar, County Down	£16,800
Omagh Early Years Centre - Rural Childcare Partnerships project	2009/10	Rural wards within a 10 mile radius of Omagh, County Tyrone	£83,660
Taylorstown Cross Community Complex Ltd – Childcare Service Website project	2009/10	Toomebridge, County Antrim	£2,400
Rainbow Daycare Ltd – Childcare project for provision of a new daycare facility	2009/10	Eglis, County Tyrone	£100,000
Naiscoil Na gCrann - Club larscoile project	2009/10	Rural areas of County Tyrone including Gortin, Carrickmore, Loughmacrory and Drumduff.	£49,230
Beyond the Centre	2010	Aghalee and Rural Areas	£10,000
Translation Business Development – An Carn Translations CIC	2010	All Rural Areas	£13,500
Anahilt Play Group – Modernisation and Extension of Anahilt Playgroup	2010	Anahilt and Rural Area	£10,000

Name of project	Year letter of offer issued	Location	Amount
Autism Work Ventures – Chocolate Business	2010	Belfast	£55,000
Backrow Recreation Centre – Backrow Spinning Project	2009/10	Draperstown and Surrounding Area	£12,150
Carn Media Development Plan – Carn Media Ltd	2009/10	Maghera and Rural Area	£20,000
Castledearg Childcare Services – Steps to Excellence	2010	Castledearg and Rural Areas	£21,729
Castlerock Community Association – Development Project	2010	Castlerock and Rural Areas	£75,000
Claudy Rural Development	2010	Claudy Village and Surrounding Rural Areas	£25,000
Cloughmills Community Association -	2010	Cloughmills and Surrounding Rural Area	£80,000
Countryside Recreation Northern Ireland – Castle Ward Demesne	2010	Within Castle Ward Estate	£234,150
Cushendall Sailing Boat Club – Sailing Championship	2010	Cushendall and Surrounding Area	£4,500
Derg Valley Care – Glass for Life	2010	Strabane District	£180,000
Drumlough Community Centre -	2010	Hillsborough and Rural Area	£5,745
Drumlough Cultural Society	2010	Hillsborough and Rural Area	£9,271.87
Erne and Melvin Enhancement Co LTD	2010	Lough Erne and Surrounding Area	£4,800
Gortnaghey Community Association	2010	Dungiven and Surrounding Area	£29,250
Gran Tots Playing Group	2009/10	Magherafelt, Swatragh	£49,750
Green Elves Playgroup	2010	Omagh	£49,500
International Sheepdog Society – Sheepdog Trials	2010	Antrim and Surrounding Rural Areas	£40,000
Loughgiel Community Association – Sowing Seeds for a Healthy Future	2010	Loughgiel and Surrounding Rural Areas	£127,125
Loughmacrory Community Development Association – Coffee Shop	2010	Loughmacrory and Local Area	£7,000
National Trust – Carrick-a rede	2010	Portrush and Rural area	£50,000
National Trust – Causeway Coastal Route	2010	Portrush and Rural Area	£4,250

Name of project	Year letter of offer issued	Location	Amount
National Trust – Causeway Coastal Route	2010	Cushendun Village	£4,250
National Trust – Causeway Coastal Route	2010	Portrush, Rural area and Glens	£5,250
Niamh Louise Foundation – Suicide and Self harm Awareness for Rural Communities	2010	Rural areas	£5,000
North Down Borough Council – Technical Support	2010	Groomsport	£5,000
RSPB	2010	Portmore Lough	£135,429.84
Sixtowns Plant and Machinery Timber Division	2009/10	Ballinamallard and Rural Areas	£13,875
Soup Stone Productions	2010	Omagh	£37.350
Ulster Gliding Club -	2010	Ballarena, Limavady	£45,930
Your Event Ltd – Party Hire	2010		£6,045

Common Agricultural Policy

Mr G Savage asked the Minister of Agriculture and Rural Development to outline her Department's position on, and input to, the European Commission's proposals to reform the Common Agricultural Policy. **(AQW 369/11)**

Minister of Agriculture and Rural Development: The EU Commission is expected to publish a Communication outlining its thinking on the future of the Common Agricultural Policy in November 2010, followed by legislative proposals in mid 2011. Upon publication of the Commission's paper, my Department will undertake a consultation with stakeholders which will assist in the development of a detailed policy position and response which will be tailored to the position outlined by the Commission.

However, I have already made clear that the CAP needs to be adequately funded, with the Single Farm Payment being maintained, especially given its importance to farmers' incomes. I also wish to see significant simplification with a more proportionate approach being taken to administrative controls and disallowance.

School Milk Programme

Mr G Savage asked the Minister of Agriculture and Rural Development what is the annual cost of administering the school milk programme and the European Union school milk subsidy scheme. **(AQW 370/11)**

Minister of Agriculture and Rural Development: My Department is responsible for administering the EU School Milk Subsidy Scheme in the north of Ireland. The current cost for administering this scheme is approximately £7,000 per annum.

The economical arrangements for delivery through each of the five Education and Library Boards mean that pupils here were charged an average of only 13 pence per serving during the 2008/09 school year.

Translation of Departmental Papers

Mr A Bresland asked the Minister of Agriculture and Rural Development how much her Department spent on the translation of departmental papers into (i) Irish; and (ii) Ulster Scots in (a) 2007/08; (b) 2008/09; and (c) 2009/10.

(AQW 382/11)

Minister of Agriculture and Rural Development: The total costs of translating department papers into (i) Irish and (ii) Ulster-Scots for each of the financial years requested is set out below:-

	Irish	Ulster-Scots
2007 / 08	4,303.75	88.54
2008 / 09	1,805.20	278.95
2009 / 10	2,218.14	1,242.91

Capital Projects in the North Down Area

Mr P Weir asked the Minister of Agriculture and Rural Development for an update on all her Department's capital projects in the North Down area that (i) were commenced or completed in 2010/11; (ii) are planned for 2011/12; and (iii) have been postponed because of budgetary constraints.

(AQW 403/11)

Minister of Agriculture and Rural Development: Three capital projects in the North Down area which are funded by my Department have commenced, or are scheduled for completion, during 2010/11:

1. Glencraig Integrated Children's Centre – funding awarded £27,200
2. Craigantlet Livery Yard – funding awarded £50,000
3. Hollywood Tourist and Business Development – funding awarded £5,491.

In relation to capital grant projects for 2011/12, there are a number of initiatives which either have opened or will shortly open to applicants across the north of Ireland. These include schemes such as Anti Poverty and Social Inclusion, Rural Childcare Programme, the Biomass Processing Challenge Fund as well as the NI Rural Development Programme. The selection panels for those schemes that have opened are due to meet shortly to assess and select the successful applicants. I am therefore not in a position at present to advise whether or not any of the successful applicants will be in the North Down area.

No projects have been postponed because of budgetary constraints.

Brucellosis

Mr F Molloy asked the Minister of Agriculture and Rural Development for an update on the brucellosis outbreak in Lislea and Keady and what is being done to eradicate the disease.

(AQO 165/11)

Minister of Agriculture and Rural Development: We have reduced the herd incidence for Brucellosis from 1.01% in October 2008, to 0.33% in July 2010. But the clusters of disease in Lislea and Keady are holding up the drive towards complete eradication of this disease. Of the 22 confirmed breakdowns in the north in 2010, 17 of these have been in the Keady and Lislea areas.

Update on Keady

Since January 2010, the Armagh Divisional Veterinary Office (DVO) area has had 10 confirmed brucellosis breakdowns, all of which have been in Keady area..

Given (a) the number of abortions in infected herds, (b) the high number of reactors in some of the herds, and (c) the likelihood that infected animals have moved through some herds: it is believed that other herds have been exposed to infection and further breakdowns are expected.

Additional control measures are being employed in the Keady area. These include controls on cattle movements; an increased frequency of herd blood testing; additional bulk milk testing; surveillance of animals at abattoir; and additional Veterinary Service Epidemiology Unit (VEU) visits to investigate the patterns of disease.

To date, all herds with confirmed infection in Keady have been depopulated. A number of herds are being investigated for non-compliance with legislation or the conditions of official notices and have so far not received any compensation payments.

Update on Lislea

Since December 2009, the Newry DVO area has had 11 confirmed brucellosis breakdowns, of which 7 have been near Lislea.

After the dumped foetus incident in late 2009, brucellosis infection was found in 6 further herds in the Lislea area in the early part of this year. It remains to be seen how many more herds were exposed to infection in the area. Lislea has also been subject to additional controls as described for Keady.

A large number of stored and recently taken samples have been analysed and compared with the DNA from the dumped foetus. As yet, no match has been found. Veterinary Service are continuing their investigations in liaison with the PSNI.

The PSNI Chief Constable has agreed to meet me to discuss what more can be done to deal with fraudulent and criminal activity, which is having a severe impact on many innocent, hard-working farm families in those areas. These fraudulent activities are preventing eradication of this disease, which potentially could benefit all farmers from reduced levels of testing.

Rural Development Programme

Mr P Frew asked the Minister of Agriculture and Rural Development to outline the problems faced in relation to funding procedures under the Rural Development Programme, where funding has been awarded but not distributed due to bureaucracy.[R]

(AQO 171/11)

Minister of Agriculture and Rural Development: I am not clear what the Member means by “problems faced in relation to funding procedures”. I suspect that he may be referring to those cases that emerge from time to time in Axis 3 of the Rural Development Programme where an application for grant is supported by the Local Action Group (LAG) but at a later date found to be ineligible for grant aid.

However as I said in my earlier answer on Axis 3, I am very concerned about any issues which could potentially slow up the delivery of this Axis, and my officials will consider anything which might be a blockage to speedy delivery and include that within their report to me which I have asked for as a matter of urgency

Single Farm Payments and Less Favoured Area Schemes

Mr G McHugh asked the Minister of Agriculture and Rural Development how much money has yet to be paid to farmers for Single Farm Payments and environmental schemes in Less Favoured Areas; and to outline the reasons for the delay in these payments.

(AQO 172/11)

Minister of Agriculture and Rural Development: Payments for Single Farm Payment and Agri-environment schemes are not determined by the Less Favoured Land classification and information is not collected on these schemes by land classification.

I will start with Single Farm Payment and then move to deal with agri-environment schemes.

Under the 2009 Single Farm Payment Scheme my Department has finalised 38,316 claims, some 99.1% of all claims, and made payments worth £288.7 million. This leaves 345 claims with a potential

value of £1.7 million that have not yet been finalised. For previous years from 2005 when the scheme began, there are currently a total of 571 claims worth £1.8m as yet unpaid.

These claims have not been finalised for a variety of reasons, including queries on the claims, information awaited from the farmer, challenges by others of the right to claim the land, the need to await probate or because the farmer has not yet provided bank accounts details to allow payments to be made by electronic transfer. Not all the remaining claims will be due a payment either because of ineligibility or the application of penalties under scheme rules.

Turning now to the agri-environment schemes. The Department aims to make all payments for these within twelve weeks of the date of claim. It is estimated that currently £1.3 million or just over 5% of annual scheme expenditure, has not been paid within this timescale for the legacy schemes - Countryside Management Scheme, the Environmentally Sensitive Areas Scheme and the Organic Farming Scheme.

The main reason for this is the high number of map errors on claims. Payments cannot be processed until revisions have been made to these scheme agreements. There are also delayed claims due to ongoing probate cases, and general queries.

For the new Countryside Management Scheme, for which payments of £4.3 million were made, only one case remains to be paid. This amounts to only £1,334.

My Department works to clear all claims as quickly as possible and continues to work towards resolving issues that affect the issue of payments

Pig Farming

Mr P McGlone asked the Minister of Agriculture and Rural Development whether any schemes or funding will be made available to assist pig farmers in the modernisation of rearing and fattening units. **(AQO 173/11)**

Minister of Agriculture and Rural Development: There are at present no schemes or funding, and no plans for such, specifically dedicated to assisting the modernisation of pig fattening and rearing units.

There will, however, be some support for selected items in relation to the pig sector within the overall Farm Modernisation Programme (FMP), tranche two of which I expect to open for applications in the very near future.

I am also seeking to bring forward a third tranche, and this may provide further support measures for the pig sector.

Brazilian Beef

Mr A McQuillan asked the Minister of Agriculture and Rural Development what negotiations she has had with the EU Trade Commissioner about preventing the sale of Brazilian beef in supermarkets. **(AQO 174/11)**

Minister of Agriculture and Rural Development: I have not had any recent discussions with the EU Trade Commissioner Karel De Gucht about Brazilian Beef.

I have however long expressed the view that any beef imports should be of the same standards as is expected of local producers. These imports should be able to satisfy the animal health, welfare and hygiene standards that are currently required by the European Commission.

In order to permit imports the EU imposes stringent conditions on the exporting country to ensure that the imports pose no risk of importing disease. As part of the EU we cannot impose a unilateral ban on such imports and must abide by the Decision of the Commission.

The measures currently in place for imports of beef from Brazil have been taken for disease control purposes and not to protect trade.

Farmers: Compensation

Mr W Irwin asked the Minister of Agriculture and Rural Development whether she has any immediate plans to adequately compensate producers who suffered heavy losses of produce and stock during the extreme weather conditions last winter.

(AQO 175/11)

Minister of Agriculture and Rural Development: As you are aware in an effort to respond to the losses, I submitted a bid in the June and September Monitoring rounds for £1.1 million in respect of hardship payments for farmers who suffered crop and sheep losses as a consequence of this year's severe weather. Unfortunately the bids were unsuccessful.

As you are well aware, I deliberately did not want to raise expectation around funding being made available. The monitoring round bids were considered by the Executive but due to other higher priorities the Executive was not able to meet the bids. I do however intend to rebid for funds in respect of hardship payments in the December monitoring round.

Flooding

Mr C Lyttle asked the Minister of Agriculture and Rural Development what meetings she has had recently with the Minister of the Environment and the Minister for Regional Development in relation to flooding.

(AQO 176/11)

Minister of Agriculture and Rural Development: Whilst there have been no recent specific bilateral meetings between myself and either the Ministers of the Environment or for Regional Development in relation to flooding, such issues have been discussed at Executive meetings. Between December 2009 and August 2010 there have been 5 meetings and events connected with the Fermanagh Flooding Taskforce at which either one or both of the Ministers referred to in the question have attended along with myself. In addition the Minister for Regional Development and I worked together on the launch of phase 1 of the Sullatober Flood Alleviation Scheme in July 2010.

Phytophthora Ramorum

Mr D Kinahan asked the Minister of Agriculture and Rural Development what plans are in place to address the tree disease, Phytophthora Ramorum, and what action her Department is taking to control the spread of the disease.

(AQO 177/11)

Minister of Agriculture and Rural Development: This is the first time that P ramorum has been diagnosed in Japanese larch in the North. Previously this disease was primarily associated with ornamental species, particularly rhododendron. We are currently dealing with six confirmed sites, four in the public forests and two privately owned sites.

The main method for dealing with this disease is to fell the infected trees in conjunction with appropriate Plant Health Control arrangements, such as bio-security measures and strict conditions around the movement of any infected material. Felling has already commenced at the three original infected sites and movement restrictions put in place. Similar arrangements will be required at the three new sites.

The primary means of spread of the pathogen from infected forests is through natural factors of wind and moisture flows. Additionally, the disease can be spread through uncontrolled movement of infected material and on clothing and footwear of people either working in or visiting forests.

Full bio-security containment arrangements are in place at the four Forest Service sites affected and information on preventative measures is provided to visitors at the infected forests. It is normal practice for health and safety reasons to restrict access to areas of forests where clearance operations are ongoing. This has been done. However, other areas of the forests remain open to the public where the risk of contamination from infected material is low.

Inspection and surveillance of all Forest Service Japanese larch sites has been increased. This has included an aerial survey, which was carried out on 20 and 21 September. This revealed a small number of additional sites which will require further investigation.

My Department has instigated its approach to dealing with significant contingency issues within a gold, silver and bronze management structure.

I am committed to staying on top of this developing situation and taking the necessary action to ensure that our woodlands are protected and can continue to provide the environmental, economic, and public access benefits that we all enjoy.

Raves

Mr D Hilditch asked the Minister of Agriculture and Rural Development what steps she is taking to prevent illegal raves being held in our forests.

(AQO 178/11)

Minister of Agriculture and Rural Development: Whilst we are aware of rave parties taking place in our forests from time to time, these are considered to be infrequent. Nevertheless, we take a range of actions to prevent unauthorised vehicular usage of forest roads and any associated activities. These include external access points being closed with steel barriers or gates. All direct employees and contractors are routinely instructed about the need to keep these securely padlocked when not in use. Other forest roads which are not required for operational reasons but may lead to the outside of the forest, will have engineering works carried out to prevent them from being easily used.

In addition, during their visits to forests, our maintenance staff will note any indication of rave and this will be referred to local managers for their attention. Following incidents of rave parties, or other similar anti social activity, action will be taken where possible to try and identify the offenders. Forest Officers from my Department will liaise with relevant agencies, such as the PSNI and Environmental Health Officers from the local authority, and all known information will be passed to them for appropriate action.

Department of Culture, Arts and Leisure

Ulster Camogie Council

Mr D Kennedy asked the Minister of Culture, Arts and Leisure, in light of the Audit Office report into suspected fraud involving the Ulster Camogie Council, who in Sport NI was responsible for the decision not to act on the original offer of information relating to the suspected fraud.

(AQW 321/11)

Minister of Culture, Arts and Leisure (Mr N McCausland): I have been informed by Sport NI that an individual spoke to different officers in Sport NI regarding Ulster Camogie over an extended period of time and that these officers considered the references to suspected fraud to be either Freedom of Information requests or press enquiries and therefore acted within Sport NI's protocols for dealing with such queries. The individual did not provide any documentation supporting allegations of fraud to Sport NI.

In hindsight, Sport NI has accepted that it did not deal with the original offer of information, in accordance with established fraud procedures. Further it takes this matter seriously and will ensure that the recommendations from the various reports into the Ulster Camogie Council are fully implemented.

Ulster Camogie Council

Mr D Kennedy asked the Minister of Culture, Arts and Leisure why the offers of information indicating suspected fraud involving the Ulster Camogie Council are not recorded in the Sport NI Board or Audit Committee minutes.

(AQW 323/11)

Minister of Culture, Arts and Leisure: I have been informed by Sport NI that its officers considered the communications in question to be either press enquiries or Freedom of Information requests and therefore acted in accordance with the relevant Sport NI protocols for dealing with such communications, and as such they were not elevated to its Board or Audit Committee.

Sport NI further informs me that its Board and Audit Committee were informed of Public Accounts Committee concerns in July 2008, that Board and Audit Committee members have been provided with updates in relation to the Ulster Camogie Council investigation and that the issue is a standing item for its Audit Committee.

In hindsight, Sport NI has accepted that it did not deal with the original offer of information, in accordance with established fraud procedures. Further it takes this matter seriously and will ensure that the recommendations from the various reports into the Ulster Camogie Council are fully implemented.

Ulster Camogie Council

Mr D Kennedy asked the Minister of Culture, Arts and Leisure whether Sport NI informed his Department or the Department of Agriculture and Rural Development's Central Investigation Service of offers of information, indicating suspected fraud involving the Ulster Camogie Council, before or during the first investigation into this issue, which ran from November 2008 to December 2009.

(AQW 324/11)

Minister of Culture, Arts and Leisure: I have been informed by Sport NI that it did not inform, nor would it be expected to inform, the Department or DARD Central Investigation Service of what it considered to be either press enquiries or Freedom of Information requests made by the individual in question.

In hindsight, Sport NI has accepted that it did not deal with the original offer of information, in accordance with established fraud procedures. Further it takes this matter seriously and will ensure that the recommendations from the various reports into the Ulster Camogie Council are fully implemented.

Ulster Camogie Council

Mr D Kennedy asked the Minister of Culture, Arts and Leisure why it took Sport NI approximately two years to acknowledge offers of information indicating suspected fraud involving the Ulster Camogie Council.

(AQW 325/11)

Minister of Culture, Arts and Leisure: I have been informed by Sport NI that its officers considered the communications in question to be either press enquiries or Freedom of Information requests and that no documentation supporting allegations of fraud was provided. The investigation into concerns about the Ulster Camogie Council which followed the subsequent receipt of information from a whistleblower, provided to the Public Accounts Committee, took almost two years.

In hindsight, Sport NI has accepted that it did not deal with the original offer of information, in accordance with established fraud procedures. Further it takes this matter seriously and will ensure that the recommendations from the various reports into the Ulster Camogie Council are fully implemented.

Ulster Camogie Council

Mr D Kennedy asked the Minister of Culture, Arts and Leisure when the Chairman of Sport NI became aware of the offers of information indicating suspected fraud involving the Ulster Camogie Council.

(AQW 366/11)

Minister of Culture, Arts and Leisure: I have been informed by Sport NI that its officers considered the communications in question to be either press enquiries or Freedom of Information requests and therefore acted in accordance with the relevant Sport NI protocols for dealing with such communications, and as such they were not notified to its Chairman.

Sport NI has further informed me that its Chairman was informed as soon as it received notice from the Department of the Public Accounts Committee's concerns regarding the Ulster Camogie Council and has been provided with updates in relation to the investigation.

Ulster Camogie Council

Mr D Kennedy asked the Minister of Culture, Arts and Leisure why Sport NI distributed funding in 2004, 2005 and 2006 to the Ulster Camogie Council when the Council had not complied with Sport NI funding policy by failing to produce annual accounts.

(AQW 367/11)

Minister of Culture, Arts and Leisure: I have been informed by Sport NI that it exercised its discretion to waive the requirement relating to the submission of annual accounts to ensure the continued development of the sport and that this was proportionate to the relative risk exposure.

Ulster Camogie Council

Mr D Kennedy asked the Minister of Culture, Arts and Leisure who approved the distribution of funding to the Ulster Camogie Council in (i) 2004; (ii) 2005; and (iii) 2006.

(AQW 368/11)

Minister of Culture, Arts and Leisure: I have been informed by Sport NI that funding to the Ulster Camogie Council in 2004, 2005 and 2006 was awarded under the Investing in Sport, Regional Development Squads and Governing Body Plans. Awards under these programmes were recommended by relevant Sport NI officers and approved by its Board.

Capital Projects in the North Down Area

Mr P Weir asked the Minister of Culture, Arts and Leisure for an update on all his Department's capital projects in the North Down area that (i) were commenced or completed in 2010/11; (ii) are planned for 2011/12; and (iii) have been postponed because of budgetary constraints.

(AQW 404/11)

Minister of Culture, Arts and Leisure: Please see attached tables, (i), (ii), and (iii), which have been prepared to summarise the information.

The information detailed in table (ii) is based on the capital bids submitted to DFP on the 30th July as part of the Budget 2010 process. It will not be known until late December when the Final Budget is published if these capital bids will be met.

(I) CAPITAL PROJECTS IN THE NORTH DOWN AREA THAT WERE COMMENCED OR COMPLETED IN 2010/11.

Name of Project	Status
Cultra Manor	Commenced March 2010 – Completion Date March 2011.
Transport Gallery Refurbishment	Yet to Commence – Completion Date March 2011.
Transport Museum Lighting Upgrade	Yet to Commence – Completion Date March 2011.
Titanic Exhibition	Yet to Commence – Completion Date March 2011.
Hollywood Library – Minor refurbishment & redesign works	Redesign commenced – Completion date March 2011
Sport Northern Ireland - Sport Matters Programme	Capital and Equipment programme (open to all applicants throughout NI including North Down) - applications currently being assessed.

Name of Project	Status
Sport Northern Ireland - Stadia Safety Programme	Urgent Works applications (open to all applicants throughout NI including North Down) - currently being assessed.
50m Pool	Commenced 28th August 2010 – Completion Date June 2012

(II) CAPITAL PROJECTS IN THE NORTH DOWN AREA THAT ARE PLANNED FOR 2011/12

Name of Project
Ulster Folk Museum Cultra – Reinvigoration
Enhancing the Commercial Capacity of Museums (Partly at Cultra)
Investing in the Protection of the Museum Estate (Partly at Cultra)
Sport Matters Community Capital Programme (this programme will be open to all applicants throughout N.Ireland including North Down)

(III) CAPITAL PROJECTS IN THE NORTH DOWN AREA THAT HAVE BEEN POSTPONED BECAUSE OF BUDGETARY CONSTRAINTS.

Name of Capital Projects Postponed for 2010/11	Name of Capital Projects Postponed for 2011/12
None	None

Irish Language Act

Mr B Leonard asked the Minister of Culture, Arts and Leisure whether he is seeking legal advice in relation to the Northern Ireland Human Rights Commission's opinion that his reason for not introducing the Irish Language Act is "not human rights compliant".

(AQW 421/11)

Minister of Culture, Arts and Leisure: I have sought legal advice on this issue. I have been advised that the judgement underlying the opinion put forward by the Northern Ireland Human Rights Commission has no direct relevance to the introduction of an Irish Language Act in Northern Ireland.

Department of Education

Primary School Enrolments

Mr J Spratt asked the Minister of Education to detail the number of pupils enrolled in each primary school in the South Belfast constituency, in each of the last three years

(AQW 371/11)

Minister of Education (Ms C Ruane): Tá an t-eolas a iarradh mionsonraithe sa tábla thíos.

The information requested is detailed in the table below.

PRIMARY SCHOOLS IN THE SOUTH BELFAST CONSTITUENCY – ENROLMENTS 2007/08 – 2009/10

School name	Year		
	2007/08	2008/09	2009/10
Rosetta Primary School	161	177	173
Harding Memorial Primary School	258	227	203
Nettlefield Primary School	271	257	270
Taughmonagh Primary School	191	205	229
Stranmillis Primary School	452	452	459
Finaghy Primary School	405	433	422
Donegall Road Primary School	161	153	144
Fane Street Primary School	173	163	161
Blythefield Primary School	122	94	93
Botanic Primary School	191	215	204
Holy Rosary Primary School	272	276	260
St Anne's Primary School	893	853	820
St Bride's Primary School	852	838	828
St Michael's Primary School	415	417	413
St Malachy's Primary School	263	263	254
Scoil An Droichid	103	125	125
Forge Integrated Primary School	226	223	231
Cranmore Integrated Primary School	193	189	195
Fullerton House Preparatory School	240	221	217
Downey House School	233	229	208
Inchmarlo	172	173	191
Victoria College	136	138	135
Newtownbreda Primary School	121	78	0
Knockbreda Primary School	131	136	168
Belvoir Park Primary School	290	281	268
Cairnshill Primary School	507	490	504
Lead Hill Primary School	143	125	116
Carryduff Primary School	165	164	167
St Joseph's Primary School	452	440	444
St Bernard's Primary School	394	393	400
St Ita's Primary School	427	449	479
Loughview Integrated Primary School	433	419	421

Source: School census.

Note:

Figures include children in nursery, reception and year 1 – 7 classes.

The schools have been selected using the most recent constituency boundaries.

Figures include preparatory departments for grammar schools.

Teaching Posts

Mr K Robinson asked the Minister of Education, for each the last five years, to detail the number of (i) primary-trained female graduates; (ii) primary-trained male graduates; (iii) secondary-trained female graduates; and (iv) secondary-trained male graduates who were unable to secure a permanent full-time teaching post after graduating from universities in Northern Ireland.

(AQW 385/11)

Minister of Education: Tá an t-eolas a iarradh mionsonraithe sa tábla thíos.

The information requested is detailed in the table below.

Year	All NI Graduates	Graduates not in Permanent Employment			
		Female		Male	
		Primary	Post-Primary	Primary	Post-Primary
2004/05	792	65	86	10	23
2005/06	816	90	104	14	25
2006/07	807	125	127	15	46
2007/08	805	208	127	18	48
2008/09	735	232	126	21	63

School Milk Scheme

Mr G Savage asked the Minister of Education to detail the annual cost to (i) her Department; and (ii) each Education and Library Board of administering the School Milk scheme and the relevant European subsidy, in each of the last three years.

(AQW 396/11)

Minister of Education: Níl aon chostas a bhaineann don Roinn Oideachais i dtaca le Scéim Bainne Scoile an AE agus leis an fhóirdheontas Eorpach a riar mar tá an Scéim de fhreagracht ar an Roinn Talmhaíochta agus Forbartha Tuaithe.

There is no cost to the Department of Education in relation to administering the EU School Milk Scheme and European subsidy as the Scheme is the responsibility of the Department of Agriculture and Rural Development.

The cost to each Education and Library Board of administering the Scheme and Subsidy in each of the last three years is as follows:

ELB	2007/08	2008/09	2009/10
BELB*	£20,933	£19,430	£18,722
NEELB*	£10,692	£11,470	£11,533

ELB	2007/08	2008/09	2009/10
SEELB [^]	£6,095	£6,291	£6,224
SELB [*]	£19,282	£20,212	£20,532
WELB [^]	£17,696	£36,606	£34,564

* Financial year figures

[^] Academic year figures

Education and Library Boards, in the main, recoup their administration costs in the price charged for school milk. Administration costs are not a significant factor in the overall price charged to pupils.

Capital Projects in the North Down Area

Mr P Weir asked the Minister of Education for an update on all her Department's capital projects in the North Down area that (i) were commenced or completed in 2010/11; (ii) are planned for 2011/12; and (iii) have been postponed because of budgetary constraints.

(AQW 402/11)

Minister of Education: Níor tosaíodh agus níor cuireadh i gcrích aon tionscadail ollchaipitil i limistéar an Dúin Thuaidh sa bhliain airgeadais 2010/11.

There have been no major capital projects commenced or completed in the North Down area in the 2010/11 financial year.

Additional funding was, however, made available in August 2010 which should allow work to commence on the new school building for Bangor Grammar School in the current financial year. Planning of the project is complete and work on the tendering process is well advanced. Based on the current programme it is estimated that construction work will start on site in January 2011.

In relation to minor capital projects, the following works have been started or completed in 2010/11.

School	Project	
St Columbanus College	Special needs adaptations	Commenced
Kilmaine P.S.	Structured play area	Completed
Hollywood P.S.	DDA works	Completed

In addition to these works the South Eastern Education and Library Board propose to undertake Fire Risk Assessment works at Bangor Central Integrated P.S., Clondeboyne P.S., Glencraig P.S. and Priory College in the 2010/11 financial year.

My Department currently has four major capital projects from the North Down area recorded in the Investment Delivery Plan. Priory College, Hollywood / Redburn Primary School, Hollywood Nursery School and St Columbanus College, Bangor. It is the intention, subject to the resolution of any outstanding issues, to progress with these projects. However, the timing as to when these projects might commence can only be considered when the capital budget position for the coming years has been determined by the Executive. As such I cannot say if any of the four major projects from the North Down area will commence in 2011/12.

I will continue to press the case with the Executive for significant capital funds for the schools estate.

Private Bus Operators Servicing School Routes

Mr A Ross asked the Minister of Education how many private bus operators service school routes; and to outline the safety checks conducted on private operators.

(AQW 437/11)

Minister of Education: Chuir na Boird Oideachais agus Leabharlann in iúl dom go bhfuil 113 Oibreoir Fruilithe Príobháideach Mionbhus agus Cóistí ar bhealaigh scoileanna. Déanann boird na bearta sábháilteachta seo a leanas ar oibreoirí príobháideacha:-

I have been advised by the Education and Library Boards that there are 113 Private Hire Minibus and Coach Operators on school routes. Boards undertake the following safety actions on private operators:-

- Work in partnership with DOE Enforcement Agency in relation to periodic joint school transport inspections;
- Undertake Private Operator checks annually to ensure licensing and tender requirements are being met;
- engaged in ongoing random checks on contracted Private Hire Operators to ensure licensing and tender requirements are being met; and
- Provide annual guidance to all schools regarding the hiring of Private Operators for school educational visits.

These include checking details of vehicle insurance and licence; driver licence; and operator licence. Also all private hire drivers undergo AccessNI checks.

Beechfield Primary School

Ms D Purvis asked the Minister of Education what consultation has taken place with the governors and staff at Beechfield Primary School in relation to the proposed closure of the school; (ii) how her Department intends to support the school during this time; and (iii) when she expects to sign off the proposal to close the school.

(AQW 508/11)

Minister of Education: Is faoi Bhord Oideachais agus Leabharlann Bhéal Feirste (BOLBF) atá an ceanglas reachtúil i leith comhairliúcháin i dtaca le dúnadh beartaithe Beechfield Primary School. Sholáthar BOLBF an liosta thíos ina bhfuil sonraí ar fáil ar gach cruinniú a tionóladh leis an phríomhoide, le Bord na nGobharnóirí, leis an fhoireann (an fhoireann teagaisc agus an fhoireann neamhtheagaisc araon) agus leis na tuismitheoirí ar shaincheist an dúnta.

The statutory requirement for consultation in relation to the proposed closure of Beechfield Primary School lies with the Belfast Education and Library Board (BELB). BELB has provided the list below, which details all meetings held with the Principal, Board of Governors, staff (teaching and non teaching) and parents on the issue of closure.

BELB's Consultation with Beechfield Primary School

- 1 April 2010: representatives from BELB met with the principal to discuss the process of school closure;
- 20 April 2010: BELB representatives held a follow-up meeting with the Principal;
- 14 May 2010: BELB representatives met with the Board of Governors to discuss the development proposal;
- 18 May 2010: BELB representatives met with the staff, (teaching and non-teaching);
- 18 May 2010: BELB representatives met with the parents to discuss the proposal;
- 8 June 2010: BELB Human Resources staff met with the teaching and non-teaching staff;

- BELB's link officer for the school met with the principal, the staff and the parents on the following dates:
14, 18, 19, 20, 21, 24, 26, 28 May 2010
1, 3, 4, 9, 15, 23, 28 June 2010; and
 - During this period all parents were interviewed to help with the transition of their children to other schools.
- (ii) BELB is responsible for providing support to the school and has confirmed that support has been on-going from the start of this term. BELB officials met with the principal and chair of the Board of Governors on 7 September 2010 and this was followed by further visits on the 10 and 15 September 2010. Further support will also be provided now that I have made my decision on the development proposal.
- (iii) I have recently made my decision approving the development proposal to close Beechfield Primary School and the Belfast Education and Library Board and the school have been informed accordingly.

Redundancies Among Teaching and Non-teaching Staff

Mr M Storey asked the Minister of Education whether her Department has calculated the possible level of redundancies among teaching and non-teaching staff during the 2010-2015 Budget period.

(AQW 526/11)

Minister of Education: Pléitear aon iomarcaíochtaí féideartha ar bith trasna na hearnála oideachais nuair a dhéanann an Coiste Feidhmiúcháin cinntí ar aon ghearrthacha i mbuiséid Roinne. Creidim go bhfuil sé róluath a bheith ag tuairimiú sonraí ar choigiltí sula bhforbrófar obair a thionscain an Coiste Feidhmiúcháin le linn a shosa agus sula dtabharfar obair chomhthreomhar ar Chlár nua um Rialtas ar aghaidh.

Any potential redundancies across the education sector will be considered once the Executive have made decisions in respect of any cuts in Departmental budgets. I believe that it is premature to speculate details on savings before work initiated by the Executive on its away day is progressed and parallel work on a new Programme for Government is taken forward.

I am keen that any reductions to education services agreed by the Executive will be applied in a way that protects frontline services as far as possible. I recognise that there will be difficult decisions to be made in this Budget process but I am very clear about the critical need to invest in education. The economic argument for this is clear. We must raise standards, invest in skills and employability if we are to flourish economically. These are the arguments I have been making, and which are being accepted, in the Executive Sub Committee on the economy which is taking forward the work of Richard Barnett in his report.

The Executive will be looking at all options to protect public services as much as possible. We need to look seriously at reducing bureaucracy and the number of public bodies. In this context it is difficult to understand why my proposal to set up ESA and abolish nine bodies and make significant savings is being delayed rather than accelerated.

South Eastern Education and Library Board

Mr P Weir asked the Minister of Education why the South Eastern Education and Library Board has no policy in place to deal with the misuse of the internet by employees who work with children.

(AQW 533/11)

Minister of Education: Chuir Príomhfheidhmeannach Bhord Oideachais agus Leabharlann an Oirdheisciirt in iúl dom go leagtar amach sa 'Pholasáí um Úsáid an Idirlín agus R-phoist' an polasaí i dtaca le húsáid na n-áiseanna Idirlín agus R-phoist ar acmhainní Teicneolaíochta Faisnéise agus Cumarsáide (TFC) an Bhoird.

I have been advised by the Chief Executive of the South Eastern Education and Library Board that the 'Internet and E-mail Usage Policy', outlines the policy in relation to the use of Internet and E-mail facilities on the Board's Information and Communications Technology (ICT) resources.

The policy applies not only to all Board staff and others given permission to use the Board's resources to access Internet or E-mail facilities but also to the use of non-Board equipment or facilities (including personal ICT equipment at home or elsewhere) for the discharge of official business, for example, work related research or working from home.

I have also been advised that each school has their own individual policy for Internet and E-mail Usage.

Failure to comply with the requirements of these policies may result in staff receiving disciplinary action – including dismissal.

Education and Library Board Employees

Mr P Weir asked the Minister of Education to outline the policies in place within each Education and Library Board to deal with the misuse of the internet by employees.

(AQW 534/11)

Minister of Education: Chuir Príomhfheidhmeannaigh na mBord Oideachais agus Leabharlann in iúl dom go leagtar amach sa 'Pholasaí um Úsáid an Idirlín agus R-phoist' an polasaí i dtaca le húsáid na n-áiseanna idirlín agus r-phoist ar acmhainní Teicneolaíochta Faisnéise agus Cumarsáide (TFC) an Bhoird. Aontaíodh ar an Pholasaí seo tríd an Chomhchomhairle Idirbheartaíochta agus cuireadh i bhfeidhm é ar bhonn cúig Bhord.

I have been advised by the Chief Executives of the Education and Library Boards that the 'Internet and E-mail Usage Policy', outlines the policy in relation to the use of Internet and E-mail facilities on the Board's Information and Communications Technology (ICT) resources. This policy was agreed through the Joint Negotiating Council and has been implemented on a five Board basis.

The policy applies not only to all Board staff and others given permission to use the Board's resources to access Internet or E-mail facilities but also to the use of non-Board equipment or facilities (including personal ICT equipment at home or elsewhere) for the discharge of official business, for example, work related research or working from home.

Failure to comply with the requirements of the policy may result in staff receiving disciplinary action – including dismissal.

For your information, I have arranged for a copy of the 'Internet and E-mail Usage Policy' to be placed in the Assembly Library.

Primary School Enrolments

Mr S Moutray asked the Minister of Education to detail the number of pupils enrolled in each primary school in the Upper Bann constituency, in each of the last three years.

(AQW 560/11)

Minister of Education: Tá an freagra sa tábla thíos. Níl eolas don scoilbhliain 2010//11 ar fáil go fóill. Tá eolas soláthraithe, mar sin, do na scoilbhlianta 2007/08 – 2009/10.

The answer is contained in the table below. Information for the 2010/11 school year is not yet available. Information for the 2007/08 – 2009/10 school years has therefore been provided.

PRIMARY SCHOOL ENROLMENTS IN THE UPPER BANN CONSTITUENCY – 2007/08 – 2009/10

School name	Year		
	2007/08	2008/09	2009/10
Abercorn Primary School	359	348	323
Ballydown Primary School	328	333	332
Ballyoran Primary School	269	254	236
Birches Primary School	77	90	101
Bleary Primary School	83	75	66
Bocombra Primary School	264	270	277
Bridge Integrated Primary School	407	409	409
Carrick Primary School	353	326	331
Craigavon Primary School	110	107	111
Dickson Primary School	144	146	159
Donacloney Primary School	218	220	230
Drumgor Primary School	245	234	217
Edenderry Primary School	336	330	326
Edenderry Primary School	421	407	404
Hart Memorial Primary School	308	305	290
King's Park Primary School	590	586	594
Lurgan Model Primary School	192	187	180
Maralin Village Primary School	221	238	245
Millington Primary School	557	558	558
Milltown Primary School	62	49	54
Moyallon Primary School	164	172	175
Portadown Integrated Primary School	228	234	233
Presentation Primary School	152	183	199
Rich Mount Primary School	102	98	95
Scarva Primary School	65	51	49
Seagoe Primary School	276	272	283
St Anthony's Primary School, Craigavon	534	532	542
St Brendan's Primary School, Craigavon	391	404	387
St Colman's (Bann) Primary School	90	89	85
St Francis' Primary School , Aghderg	141	132	126
St Francis Primary School, Lurgan	762	774	766
St John the Baptist Primary School, Portadown	375	360	363

School name	Year		
	2007/08	2008/09	2009/10
St John's Primary School, Gilford	128	121	130
St Mary's Primary School, Banbridge	392	383	386
St Mary's Primary School, Derrymore	124	131	141
St Mary's Primary School, Derrytrasna	70	74	89
St Mary's Primary School, Maghery	75	74	80
St Patrick's Primary School, Aghacommon	246	246	232
St Patrick's Primary School, Derrynaseer	104	98	87
St Patrick's Primary School, Magheralin	105	116	119
St Teresa's Primary School, Lurgan	209	180	182
Tannaghmore Primary School	691	678	646
Tullygally Primary School	155	144	141
Waringstown Primary School	381	377	384

Source: School census

Note:

- 1 Primary school enrolment figures include nursery, reception and year 1 – 7 classes.
- 2 The schools above have been selected using the most recent constituency boundaries.

School Building Budget

Mr S Moutray asked the Minister of Education, in relation to the underspend in the school building budget, which schools in each constituency were ear-marked for, but did not receive, funding in each of the last three years; and where this funding was allocated.

(AQW 561/11)

Minister of Education: Sa bhliain 2009/10 ní raibh aon chaiteachas gannchaite i mbuiséad deireanach caipitil na Roinne. Ní chuirtear cistiú in áirithe d'aon tionscadal aonair ar bith. Ní féidir tionscadail a fhaomhadh le haghaidh tógála ach i gcásanna inar cuireadh cás gnó isteach a léiríonn go bhfuil sé cost-éifeachtúil, go bhfuarthas cead pleanála agus gur críochnaíodh an próiseas deartha. Ina dhiaidh sin, d'fhéadfadh sé dul ar aghaidh dá mbeadh cistiú caipitil ar fáil chun an tionscadal a fhorbairt.

In 2009/10 there was no under-spend in the Department's final capital budget. Funding is not earmarked for any individual project. Projects can only be approved for construction when they have submitted a business case demonstrating value for money, successfully secured planning permission, completed the design process and, at that point, proceed if capital funding is available to take the project forward.

Primary School Enrolments

Mr M Storey asked the Minister of Education to detail the number of pupils enrolled in each primary school in the North Antrim area, in each of the last three years.

(AQW 588/11)

Minister of Education: Tá an freagra sa tábla thíos. Níl eolas don scoilbhliain 2010//11 ar fáil go fóill. Tá eolas soláthraithe, mar sin, do na scoilbhlianta 2007/08 – 2009/10.

The answer is contained in the table below. Information for the 2010/11 school year is not yet available. Information for the 2007/08 – 2009/10 school years has therefore been provided.

PRIMARY SCHOOL ENROLMENTS IN THE NORTH ANTRIM CONSTITUENCY – 2007/08 – 2009/10

School name	Year		
	2007/08	2008/09	2009/10
Armoy Primary School	50	53	51
Ballee Primary School	73	61	40
Ballycastle Integrated Primary School	125	129	138
Ballykeel Primary School	319	320	344
Ballymena Primary School	360	336	330
Ballymoney Primary School	296	253	283
Balnamore Primary School	89	93	87
Barnish Primary School	91	85	80
Braid Primary School	23	18	20
Braidside Integrated Primary School	357	371	361
Broughshane Primary School	315	313	326
Buick Memorial Primary School	375	359	354
Bushmills Primary School	107	106	112
Bushvalley Primary School	156	154	152
Camphill Primary School	352	357	360
Carnaghts Primary School	106	92	97
Carniny Primary School	245	257	260
Carrowreagh Primary School	77	81	75
Clough Primary School	152	155	161
Cloughmills Primary School	44	40	42
Dalriada School	146	144	125
Dunclug Primary School	120	108	90
Dunseverick Primary School	140	141	137
Eden Primary School	93	83	84
Fourtowns Primary School	227	219	218
Gaelscoil an Chaistil	75	77	82
Garryduff Primary School	64	59	66
Glenravel Primary School	143	143	149
Gracehill Primary School	439	434	431
Harryville Primary School	129	113	101

School name	Year		
	2007/08	2008/09	2009/10
Hazelbank Primary School	100	96	95
Kells & Connor Primary School	186	177	181
Kilmoye Primary School	132	126	118
Kirkinriola Primary School	89	99	105
Knockahollet Primary School	81	84	85
Landhead Primary School	48	46	51
Leaney Primary School	321	318	314
Lislagan Primary School	94	99	103
Longstone Primary School	57	58	49
Millquarter Primary School	115	124	139
Moorfields Primary School	216	218	214
Portglenone Primary School	151	144	125
Rasharkin Primary School	62	63	65
St Anne's Primary School, Corkey	75	70	75
St Brigid's Primary School, Ballymena	308	311	321
St Brigid's Primary School, Ballymoney	194	188	186
St Brigid's Primary School, Cloughmills	88	74	73
St Colmcille's Primary School, Ballymena	327	321	313
St Joseph's Primary School, Ahoghill	18	NA	NA
St Joseph's Primary School, Dunloy	305	308	315
St Mary's Primary School, Glenravel	78	75	74
St Mary's Primary School, Portglenone	217	211	208
St Mary's Primary School, Rathlin	4	4	6
St Olcan's Primary School, Armoy	53	49	50
St Patrick's & St Brigid's PS, Ballycastle	411	411	367
St Patrick's Primary School, Aughercloney	5	NA	NA
St Patrick's Primary School, Loughguile	194	195	195
St Patrick's Primary School, Rasharkin	228	212	207
St Paul's Primary School, Ahoghill	NA	27	30
Straidbilly Primary School	87	86	93
The Diamond Primary School	116	119	130
The Wm Pinkerton Memorial Primary School	73	72	73

School name	Year		
	2007/08	2008/09	2009/10
Tildarg Primary School	67	73	69

Source: School census

Note:

- 1 Primary school enrolment figures include nursery, reception and year 1 – 7 classes.
- 2 The schools above have been selected using the most recent constituency boundaries.

Preschool Places

Mr M Storey asked the Minister of Education how much of the £1.3 million allocated to address the shortage of 1,200 pre-school places was released (i) in total; and (ii) to each Education and Library Board.

(AQW 605/11)

Minister of Education: Ar 20 Bealtaine, d'fhógair mé, d'fhonn a chinntiú go dtairgfí áit mhaoinithe réamhscoile do gach páiste, dá mba rud é gurbh fhéidir, go gcuirfí cistiú breise de suas go dtí £1.3 milliún ar fáil chun timpeall 1,200 áit bhreise réamhscoile a mhaoiniú san earnáil phríobháideach/dheonach. Leithdháileadh acmhainní breise de £1.283 milliún ar na 5 Bhord Oideachais agus Leabharlann mar a leanas:-

On 20 May I announced that, in order to ensure that, where possible, every child would be offered a funded pre-school place, additional funding of up to £1.3 million would be made available to fund around 1,200 more pre-school places in the private/voluntary sector. Additional resources totalling £1.283 million were allocated to the 5 Education and Library Boards as follows:-

	£k
BELB	£263
WELB	£176
NEELB	£196
SEELB	£329
SELB	£319

Each Education and Library Board's Pre-school Education Advisory Group (PEAG) allocated additional places to those settings in their area which had spare capacity and unplaced children seeking a funded pre-school place. A number of providers were also brought into the Programme for the first time. However as places are claimed monthly in arrears the actual uptake of these places will not be available until the September claims are received, collated and verified by the Education and Library Boards. I will write to the member with the other information he has requested as soon as it becomes available

Preschool Places

Mr M Storey asked the Minister of Education which private and voluntary groups were successful in their application for funding from the £1.3 million allocated to address the shortage of 1,200 pre-school places.

(AQW 606/11)

Minister of Education: Ar 20 Bealtaine, d'fhógair mé, d'fhonn a chinntiú go dtairgfí áit mhaoinithe réamhscoile do gach páiste, dá mba rud é gurbh fhéidir, go gcuirfí cistiú breise de suas go dtí £1.3 milliún ar fáil chun timpeall 1,200 áit bhreise réamhscoile a mhaoiniú san earnáil phríobháideach/

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Preschool Places

Mr M Storey asked the Minister of Education how many children (i) received a pre-school place; and (ii) remain without a pre-school place, following the allocation of £1.3 million to address the shortage of pre-school places (a) in total; and (b) in each Education and Library Board area.

(AQW 609/11)

Minister of Education: Ar 20 Bealtaine, d'fhógair mé, d'fhonea a chinntiú go dtairgfí áit mhaoinithe réamhscoile do gach páiste, dá mba rud é gurbh fhéidir, go gcuirfí cistiú breise de suas go dtí £1.3 milliún ar fáil chun timpeall 1,200 áit bhreise réamhscoile a mhaoiniú san earnáil phríobháideach/dheonach. Leithdháileadh acmhainní breise de £1.283 milliún ar na 5 Bhord Oideachais agus Leabharlann mar a leanas:-

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available until the September claims are received, collated and verified by the Education and Library Boards. I will write to the member with the other information he has requested as soon as it becomes available

Curriculum Support Service

Mr D Bradley asked the Minister of Education for her assessment of the progress of convergence plans for the Education and Library Boards; and to detail the role of the Curriculum Support Service under these plans.

(AQW 628/11)

Minister of Education: Is é is aidhm don choinbhéirseacht coigiltí a chur i bhfeidhm laistigh den earnáil oideachais, le linn bheith ag cosaint seirbhísí túslíne, agus tá obair shuntasach ar siúl chun tacú leis an aidhm seo.

The aim of convergence is to effect savings within the education sector while protecting frontline services and considerable work is underway in support of this aim.

To this end, the Programme Management Board (PMB) was established in July and has held two meetings to date. Meetings with the Chief Executives of the Education and Library Boards are also being held regularly. At these meetings, a range of options has been considered regarding a number of services with potential for convergence and these options will be developed further in the coming months.

Department for Employment and Learning

Concessionary Fees for People over 60

Ms A Lo asked the Minister for Employment and Learning, following clarification from the European Union in relation to age discrimination, what action he intends to take to encourage Further Education Colleges to reinstate concessionary fees for people aged 60 and over.

(AQW 183/11)

Minister for Employment and Learning (Sir Reg Empey): All six Colleges continue to offer concessionary fees to individuals, including older people, on a means tested basis, which reflects learners' ability to pay. Additionally, mechanisms to increase take up of means tested concessionary fees by older people have recently been put in place by colleges. Eligibility for concessionary fees has now been significantly broadened by including rate relief as a means - testing criterion. Analysis of interim statistical data for the 2009/10 academic year suggests there has been an increase in those aged 60+ enrolled on Professional and Technical and Hobby and Leisure courses in the Northern Ireland Further Education Sector from the previous year – 13,133 in comparison to 12,806.

The Commission's response, that age based concessionary fees may be potentially permissible through 'objective justification', as set out in Article 6 of European Directive 2000/78/EC, aligns with the Department's interpretation. Whilst the Directive permits differences in treatment on the basis of age alone, such treatment must however be objectively justified by a 'legitimate aim', and the means of achieving that aim must be 'appropriate' and 'necessary'. Regrettably, the Commission's response did not present any new dimension to this issue.

Finally, you can be assured of both my Department and the FE Sector's commitment to continue to explore this issue with OFMDFM and the Older People's Advocate, to seek to address the unintended consequence of this legislation, subject to the ongoing discussions with regard to the budgetary position of FE Colleges in the forthcoming CSR round.

Not in Education, Employment or Training

Ms S Ramsey asked the Minister for Employment and Learning how many people aged between (i) 14-16; and (ii) 17-25 are Not in Education, Employment or Training in the West Belfast constituency.
(AQW 282/11)

Minister for Employment and Learning: The Labour Force Survey (LFS) is the usual source of information on those persons who are not in education, employment or training. However, this survey can not be used to provide an estimate for those aged 14 to 16, as LFS respondents, aged under 16, are not asked the survey questions relating to employment or educational status.

It is also not possible to provide the requested estimate for 17-25 year olds in the West Belfast constituency, as the LFS sample size and design does not support the production of sufficiently reliable estimates of this type at constituency level.

For information, LFS estimates for the period April – June 2010 show that 45,000 persons aged 17-25 in Northern Ireland, as a whole, are not in employment, full-time education or Government supported training schemes. It should be noted that estimates are only available for those in full-time education and figures exclude those in part-time education or training.

As part of our current proposals for taking forward work on NEETs we will be examining how we might improve information gathering systems for the future.

Graduate Debt

Mr J Craig asked the Minister for Employment and Learning what is the average debt owed by a graduate following university or further study.
(AQW 287/11)

Minister for Employment and Learning: The most recent statistics from the Student Loans Company for Income Contingent Repayment Loans indicate the average debt owed by Northern Ireland domiciled Higher Education students is £12,700.

Establishment Costs and Funding for Groups

Mr C Lyttle asked the Minister for Employment and Learning how much his Department has spent on the initial establishment costs and funding in each of the last two years for (a) the Six Workforce Development Forums; (b) the network of sector Skills Councils and the Sector Skills Alliance; (c) the Northern Ireland Employment and Skills Advisory Group; (d) Future Skills Action Groups; and (e) the six Further Education Business Development Units.
(AQW 343/11)

Minister for Employment and Learning: The information you request is set out in the tables below:

(A) THE SIX WORKFORCE DEVELOPMENT FORUMS (WDFS)

	Initial establishment costs	Total funding 2008-09	Total funding 2009-10
WDF #1	£0	£0	£1,496
WDF #2	£0	£0	£3,884
WDF #3	£0	£0	£0
WDF #4	£0	£0	£3,659
WDF #5	£0	£0	£2,510
WDF #6	£0	£0	£3,616

	Initial establishment costs	Total funding 2008-09	Total funding 2009-10
Total of all 6 Workforce Development Forums	£0	£0	£15,165

B) THE NETWORK OF SECTOR SKILLS COUNCILS AND THE SECTOR SKILLS ALLIANCE

Network of Sector Skills Councils	£0	£976,935 (47)*	£1,466,936 (60)**
Sector Skills Alliance	£0	£76,000	£212,000

* Figures represent the number of SSC NI Specific projects funded by Sectoral Development Branch.

** Alliance of SSC figures were paid to allow the Alliance to complete NI-specific work.

C) THE NORTHERN IRELAND EMPLOYMENT AND SKILLS ADVISORY GROUP

Ni Employment and Skills Advisory Group	£0	£0	£18,340
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D) FUTURE SKILLS ACTION GROUPS

Future Skills Action Group (FSAG) ICT	£0	£1,430,000*	£227,000**
FSAG Hospitality and Tourism	£0	£0	£140,000**
FSAG Financial Services	£0	£0	£0
Total of all Future Skills Action Groups	£0	£1,430,000	£367,000

* This figure includes £1.1 m spent on the Software Professional Course (SPC) – in respect of Cohorts 3 & 4, training a total of 107 participants and providing a training allowance of £120 per week over 39 weeks for 97 participants on Cohort 4. SPC was delivered in response to industry demands to increase the number of software professionals.

** These figures cover the cost of a number of specific projects, identified by the FSAG to help address skills needs in the sector.

E) THE SIX FURTHER EDUCATION BUSINESS DEVELOPMENT UNITS

Further Education Business Development Units	N/A*	N/A*	N/A*
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* My Department has not provided any direct funding to the six Further Education Colleges to establish their Business Development Units, nor has it provided any direct funding for the purposes of supporting their continuing activity.

Each College has put in place arrangements for economic engagement activity to meet the specific needs of businesses in their local area. All such activity is funded through Recurrent Block Grant allocations, which are based on specific student enrolment criteria.

‘Made Not Born’ Campaign

Mr C Lyttle asked the Minister for Employment and Learning to detail the total spending, to date, on the ‘Made Not Born’ campaign.

(AQW 344/11)

Minister for Employment and Learning: The Made Not Born campaign, which commenced in Autumn 2009, has played a vital role in raising the profile of management and leadership development issues, particularly for small and medium sized enterprises.

My Department has spent £152,071.66 on the Made Not Born campaign to date. A detailed breakdown of expenditure can be found below:

Regional Roadshows: October 09 – December 09	£51,768.66
Event Management and PR Costs: October 09 – December 09	£15,260.07
Regional Roadshows/ Masterclasses: January 10 – March 10	£46,608.40
Event Management and PR Costs: January 10 – March 10	£24,164.02
Design and Print Costs	£14,270.51

During 2009/10, the campaign comprised 10 province-wide Roadshows with expert speakers on key leadership and management themes and local speakers who have participated on DEL programmes; 3 Masterclasses on Management and Leadership issues; regular publications showcasing best practice and successes; and a dedicated “Made Not Born” area of the DEL website with more information and advice.

Feedback has been very encouraging to date. More than 600 local small and medium sized enterprises attended the Roadshows, and a further 200 attended the Masterclasses, where they had an opportunity to learn more about the benefits of effective leadership. The Made not Born website recorded more than 15,000 unique visitors within four months and 250 members have signed up to the Made not Born LinkedIn business-oriented social networking group.

The campaign is continuing during 2010/2011 and launches again on Wednesday 29 September 2010 with a series of further regional Roadshows and Masterclasses.

Essential Skills

Mr C Lyttle asked the Minister for Employment and Learning to detail (i) the annual funding of essential skills provision within the further education sector; (ii) the number of participants; and (iii) the number of essential skills qualifications achieved in (a) 2007/08; (b) 2008/09; (c) 2009/10; and (d) 2010 to date.

(AQW 347/11)

Minister for Employment and Learning:

(I) ESSENTIAL SKILLS FUNDING ALLOCATION (FINANCIAL YEAR) FROM 2007/08 TO 2010/11

	2007/08	2008/09	2009/10	2010/11
Total	£ 4,986,498	£ 6,553,800	£ 8,306,100	£ 9,921,879

(ii) & (iii)

The number of participants and the number of essential skills qualifications achieved in (a) 2007/08; (b) 2008/09; (c) 2009/10; and (d) 2010 to date, are detailed in the table below.

Financial Year	Enrolments ¹	Qualifications ²
1 April 2007 - 31 March 2008	25,940	12,463
1 April 2008 - 31 March 2009	34,879	15,521
1 April 2009 - 31 March 2010 ³	41,124	19,250

Financial Year	Enrolments ¹	Qualifications ²
1 April 2010 - 31 August 2010 ³	N/A ⁴	14,081
Total	101,943	61,315

In providing the enrolment and qualification data, it should be noted that the latter may be attained either in the year of enrolment or later, and as such enrolments and qualifications each year do not correlate directly.

Sources:

Enrolment figures – Essential Skills enrolment return

Qualifications figures – Awarding Bodies data

Notes:

- 1 Enrolment figures are correct as at 11th February 2010.
- 2 Qualification figures are correct as at 31st August 2010.
- 3 Enrolment and Qualification figures for 2009/10 and 2010/2011 are provisional and therefore subject to change. The enrolment data is principally derived from the further education colleges and the full validated data set is not currently available.
- 4 The provisional enrolment data for the year to date will be available in November 2010 and the Department will issue a revised written response to the Member at that time.

Funding Allocated to Third-Level Colleges

Mr P Weir asked the Minister for Employment and Learning to detail the level of funding allocated by his Department to each third level college, in each of the last five years.

(AQW 374/11)

Minister for Employment and Learning: Recurrent block grant funding to the Higher Education Institutions and to Further Education Colleges is allocated annually on an academic year basis. The funding allocated by the Department to each Higher Education Institution and Further Education College, in each of the last five years is detailed in Table 1 below. The figures for the Higher Education Institutions include funding for initiatives which are not covered by their recurrent block grant.

TABLE 1

Higher Education Institution	2006/07 £'000	2007/08 £'000	2008/09 £'000	2009/10 £'000	2010/11 £'000
Queen's University	99,286	102,636	109,694	118,470	117,640
University of Ulster	86,899	88,409	90,558	95,954	95,409
St Mary's University College	5,348	5,367	5,587	5,623	5,514
Stranmillis University College	5,574	5,610	5,775	5,823	5,711
Total	197,107	202,022	211,614	225,870	224,274
Further Education College	£'0001	£'000	£'000	£'000	£'000
Belfast Metropolitan College	32,525	36,034	34,562	35,567	34,235
North West Regional College	17,096	21,567	22,638	23,328	23,067
Northern Regional College	19,660	22,028	21,776	21,426	21,802
South Eastern Regional College	21,356	22,098	21,756	24,170	25,126

Higher Education Institution	2006/07 £'000	2007/08 £'000	2008/09 £'000	2009/10 £'000	2010/11 £'000
South West College	12,947	16,269	15,497	14,985	15,950
Southern Regional College	20,016	23,003	24,771	25,524	26,820
Total	123,600	140,999	141,000	145,000	147,000

1 Note: Funding allocated to the then 16 colleges has been aggregated for comparative purposes.

Capital funding for the Higher Education Institutions and Further Education Colleges is provided on a financial year basis. The amounts provided in each of the five years is detailed in table 2.

You should note that during the last five years, two Further Education Colleges, Belfast Metropolitan College (BMC) and the South Eastern Regional College (SERC), have also benefited from Public Private Partnerships (PPP) which leveraged private sector funding for their capital projects and this was in addition to the amounts shown in table 2. These PPP projects are funded through private sector capital and are paid for over 25 years by way of a Unitary Payment.

BMC's Titanic Quarter project is valued at £44m of which approximately £16m was invested in 2009/10 with a further £20m being invested in 2010/11 by the private sector.

SERC's Lisburn, Downpatrick, Ballynahinch and Newcastle projects are valued at £45m of which the private sector invested approximately £20m in 2008/09, £20m in 2009/10 and the remaining £5m in 2010/11.

TABLE 2

Higher Education Institution	2006/07 £'000	2007/08 £'000	2008/09 £'000	2009/10 £'000	2010/11 £'000
Queen's University	22,162	24,069	10,862	12,209	14,428
University of Ulster	16,477	12,310	9,965	8,306	9,072
St Mary's University College	82	158	50	145	500
Stranmillis University College	4,765	3,934	444	145	500
Total	43,486	40,471	21,321	20,805	24,500

Further Education College	2006/07 £'000	2007/08 £'000	2008/09 £'000	2009/10 £'000	2010/11 £'000
Belfast Metropolitan College	1,875	1,679	79	7,475	-
Northern Regional College	1,308	2,891	984	3,565	5,629
North West Regional College	3,554	3,351	852	6,519	8,130
South Eastern Regional College	4,416	4,001	5,332	4,459	5,070
Southern Regional College	1,669	1,684	79	-	-
South West College	3,523	7,001	6,079	1,438	268
Total	16,345	20,607	13,405	23,456	19,097

Merger of Queen's University and Stranmillis College

Mr A Easton asked the Minister for Employment and Learning for an update on the proposed merger of Queen's University and Stranmillis College.

(AQW 381/11)

Minister for Employment and Learning: As stated in my update of 17 June, the public consultation by Stranmillis on its Equality Impact Assessment (EQIA) on the proposed merger is still open to responses until 1 October 2010.

My Department is currently preparing a consultation document on the proposed merger. Anyone who wishes to respond to the consultation may do so and they will have access to the outcome of the EQIA consultation before making their response.

Once my Department's consultation is complete, I will examine the responses and determine whether or not to bring forward enabling legislation to the Assembly. However, as I have stated before, I will not seek to accelerate the passage of the legislation and I will ensure that the Committee and the Assembly have ample opportunity to scrutinise and debate the legislation. I must also point out that I will not bring forward legislation unless the newly merged entity can guarantee respect for the ethos of the Controlled Sector.

Student Loans

Mr C Lyttle asked the Minister for Employment and Learning what consideration he has given to ensuring that all students in higher education receive student loans that will cover their accommodation costs.

(AQW 415/11)

Minister for Employment and Learning: All eligible Northern Ireland domiciled students can take out a maintenance loan to help with their accommodation and other living costs.

The table below details the maximum rate of maintenance loans available for academic year 2010/11 which depend on where the student is living and studying. The amounts are based on a course lasting 30 weeks. 25% of the maintenance loan is means-tested.

Northern Ireland domiciled student:	Living at their parents home and studying in Northern Ireland	Living and studying in London	Living and studying elsewhere in the United Kingdom
Maximum Loan Amount:	£3,750	£6,780	£4,840

Other financial support provided by the Department to assist Northern Ireland domiciled students with their living costs include the means-tested maintenance grant and special support grant which are non-repayable. For academic year 2010/11, the maximum rate for both grants is £3,475.

As accommodation costs will vary, individual students have the opportunity to choose how much they pay for accommodation out of a special support or maintenance grant if they are entitled to one and/or out of a maintenance loan should they have one.

Capital Projects in the North Down Area

Mr P Weir asked the Minister for Employment and Learning for an update on all his Department's capital projects in the North Down area that (i) were or will be commenced or completed in 2010/11; (ii) are planned for 2011/12; and (iii) have been postponed because of budgetary constraints.

(AQW 432/11)

Minister for Employment and Learning: The Department for Employment and Learning has no capital projects in the North Down Parliamentary constituency area which will commence or be completed in 2010/11.

Work on a project for a new Performing Arts/Technology Innovation Centre in Bangor was postponed due to a reduction in available funding in 2010/11. A bid for this project has now been made in the forthcoming Comprehensive Spending Review, in years 11/12 and 12/13. No other capital projects are planned for North Down in 2011/12.

Debt Advice and Support for Students

Mr A Ross asked the Minister for Employment and Learning what debt advice and support is available for students.

(AQW 438/11)

Minister for Employment and Learning: When a student applies for a variable tuition fee and/or a maintenance loan they sign a loan contract declaration that they have read and understood the student booklet: Student Loans: A guide to terms and conditions, produced annually by my Department. The detailed booklet sets out the full conditions and responsibilities a student has when receiving and paying back the Government subsidized income contingent repayable loan. Income contingent loans include the tuition fee loans and maintenance loans to cover living expenses. The loan is not re-paid during the course of study, but when the borrower's income exceeds £15,000 pa at a rate of 9%.

If a student finds themselves in financial hardship whilst attending a course of study they can apply, in addition to the normal student finance arrangements, to the Support Fund, also funded by my Department and administered by the Universities and Colleges.

As regards providing expert debt advice within the Universities and Colleges students have access to members of the National Association of Student Money Advisors (NASMA) who also award the Support Funds. NASMA personnel are funded directly by the institutions.

Trainee Audiologist Courses

Ms M Ritchie asked the Minister for Employment and Learning how many trainee audiologist courses are currently available in each Further and Higher Education College.

(AQW 472/11)

Minister for Employment and Learning: There are currently no trainee audiology courses available in Further or Higher Education institutions in Northern Ireland. I am advised by the University of Ulster that a programme of audiology education was proposed as part of its BSc (Hons) Clinical Physiology suite of programmes in 2009. However, owing to a shortage of appropriate placement opportunities in Northern Ireland, the course was not accredited. The University further advises that it would like to pursue the development of audiology education in the future, provided support from placement providers and employers could be assured.

Fully Accredited Distance Learning Degrees

Mr S Moutray asked the Minister for Employment and Learning what steps he is taking to promote fully accredited distance learning degrees offered by UK universities.

(AQW 558/11)

Minister for Employment and Learning: Universities are responsible for the promotion and marketing of their own course provision. My Department does not, therefore, have a role in promoting distance learning degrees. My Department does, however, provide financial support for students wishing to complete a degree by distance learning.

Under the Education Student Support Regulations (Northern Ireland), full-time distance learning students studying higher education may be eligible for fee grant of up to a maximum of £1,230 and course grant of up to a maximum of £265 in the 2010/11 academic year.

Breaches of TUPE

Mr P Weir asked the Minister for Employment and Learning what protection is available for workers for breaches of TUPE conditions by employers.

(AQW 683/11)

Minister for Employment and Learning: Under TUPE, the existing terms and conditions of a worker's contract of employment will normally transfer automatically to the worker's new employer. Other employment rights, as well as terms and conditions, are protected. These include any annual leave that a worker has accrued and any outstanding claims a worker may have made against the original employer (under discrimination laws, for example).

The general law on unfair dismissal and redundancies applies in situations where a relevant transfer occurs or is in prospect. Neither the new employer (the transferee) nor the previous one (the transferor) may fairly dismiss an employee:

- because of the transfer itself; or
- for a reason connected with the transfer, unless that reason is an "economic, technical or organisational (ETO) reason entailing changes in the workforce."

If there is no such reason, the dismissal will be automatically unfair.

If any employee considers that their contractual rights have been infringed, they may be able to seek redress through the civil courts or the industrial tribunals.

If complaints are upheld, awards may be made against the previous or new employer, depending on the circumstances of the transfer as follows:

Unfair dismissal awards

Industrial tribunals may order reinstatement or re-engagement of the dismissed employee if the complaint is upheld, and/or make an award of compensation.

Detriment awards

The employer may be ordered to pay compensation to the person(s) concerned. The compensation will be whatever amount the tribunal considers just and equitable in all the circumstances having regard for any loss incurred by the employee.

Information and consultation awards

The defendants in consultation cases may be either the transferor or new employer, or both of them - the choice is for the complainant to make. The compensation cannot exceed 13 weeks' pay.

Further information is available on business transfers and TUPE on the <http://www.nidirect.gov.uk/> website.

Breaches of TUPE

Mr P Weir asked the Minister for Employment and Learning to detail the powers his Department has to monitor or intervene in breaches of TUPE by companies involved in public contracts.

(AQW 686/11)

Minister for Employment and Learning: The Department for Employment and Learning is responsible for the development and establishment of the framework of employment law in Northern Ireland. It cannot provide advice on, monitor, or intervene in individual employment law issues which may arise between an individual and his or her employer.

The Labour Relations Agency provides information and independent advice on Northern Ireland employment, for both employers and employees, and may assist in the conciliation of workplace disputes:

Labour Relations Agency
2-8 Gordon Street
Belfast
BT1 2LG
Tel: (028) 9032 1442

Ultimately, however, the Industrial Tribunal system is the final arbiter in any employment dispute, including cases relating to TUPE.

Department of Enterprise, Trade and Investment

Displaying of Flags, Emblems and Paramilitary Signage

Mr P J Bradley asked the Minister of Enterprise, Trade and Investment for her assessment of the effect the displaying of flags, emblems and paramilitary signage has on (i) inward investment; and (ii) the promotion of tourism.

(AQW 279/11)

Minister of Enterprise, Trade and Investment (Mrs A Foster):

(i) Inward Investment

Invest NI sells Northern Ireland as a pro-business environment and a safe place for international companies to operate.

The vast majority of companies that Invest NI have engaged with, while mindful of Northern Ireland's recent history, are aware that Northern Ireland has successfully progressed into a society that is open for business. Indeed Invest NI can point to its track record of attracting further investment from overseas companies, with over 75% of them reinvesting and expanding their operations.

(ii) Promotion of Tourism

Northern Ireland has a rich and varied history and culture which have the potential to be assets in the development of Northern Ireland's tourism offering. Tourists are attracted to Northern Ireland for many reasons including the recent history. However, paramilitary signage which generates a negative impression of Northern Ireland conflicts with the positive image of Northern Ireland as a holiday destination that we wish to convey through Tourism Ireland's extensive overseas marketing programme and NITB's marketing activities in the Republic of Ireland.

There is no statistical evidence to enable an assessment of political flags and emblems on tourism promotion.

Strategic Energy Framework

Dr S Farry asked the Minister of Enterprise, Trade and Investment to outline the reasons for the delay in the completion and publication of the Strategic Energy Framework.

(AQW 352/11)

Minister of Enterprise, Trade and Investment: I would contest that there has been a delay in the completion and publication of the Strategic Energy Framework (SEF) which, as you will be now be aware, was published on 27th September 2010.

With the launch of its pre-consultation scoping document in November 2008, DETI began a process aimed at identifying and securing consensus on the strategic energy priorities for Northern Ireland over the next ten years and beyond. Feedback from the scoping paper and a number of energy workshops helped inform, develop and shape a revised Strategic Energy Framework which was put out to full public consultation until September 2009.

Some 70 responses were subsequently received and, following a detailed analysis by my officials, an overview of the key messages emanating from the public consultation was provided to the ETI Committee in January 2010.

A final draft SEF was then prepared and circulated to Executive colleagues for consideration in June. Immediately following the summer recess, the Executive considered and approved the Framework at its meeting on 9 September. Upon receipt of the Executive's endorsement my officials proceeded with the necessary arrangements for final publication.

Capital Projects in the North Down Area

Mr P Weir asked the Minister of Enterprise, Trade and Investment for an update on all her Department's capital projects in the North Down area that (i) were commenced or completed in 2010/11; (ii) are planned for 2011/12; and (iii) have been postponed because of budgetary constraints.

(AQW 400/11)

Minister of Enterprise, Trade and Investment: DETI has one capital project in North Down that commenced in 2010/11.

The Bangor Abbey Project, funded under NITB's Tourism Development Scheme, involves improving signage, paths and interpretation at nine sites. Implementation of the project commenced in 2010/2011.

No capital budgets have been allocated beyond the current financial year. DETI has submitted a range of capital bids in the Budget 2010 process and the third iteration of the Investment Strategy for Northern Ireland. Details of spending plans in 2011/12 will not be finalised until budgets are agreed later in the year.

All-Ireland Approach to Research, Development and Innovation

Mr R McCartney asked the Minister of Enterprise, Trade and Investment for her Department's assessment of the potential benefits of an all-Ireland approach to research, development and innovation for new and existing businesses.

(AQW 447/11)

Minister of Enterprise, Trade and Investment: Increasing the commercialisation of innovation, research and development by the private sector is central to growing our economy. It is a primary focus of the Programme for Government and its importance has been reinforced in the Independent Review of Economic Policy.

Given the scale of the challenge facing us, it is critical that we co-operate in progressing the innovation agenda, not just on a cross border basis, but with partners across the United Kingdom, Europe and beyond. DETI and InvestNI are working closely with businesses to support them in making the best connections, wherever they are, which can lead to the greater commercialisation of innovation, research and development.

Strategic Energy Framework

Mr A Ross asked the Minister of Enterprise, Trade and Investment when she expects the Strategic Energy Framework to be published.

(AQW 466/11)

Minister of Enterprise, Trade and Investment: I am pleased to advise that the Strategic Energy Framework (SEF), which was approved by the Executive earlier this month, has been published today, 27th September 2010. I have arranged for copies to be placed in the Assembly library and the document is also available to download from the Department's website <http://www.detini.gov.uk/deti-energy-index.htm>

Department of the Environment

MOT Tests

Mr G Campbell asked the Minister of the Environment what was the approximate percentage of vehicles that had an MOT test carried out for the first time in 2009 and failed the test.

(AQW 303/11)

Minister of the Environment (Mr E Poots): Of the 107,896 vehicles tested for the first time in 2009-10, 10,002 failed, and that represented a failure rate of 9.27%.

Redeployment of Planning Service Staff

Mr G Savage asked the Minister of the Environment for an update on the redeployment of Planning Service staff.

(AQW 310/11)

Minister of the Environment: My Department has a requirement to reduce its staffing numbers by about 350 posts this year, including 270 Planning Service staff. My Department has therefore developed a regrading scheme to enable Professional & Technical (P&T) staff in Planning Service to transfer voluntarily to the General Service discipline.

The regrading exercise was carried out as a pre-redundancy measure and there is no detriment to staff if they decide not to volunteer. To date approximately 143 P&T staff have taken up the option to voluntarily regrade if suitable posts can be identified.

In addition a total of 64 administrative staff have/are being redeployed to other approved vacant posts within the Department or to other NICS Departments.

The Department is also exploring the possibility of finding other opportunities to transfer or loan staff (including secondments) as part of a range of measures to avoid the need for redundancy. For example, 60 PTO staff are transferring on loan to Land and Property Services (DFP) for 2 years and 52 of these staff should be in post by the end of September 2010.

General Grant

Mr P Weir asked the Minister of the Environment to detail the level of general grant allocated to each of the 26 local councils in each of the last five years.

(AQW 376/11)

Minister of the Environment: General grant is made up of two elements, de-rating and resources. The level of general grant allocated to each of the 26 local councils in each of the last five years is set out in the tables below.

District Council	General Grant De-rating				
	2006/2007 £	2007/2008 £	2008/2009 £	2009/2010 £	2010/2011 (Estimated) £
Antrim	847,245	877,284	946,715	1,034,215	1,034,215
Ards	572,907	566,376	574,070	596,841	596,841
Armagh	588,511	598,757	646,024	690,292	690,292
Ballymena	1,085,387	1,144,706	1,167,055	1,212,474	1,212,474
Ballymoney	312,904	293,965	297,655	281,000	281,000
Banbridge	448,773	406,633	424,313	448,244	448,244

District Council	General Grant De-rating				
	2006/2007 £	2007/2008 £	2008/2009 £	2009/2010 £	2010/2011 (Estimated) £
Belfast	4,753,074	4,040,967	4,246,910	4,372,476	4,372,476
Carrickfergus	488,074	438,050	500,902	537,334	537,334
Castlereagh	650,121	647,128	673,449	684,084	684,084
Coleraine	526,856	538,037	587,356	596,213	596,213
Cookstown	655,241	672,615	785,744	817,510	817,510
Craigavon	2,031,039	2,030,455	2,056,081	2,144,907	2,144,907
Derry	1,376,474	1,399,641	1,372,924	1,407,484	1,407,484
Down	443,756	409,343	447,133	487,918	487,918
Dungannon & South Tyrone	1,329,961	1,373,529	1,502,211	1,583,210	1,583,210
Fermanagh	732,291	719,087	783,175	861,691	861,691
Larne	465,528	467,719	476,748	441,082	441,082
Limavady	188,949	205,929	223,151	165,002	165,002
Lisburn	1,598,621	1,543,160	1,582,548	1,708,872	1,708,872
Magherafelt	597,663	616,994	637,506	694,746	694,746
Moyle	152,274	159,508	171,715	179,585	179,585
Newry & Mourne	1,008,815	997,357	1,086,576	1,164,675	1,164,675
Newtownabbey	1,313,528	1,260,091	1,383,804	1,374,603	1,374,603
North Down	477,481	473,982	515,771	560,168	560,168
Omagh	483,400	503,320	532,223	540,751	540,751
Strabane	321,959	311,430	260,619	287,322	287,322

District Council	General Grant Resources				
	2006/2007 £	2007/2008 £	2008/2009 £	2009/2010 £	2010/2011 £
Antrim	0	0	0	0	0
Ards	1,381,172	1,435,528	1,193,565	886,455	785,867
Armagh	1,455,962	1,616,643	1,617,037	1,615,563	1,475,363
Ballymena	0	0	1,939	0	0
Ballymoney	915,511	1,069,768	1,118,710	1,087,188	971,663
Banbridge	1,005,136	1,231,275	1,104,630	1,072,464	976,434
Belfast	0	0	0	0	0
Carrickfergus	369,564	511,880	608,586	653,040	547,263

District Council	General Grant Resources				
	2006/2007 £	2007/2008 £	2008/2009 £	2009/2010 £	2010/2011 £
Castlereagh	0	0	0	0	0
Coleraine	0	0	0	0	0
Cookstown	890,226	987,971	851,627	665,130	581,795
Craigavon	0	903,470	645,762	970,527	911,163
Derry	1,188,657	1,402,830	1,299,086	1,371,381	1,289,796
Down	1,709,521	1,847,118	1,757,243	1,528,437	1,360,408
Dungannon & South Tyrone	909,843	1,096,781	972,805	948,033	895,750
Fermanagh	1,417,182	1,604,221	1,480,862	1,258,804	1,058,941
Larne	0	201,431	237,244	212,217	105,196
Limavady	1,266,695	1,493,009	1,444,168	1,341,942	1,240,891
Lisburn	0	0	0	0	0
Magherafelt	1,380,881	1,391,643	1,213,322	1,174,811	1,044,018
Moyle	550,314	624,107	602,314	581,278	480,341
Newry & Mourne	1,771,737	2,079,148	1,983,190	1,664,227	1,562,677
Newtownabbey	0	0	0	0	0
North Down	0	0	0	0	0
Omagh	1,336,901	1,534,039	1,445,936	1,452,552	1,296,598
Strabane	1,947,698	2,121,019	2,001,032	2,012,951	1,762,836

Local Government Audits

Mr A Bresland asked the Minister of the Environment how much each local council spent on local government audits in (i) 2007/08; (ii) 2008/09; and (iii) 2009/10.

(AQW 379/11)

Minister of the Environment: The total expenditure incurred by each district council for local government audit services for the last three financial years is detailed in the table below. Please note that the figures for 2009/2010 year are estimates only as the audits have not been completed yet.

Council	2007/08 £	2008/09 £	2009/10 (est) £
Antrim	21,065	23,471	19,800
Ards	27,698	26,741	25,300
Armagh	20,522	26,471	19,800
Ballymena	26,315	28,145	25,300
Ballymoney	16,569	24,605	16,500
Banbridge	16,718	21,109	16,500

Council	2007/08 £	2008/09 £	2009/10 (est) £
Belfast	108,706	99,817	105,000
Carrickfergus	16,620	24,028	16,500
Castlereagh	28,567	27,789	25,300
Coleraine	20,351	25,878	19,800
Cookstown	15,298	17,501	16,500
Craigavon	37,008	34,189	25,300
Derry	37,602	43,399	28,600
Down	25,093	26,298	25,300
Dungannon & South Tyrone	20,252	27,138	19,800
Fermanagh	18,723	27,891	19,800
Larne	21,887	23,304	19,800
Limavady	15,871	18,290	16,500
Lisburn	23,321	28,028	25,300
Magherafelt	15,425	21,424	16,500
Moyle	16,085	19,208	16,500
Newry & Mourne	26,704	28,417	25,300
Newtownabbey	21,921	23,132	25,300
North Down	24,148	30,422	25,300
Omagh	20,311	23,294	19,800
Strabane	15,017	23,869	16,500
Total	657,797	743,858	631,900

Capital Projects in the North Down Area

Mr P Weir asked the Minister of the Environment for an update on all his Department's capital projects in the North Down area that (i) were commenced or completed in 2010/11; (ii) are planned for 2011/12; and (iii) have been postponed because of budgetary constraints.

(AQW 399/11)

Minister of the Environment: One major capital project is currently being taken forward in the North Down area in 2010/11. This is the refurbishment of the Visitor's Centre at Crawfordsburn Country Park, which includes a new educational and interpretive exhibition. The project commenced in January 2010 and is due for completion by March 2011 with a total estimated cost of £740,000.

In the North Down area there are no major capital projects planned for 2011-12 and no projects have been postponed because of budgetary constraints.

Planning Applications

Mr M Storey asked the Minister of the Environment to detail the number of planning applications that were refused because they were deemed contrary to Policy MIN5, in each of the last five years.

(AQW 401/11)

Minister of the Environment: In each of the last five years the following numbers of planning applications were either refused as being contrary to Policy MIN5 of the Planning Strategy for Rural Northern Ireland or were subject to a refusal reason which included Policy MIN5 text.

Year	Number of Policy MIN5 Refusals
2009	0
2008	0
2007	1
2006	5
2005	4

* Source: SPSS & MVM 20/20 Planner

To date during the current calendar year there have been no planning applications either refused as being contrary to Policy MIN5 of the Planning Strategy for Rural Northern Ireland or were subject to a refusal reason which included Policy MIN5 text.

Road Safety

Mr A Easton asked the Minister of the Environment to outline his plans to improve road safety over the next three years.

(AQW 412/11)

Minister of the Environment: I plan to publish in December a new road safety strategy which will contain a range of measures to address the safety of all road users. This will take forward measures that I believe will save lives on Northern Ireland's roads.

Drafting of the new strategy is ongoing, taking into consideration the responses to a very successful public consultation, before finalising the measures to be taken forward in the new strategy. Once this is completed, I will be able to provide full details of all that is planned for the next three years.

Through its ongoing programme of road safety awareness campaigns my Department continues to deliver messages to all road users, with particular emphasis on those responsible for causing casualties and those most at risk.

Through its Road Safety Education Officers my Department continues to inform and train children and young people to be safe and responsible road users. I am also reviewing the Education Service to ensure that it properly addresses today's road safety issues, uses the latest best practice approaches and is equipped to support the aims and objectives of the new strategy.

I plan to introduce this year compulsory basic training for motorcyclists, which will make it mandatory for all learner motorcyclists to take a basic level of training before they are allowed to ride unaccompanied on public roads.

I intend to consult in October on proposals to improve the current L and R driver schemes and on Graduated Driver Licensing. This is in addition to measures already being progressed under the 'Learning to Drive' Programme, intended to transform how people learn to drive and are tested; establish responsible behaviour and attitudes in pre- and new drivers; and encourage a lifelong learning culture in relation to driving.

I also plan to consult towards the end of this year on a fundamental review of the driver instruction industry. This will include proposals to introduce a modular approach to instructor qualification, based on an Approved Driving Instructor competence framework, including an assessment of knowledge and understanding and a demonstration of teaching techniques and subject expertise.

My officials are currently preparing an options paper on the way forward on the measures needed to tackle drink driving in Northern Ireland including on the likely timing of the introduction of new lower limits.

The Driver and Vehicle Agency is also producing an Enforcement and Compliance Strategy which will support regulations being introduced by my Department in respect of taxis, buses and goods vehicles.

Research is crucial in identifying and tackling road safety issues and my Department is taking forward research that will help ensure that we better target appropriate measures to address the key problems. Current projects will help inform how we should tackle road safety problems in rural and deprived areas. This work will help inform the best use of resources, something that will become even more important in the years ahead.

Public Hire Taxis

Mr A Ross asked the Minister of the Environment, in addition to MOT tests, what safety checks are conducted on public hire taxis before owners are permitted to carry passengers.

(AQW 467/11)

Minister of the Environment: For a vehicle to be licensed as a taxi (public or private hire) it is required to comply with additional legislation over and above relevant roadworthiness (commonly known as MOT) regulations. These additional legislative requirements are provided for in the Public Service Vehicles Regulations (NI) 1985 and the Public Service Vehicles (Conditions of Fitness, Equipment and Use) Regulations (NI) 1995.

The legislation requires a taxi to have a permanent top and four wheels. It must also have at least four doors, with at least two on each side of the vehicle, and there are specific requirements in relation to dimensions, roof signs, bodywork, luggage facilities and repair outfits.

The regulations also require the licensee of a vehicle to ensure that suitable fire extinguisher apparatus is provided and made readily available for use.

Northern Ireland Environment Agency

Mr A Ross asked the Minister of the Environment how many live investigations the Northern Ireland Environment Agency is currently undertaking in the East Antrim constituency; and how many investigations have been completed in each of the last five years.

(AQW 468/11)

Minister of the Environment: There are currently 19 investigations being undertaken, or under consideration for further action, by NIEA in the East Antrim constituency.

The table below sets out the total number of investigations which have been completed by NIEA in each of the last five years in the East Antrim constituency.

Year	Total Number of Investigations
2005	118
2006	85
2007	85
2008	87
2009	90

Committee on Climate Change

Mr B Wilson asked the Minister of the Environment if he will request a specific report, from the Committee on Climate Change, on progress on meeting climate change targets in Northern Ireland. (AQW 492/11)

Minister of the Environment: I have no current plans to request a specific report from the Committee on Climate Change on progress on meeting climate change targets in Northern Ireland. Progress on the Programme for Government targets, including the target for a 25% reduction in greenhouse gas emissions by 2025 on 1990 levels, is monitored on a quarterly basis by OFMDFM.

In August 2010 I chaired the first meeting of the Executive's Cross-Departmental Working Group on Greenhouse Gas Emissions. This group is primarily tasked with developing an action plan by December 2010 setting out the strategic approach and actions to be taken across Departments to meet the Programme for Government target. The Working Group will in the course of its work consider progress to date.

Application for a Shopping Development in Larne Town

Mr B Wilson asked the Minister of the Environment why the Planning Service approved an application for a shopping development in Larne town, outside of the commercial core as designated by the area plan. (AQW 493/11)

Minister of the Environment: My Department has in the recent past received planning applications for four major retail developments within Larne, to date one has been approved and a Notice of Opinion to refuse another has been issued. All of the application sites fall outside the commercial core identified in the Larne Area Plan 2010 and all but one are located outside of the designated Town Centre boundary. The proposal to redevelop the existing Co-Op site is located in part within the Town Centre boundary.

A key policy context in the determination of these applications is Planning Policy Statement 5 (PPS 5) Retailing in Town Centres which seeks to protect the viability and vitality of town centres and primary retail cores (where identified in development plans). However the policy does not preclude retail development outwith these areas where development can be demonstrated to meet the provisions of the policy. In this respect all of the above listed applications have been accompanied by Retail Impact Assessments or supporting statements, an element of which relates to site selection. To ensure consistency of approach this evidence is considered by the retail unit within Planning Service headquarters.

My officials are satisfied in the case of the planning approval for Asda at Redlands Road that there were no sites within the commercial core to accommodate the scale of development proposed and also that the proposal met the appropriate policy tests within PPS 5 and as a consequence would not have an adverse effect on the existing protected town centre.

New Tesco Store in Craigavon

Mr J Dallat asked the Minister of the Environment to outline how the planning fees for the new Tesco Store in Craigavon were calculated; and whether these fees compare on a pro-rata basis to other planning applications of more modest dimensions. (AQW 500/11)

Minister of the Environment: A total of £16,800 was charged by the Department to process the outline and reserved matters planning applications for this store. At the time of submission in February 2007 the statutory fee for outline planning applications for all types of development was £200 of each 0.1 hectare of the site area. This resulted in a fee of £6,800 for the processing of the outline application. As the development was commercial the subsequent reserved matters application was calculated on the basis of £200 for each 75 square metres of floorspace, up to a maximum of £10,000 be applied. Since the submission of the reserved matters application for the Tesco store at Craigavon in December 2008, the fees for planning applications have been amended on a number of occasions.

Notwithstanding this the general principle for fee calculations for commercial developments has remained the same; the size of the site area is used to determine the fee for an outline application whilst, for a full or reserved matters application, the fee is determined by the quantum of floorspace to be created.

Site deemed as Intrinsically Sustainable

Mr M Storey asked the Minister of the Environment under what circumstances a site can be deemed intrinsically sustainable, as defined by planning policy.

(AQW 513/11)

Minister of the Environment: Planning policy does not define the circumstances in which a site is deemed as sustainable. Rather, it sets out matters that will assist in delivering sustainable patterns of development through the planning system.

Planning Applications

Mr M Storey asked the Minister of the Environment to outline the policy for the requirement for the payment of a fee for a planning application which includes an access lane to a wind turbine.

(AQW 515/11)

Minister of the Environment: The fee for a planning application for a wind turbine is charged under Category 5 of Schedule 1 to the Planning (Fees) Regulations (Northern Ireland) 2005 as amended. The fee for this is currently £230 for each 0.1 hectare of the site area subject to a maximum fee of £11,500. From 4 October 2010 this will increase to £237 for each 0.1 hectare of the site area subject to a maximum of £11,834.

The planning application fee is always calculated on the extent of the application site submitted. The access to the site should only be included where this necessitates the creation of a new access or if alteration or improvement to the existing access is required.

Local Government Auditor

Mrs D Kelly asked the Minister of the Environment when did the Local Government Auditor first recommend that Craigavon Borough Council put the Council's legal services out to public tender; and on how many occasions is this recommendation contained within the auditor's report.

(AQW 644/11)

Minister of the Environment: In his report of 12 June 2008 the Chief Local Government Auditor encouraged all councils to review their legal advice arrangements on a more regular basis. There is no specific mention of any individual council.

Local Government Auditor

Mrs D Kelly asked the Minister of the Environment what action the Local Government Auditor intends to take against Craigavon Borough Council for its failure to implement the Local Government Auditor's recommendation to tender for legal services.

(AQW 645/11)

Minister of the Environment: In his report of 12 June 2008 the Chief Local Government Auditor encouraged all councils to review their legal advice arrangements on a more regular basis. There is no specific mention of any individual council.

Department of Finance and Personnel

Civil Service Vacancies

Mr P McGlone asked the Minister of Finance and Personnel, at 9 September 2010, how many vacancies existed at the appropriate grades within the Civil Service to accommodate the proposed redeployment of Planning Service staff.

(AQW 267/11)

Minister of Finance and Personnel (Mr S Wilson): The numbers of vacancies in the appropriate grades to redeploy surplus staff in the Planning Service at 9 September 2010 are set out in the table attached. 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 9 SEPTEMBER 2010

Administrative Assistant	Administrative Officer	Typist	Executive Officer II	Executive Officer I	Staff Officer	Deputy Principal	Grade 7	Total
5	29.3	0	18.5	13	17	9	3	94.8

* Excludes 28 Grade C vacant posts in DOJ which cannot be filled until outcome of Grade C/EO review is known. This review will determine if posts are EO11 or EO1.

Figures are expressed as Full-time Equivalents (FTE)

Civil Service: Temporary Promotion and Deputising Arrangements

Mr P McGlone asked the Minister of Finance and Personnel to detail the deputising arrangements or temporary promotions that have been put in place in the NI Civil Service in the last six months, broken down by grade.

(AQW 346/11)

Minister of Finance and Personnel: The number of employees who commenced a temporary promotion arrangement within the Northern Ireland Civil Service between 1 March 2010 and 31 August 2010 broken down by Department and the analogous grade into which they are temporarily promoted is detailed in the attached table.

Dept	Administrative Officer	Executive Officer 2	Executive Officer 1	Staff Officer	Deputy Principal	Grade 7	Grade 6	Senior Civil Servant	Industrial	Community Services Manager	Total
DARD	17	23	7	10	8	5		3	9		82
DCAL				2	3	1					6
DE	2	3	6	2	3						16
DEL	19	40	16	17	9	6		1			108
DETI	4	1	1	2	1	1		1			11

Dept	Administrative Officer	Executive Officer 2	Executive Officer 1	Staff Officer	Deputy Principal	Grade 7	Grade 6	Senior Civil Servant	Industrial	Community Services Manager	Total
DFP	3	22	12	17	20	13	7	2			96
DHSSPS		4	2		1	3		3			13
DOE	19	39	23	44	36	16	5	2	1		185
DOJ	5	14		6	7	5	2	1		1	41
DRD	9	7	8	9	14	7	3	1	13		71
DSD	58	166	81	35	21	6	1	2			370
OFMDFM	1		1	2	2	2	1	1			10
PPS	12	6	2	2	1			6			29
Grand Total	149	325	159	148	126	65	19	23	23	1	1038

The table above includes temporary promotion arrangements which started and ended within the period 1 March 2010 and 31 August 2010 as well as arrangements which are ongoing. 721 of the 1038 temporary promotion arrangements put in place between 1 March 2010 and 31 August 2010 ended during that period.

Deputising is an ad-hoc arrangement where employees are paid a deputising allowance for undertaking duties at a higher grade for a period of less than one month. The number of employees who were paid a deputising allowance between 1 March 2010 and 31 August 2010 broken down by Department and substantive grade is as follows:

	Analogous grade									
Dept	Administrative Assistant	Administrative Officer	Executive Officer 2	Executive Officer 1	Staff Officer	Deputy Principal	Grade 7	Grade 6	Industrial	Grand Total
DARD	6	46	11	13	1	1	7		12	97
DCAL	4	1							4	9
DE		1	4							5
DEL	5	27	24	7						63
DETI	2	2	3							7
DFP	4	18	6	2	1					31
DHSSPS	5	6	7	1	2	1				22
DOE	7	83	14	9	2	1				116
DRD	6	5	1	1	2			1	20	36

	Analogous grade									
Dept	Administrative Assistant	Administrative Officer	Executive Officer 2	Executive Officer 1	Staff Officer	Deputy Principal	Grade 7	Grade 6	Industrial	Grand Total
DSD	112	793	508	170	64	20	4			1671
OFMDFM	2	9	3	2						16
DOJ*	6	4	19		1	2				32
PPS			1							1
Grand Total	159	995	601	205	73	25	11	1	36	2106

* Includes NI Prison Service staff, NI Courts Service staff and Youth Justice Agency non-general service staff

Agency Staff within the Civil Service

Mr P McGlone asked the Minister of Finance and Personnel to detail (i) the number of agency staff currently employed within the NI Civil Service; and (ii) the rates payable to these agency staff, broken down by grade.

(AQW 349/11)

Minister of Finance and Personnel: The number of agency staff employed in the NI Civil Service at 15 September 2010 broken down by grade is set out in the attached table. As Contractors rates are commercially sensitive, the rates payable have not been provided.

NUMBER OF AGENCY STAFF EMPLOYED WITHIN THE NICS AT 15 SEPTEMBER 2010

Grade	Total
Administrative Assistant	55
Agricultural Inspector	1
Administrative Officer	92
Assistant Scientific Officer	4
Deputy Principal Accountant	5
Environmental Officer	2
Executive Officer 1	4
Executive Officer 2	4
Graphic Designer	3
Information Communication Technology (ICT) Level 2	3
Information Communication Technology (ICT) Level 3	14
Information Communication Technology (ICT) Level 4	1
Information Communication Technology (ICT) Level 5	1
Legal Officer	3

Grade	Total
Librarian	1
Medical Attendant	1
Personal Secretary	1
Porter	1
Professional & Technical Officer	4
Purser	4
Ranger	28
Scientific Officer	9
Senior Information Officer	1
Senior Scientific Officer	2
Support Grade Band 2	23
Staff Officer Accountant	6
Staff Officer	1
Technical Officer	18
Technical Grade 1	10
Tour guide	9
Typist/D1	1
Website Manager	2
Workplace Health Nurse	1
Total	315

DOJ Grade C agency staff shown as EO1, pending review of those posts which span both NICS grades EO1 & EO2

Unfunded Commitments

Ms C Ní Chuilín asked the Minister of Finance and Personnel (i) how many unfunded commitments have been made by the Department for Social Development; and (ii) what funds have been requested by the Minister for Social Development to meet these commitments for the 2010/11 financial year. **(AQW 361/11)**

Minister of Finance and Personnel:

- (i) In relation to the number of unfunded commitments made by DSD, I can confirm that I have received details of 64 unfunded contractually committed projects that relate to the Urban Regeneration programme.
- (ii) In June Monitoring, the DSD Minister tabled a bid for £29.075 million in respect of contractual commitments relating to the Urban Regeneration programme and the Executive allocated £10m for that purpose. In September Monitoring, DSD has tabled a further bid for £5.35 million for capital commitments in the same area.

External Consultants

Mr P Maskey asked the Minister of Finance and Personnel to detail the amount paid to external consultants by each Department in each of the last three financial years.

(AQW 424/11)

Minister of Finance and Personnel: The amount paid to external consultants by each Department in 2007-08 was published in DFP's Annual Compliance Report on the Use of Consultants 2007-08, and is available on the DFP internet site.

My Department is currently working with other departments to finalise the Report for 2008-09, which will be published when available. Similarly, my Department will shortly commission inputs for the 2009-10 Report.

Capital Projects in the North Down Area

Mr P Weir asked the Minister of Finance and Personnel for an update on all his Department's capital projects in the North Down area that (i) were commenced or completed in 2010/11; (ii) are planned for 2011/12; and (iii) have been postponed because of budgetary constraints.

(AQW 425/11)

Minister of Finance and Personnel: No capital works have commenced or been completed by DFP in North Down during 2010/11.

No capital work is currently planned for 2011/12 by DFP and none has been postponed due to budgetary constraints.

Block Grant

Lord Morrow asked the Minister of Finance and Personnel to detail the total funding received by the Department of Health, Social Services and Public Safety from the Block Grant this financial year; and what percentage this represents of the overall budget for Departments.

(AQW 455/11)

Minister of Finance and Personnel: For 2010-11 the Department of Health, Social Services and Public Safety (DHSSPS) has a total Departmental Expenditure Limit (DEL) allocation of £4,508,989,000. Of this, resource amounts to £4,307,128,000 representing 47.5 per cent of the total departmental current expenditure. In terms of capital, DHSSPS has £201,861,000 or 14.6 per cent of the total departmental capital investment. These percentages exclude Department of Justice and the Public Prosecution Service because the Executive has agreed to ring-fence funding for these departments in 2010-11. These figures represent an interim position which may change in future monitoring rounds throughout the course of the financial year.

Rates Rebates

Mr B McElduff asked the Minister of Finance and Personnel to detail the range and type of rates rebates or reductions currently available to businesses, with particular reference to those businesses which are located in areas where there is a need for physical regeneration.

(AQW 474/11)

Minister of Finance and Personnel: The small business rate relief, introduced in April this year, will provide help of around £8million per annum to more than 16,000 smaller businesses in Northern Ireland. A range of other assistance has also been made available to businesses in Northern Ireland through the rating system over recent years. To help all businesses the non-domestic regional rate was frozen in money terms last year (2009/10). This year's (2010/11) modest increase of 2.7%, which was agreed by all parties in the Executive, provides a freeze in real terms given the level of inflation.

In addition, the level of rates for manufacturing has also been held at 30% for the present CSR period, which has saved the manufacturing industry around £70 million compared to the planned phasing

under direct rule. Finally non-domestic vacant rating relief has been retained at 50% following the policy evaluation carried out by my Department last year. The exclusions applicable under the policy were also retained with an additional exclusion introduced for companies in administration. All of these examples highlight the work undertaken to help support business by the Northern Ireland Executive since the restoration of the devolved institutions in 2007.

The targeting of relief to encourage regeneration was considered recently at the behest of the DFP Committee; when my Department was looking at options for (or rather alternatives to) the Small Business Rate Relief.

It was my Department's assessment that attempting to define such areas through the rating system could lead to inequity and inequality within the system. There is also evidence from Enterprise Zones in the early 1990s that providing rate relief in a designated area leads to displacement and in some cases simply increases rents. On a separate point such targeting would also cause administrative difficulties for LPS, at a time when the focus of that organisation, is the maximising of rate revenue.

It is worth noting that there is a mechanism with the rating system for dealing with decline in an area and that is a general revaluation. As an area declines, rents reduce. As NAVs are based on rents, businesses in those areas will then pay proportionately less in rates following revaluation.

As you may be aware a planned non-domestic revaluation had originally been due to take effect in April 2010. Unfortunately this has had to be postponed due to lack of market evidence and will now take place in April 2015.

Ministerial Private Secretaries

Mr J Dallat asked the Minister of Finance and Personnel to detail how many Ministerial Private Secretaries are employed in each Government Department; and to detail their current salaries, bonuses and pension entitlements.

(AQW 498/11)

Minister of Finance and Personnel: The number, grade and relevant pay scales of Ministerial Private Secretaries employed in each Government Department are provided in the table below.

PRIVATE SECRETARIES IN MINISTERIAL PRIVATE OFFICES SALARY INFORMATION AT 31 JULY 2010

Department	Number of Staff	Grade	Pay Scale
DARD	1	Staff Officer	£25,278 - £30,520
DCAL	1	Staff Officer	£25,278 - £30,520
DE	1	Staff Officer	£25,278 - £30,520
DEL	1	Staff Officer	£25,278 - £30,520
DETI	1	Staff Officer	£25,278 - £30,520
DFP	1	Staff Officer	£25,278 - £30,520
DHSSPS	1	Staff Officer	£25,278 - £30,520
DOE	1	Staff Officer	£25,278 - £30,520
DOJ	1	Grade B1	£31,013 - £38,893
DRD	1	Staff Officer	£25,278 - £30,520
DSD	1	Staff Officer	£25,278 - £30,520
OFMDFM	3	Deputy Principal	£31,663 - £38,893
OFMDFM	2	Assistant Secretary	£57,300 - £116,000

Salary details have been provided in respect of the pay scales relative to the appropriate grading structure to avoid a breach of data protection principles. These grading structures are underpinned by job evaluation methodologies.

In addition to basic salary, Private Secretaries may receive a Private Secretary Allowance within the range £1,296 - £5,129 to compensate for the long and unsocial hours that can be associated with these posts.

During the pay period 1 August 2009 to 31 July 2010 payments under the Special Bonus Scheme totalling £11,400 were made to two Private Secretaries working in two different Departments, in respect of performance and achievements in 2009-10 and 2010-11.

Staff in the Northern Ireland Civil Service receive pension benefits under the Principal Civil Service Pension Scheme (Northern Ireland) [PCSPS(NI)]. The particular section of the PCSPS(NI) which applies to each member of staff depends on the member's entry date. Details of the pension benefits provided to staff under each section of the PCSPS(NI) are available for examination on the Civil Service Pensions website at http://www.civilservicepensions-ni.gov.uk/index/current-members/scheme_outlines.htm.

Individuals' exact pension entitlement will depend on their age and length of service on retirement.

Comprehensive Spending Review

Mr D McKay asked the Minister of Finance and Personnel whether he intends to carry out an assessment of the potential impact of the Comprehensive Spending Review and budget cuts on the most vulnerable groups in society.

(AQW 671/11)

Minister of Finance and Personnel: The potential social and equality impacts of any financial decision is a matter which is taken seriously by the Executive.

The responsibility for carrying out equality impact assessments relating to any such proposals rests with individual departments. In terms of the Budget 2010 process, DFP guidance that issued to departments in June 2010 clearly stated the requirement for such assessments in terms of both spending proposals and savings measures.

A strategic level equality impact assessment will also be produced for Budget 2010. This is in accordance with the statutory requirements to consider equality impacts associated with the Executive's Budget. The aim of this strategic level equality impact assessment is to consider the overall impacts which may be associated with the Executive's strategic priorities.

Trade Union

Mr P Weir asked the Minister of Finance and Personnel how much money has been allocated from the public purse to people working on behalf of a Trade Union in each of the last three years; and to detail the number of people this relates to and the Unions involved.

(AQW 808/11)

Minister of Finance and Personnel: The information requested in this question cannot be obtained.

Department of Health, Social Services and Public Safety

European Centre for Connected Health

Lord Morrow asked the Minister of Health, Social Services and Public Safety to outline his Department's position in relation to the European Centre for Connected Health; and for his assessment of the merits of this initiative.

(AQW 185/11)

Minister of Health, Social Services and Public Safety (Mr M McGimpsey): The European Centre for Connected Health (ECCH) was established in 2008 with the goal of promoting and developing technological support in the management of health conditions. Specifically, the ECCH has advanced the use of remote telemonitoring, initially through pilot projects, and is currently progressing a regional procurement approach to identify a supplier for the telemonitoring programme.

Responsibility for the ECCH resides with the Public Health Agency, which helps facilitate a population-based approach to the development of remote monitoring and disease management.

The work of the ECCH has promoted the appropriate use of technology, made a valuable contribution to the evidence base for telemonitoring and helped ensure that NI is at the forefront of an increasingly important aspect of technical development in chronic disease management.

Cardiac Surgery Procedures

Mrs M O'Neill asked the Minister of Health, Social Services and Public Safety which cardiac surgery procedures the Department considers to be elective care as defined within Priorities for Action 2010-11; and which procedures are categorised as acute care.

(AQW 196/11)

Minister of Health, Social Services and Public Safety: Each cardiac surgical patient is assessed by their clinician(s) as requiring elective or urgent surgery on a case-by-case basis. Elective care within the context of cardiac surgery is used when a clinician has determined that surgery is required without any other clinical considerations, to be delivered within target timescales. An acute case is an urgent case where the patient's condition declines rapidly, which should be treated within the timeframe dictated by clinicians, according to each patient's particular needs.

My Department has not issued a policy to extend waiting times for cardiac surgery to 26 weeks. My Priorities for Action 2010/11 sets the target for consultant-led elective care that by March 2011, the HSC Board and Trusts should ensure that the majority of inpatients and day-cases are treated within 13 weeks and no patients to wait longer than 36 weeks for treatment. It is the responsibility of the commissioners of services and the Trusts to work towards meeting these targets.

Waiting Times for Cardiac Surgery

Mrs M O'Neill asked the Minister of Health, Social Services and Public Safety whether his Department carried out a health impact assessment on its policy to extend patient waiting times for cardiac surgery to up to 26 weeks; and what plans he has to publish the findings.

(AQW 198/11)

Minister of Health, Social Services and Public Safety: Each cardiac surgical patient is assessed by their clinician(s) as requiring elective or urgent surgery on a case-by-case basis. Elective care within the context of cardiac surgery is used when a clinician has determined that surgery is required without any other clinical considerations, to be delivered within target timescales. An acute case is an urgent case where the patient's condition declines rapidly, which should be treated within the timeframe dictated by clinicians, according to each patient's particular needs.

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Cardiac Surgery

Mrs M O'Neill asked the Minister of Health, Social Services and Public Safety for his assessment of the impact on heart patients, awaiting specific procedures such as a by-pass or angioplasty, of the policy decision to delay cardiac surgery for up to 26 weeks.

(AQW 199/11)

Minister of Health, Social Services and Public Safety: Each cardiac surgical patient is assessed by their clinician(s) as requiring elective or urgent surgery on a case-by-case basis. Elective care within the context of cardiac surgery is used when a clinician has determined that surgery is required without any other clinical considerations, to be delivered within target timescales. An acute case is an urgent case where the patient's condition declines rapidly, which should be treated within the timeframe dictated by clinicians, according to each patient's particular needs.

My Department has not issued a policy to extend waiting times for cardiac surgery to 26 weeks. My Priorities for Action 2010/11 sets the target for consultant-led elective care that by March 2011, the HSC Board and Trusts should ensure that the majority of inpatients and day-cases are treated within 13 weeks and no patients to wait longer than 36 weeks for treatment. It is the responsibility of the commissioners of services and the Trusts to work towards meeting these targets.

Funding for Elective Care

Mrs M O'Neill asked the Minister of Health, Social Services and Public Safety how the additional investment of £25m recurrent and £15m non-recurrent funding for elective care as outlined in the draft Commissioning Plans for 2010-11 will be allocated, broken down by Health and Social Care Trust.

(AQW 200/11)

Minister of Health, Social Services and Public Safety: The allocation of funding to the Health and Social Care Trusts is a matter for the Health and Social Care Board (HSCB) as service commissioner. I am however advised that the HSCB is currently undertaking a detailed examination of each elective specialty to ensure that this elective care funding is appropriately targeted. It is also the Board's intention that the use of the recurrent funding will be agreed in time to allow the recruitment of staff in the first half of 2011/12.

McDermott Brothers Case

Lord Morrow asked the Minister of Health, Social Services and Public Safety (i) what assessments the Western Health and Social Care Trust carried out in relation to the decision to return James and Owen Roe McDermott to reside in Donagh after the conclusion of their court case; (ii) when these assessments were carried out; (iii) how many staff were involved in the assessments; (iv) to outline the job descriptions of those involved; and (v) what were the findings of these assessments.

(AQW 227/11)

Minister of Health, Social Services and Public Safety: The decision to return James and Owen-Roe McDermott to Donagh was a matter for the Court, based on the evidence submitted to it. That evidence included medical, psychological and social work reports from the Western Health and Social Care Trust (the Western Trust).

In addition, the Court received other evidence, which would also have informed the Court decision to return the brothers to their home. This additional evidence did not emanate from the Western Trust.

Missed Hospital and Outpatient Appointments

Mr P Weir asked the Minister of Health, Social Services and Public Safety what action he is taking to reduce the number of missed hospital and outpatient appointments.

(AQW 230/11)

Minister of Health, Social Services and Public Safety: Following publication in 2007 of the Public Accounts Committee's "Report on Outpatients: Missed Appointments and Cancelled Clinics" my

Department required Trusts to implement a range of measures aimed at reducing the number of both missed appointments and cancelled clinics, including setting local “did not attend” targets in locations/specialties with high non-attendance rates.

My Department requires Trusts to produce an annual report providing an analysis of the root causes and demographics of non-attendance together with performance against local DNA targets. The Health and Social Care Board’s Scheduled Care Service Improvement Team works with Trusts to implement the necessary reforms to further develop and refine their “did not attend” action plans.

Trusts have also been required to implement partial booking across all outpatient specialties. This system allows patients to choose a suitable date and time for their appointment, which they should be offered no more than six weeks in advance. Within this shorter timescale and given an opportunity to choose a date, there is a greatly reduced likelihood of patients failing to attend or needing to cancel their appointment.

The Health and Social Care Board’s Scheduled Care Service Improvement Team continues to support Trusts to ensure that hospital services are as effective and efficient as possible.

Royal Victoria Hospital

Mrs D Kelly asked the Minister of Health, Social Services and Public Safety to detail the (i) capital; and (ii) revenue cost of the proposal to locate the new women’s hospital on the top three floors of the new critical care building at the Royal Victoria Hospital site, including post-natal beds and outpatient services as well as a new build to house the remaining maternity services including delivery theatres, birthing rooms, antenatal services and neonatology; and how the revenue costs have been factored into the business case.

(AQW 247/11)

Minister of Health, Social Services and Public Safety: The capital and revenue costs of the proposal are within the business case and cannot be confirmed until it has been approved. Business cases are the mechanism by which value for money and affordability in terms of both capital and revenue are determined.

Royal Victoria Hospital

Mrs D Kelly asked the Minister of Health, Social Services and Public Safety which organisations and groups were consulted on the business case for the new women’s hospital to be housed on the top three floors of the critical care building as well as a new building on the Royal Victoria Hospital site.

(AQW 248/11)

Minister of Health, Social Services and Public Safety: The original announcement in June 2003 that the RGH was selected as the site of the new centralised maternity hospital for Belfast, with links to the Royal Belfast Hospital for Sick Children (RBHSC) and the Royal Victoria Hospital (RVH) was made following extensive public consultation.

Business cases are the mechanism by which options are considered after consultation has taken place. My officials are currently reviewing a business case completed by the Belfast Trust following discussion with stakeholders, including the Trust’s clinical team. The Trust Board has also considered and approved the business case.

Specialist Neurology Beds at the Royal Victoria Hospital

Mr G Robinson asked the Minister of Health, Social Services and Public Safety if he has any plans to protect the number of specialist neurology beds at the Royal Victoria Hospital as these are currently the only specialist neurology beds in Northern Ireland.

(AQW 259/11)

Minister of Health, Social Services and Public Safety: The delivery of services at the Royal Victoria Hospital is a matter for the Belfast Health and Social Care Trust as the service provider.

Ambulance Service Vehicles

Mr J Craig asked the Minister of Health, Social Services and Public Safety how many (i) ambulances; and (ii) rapid response vehicles owned by the Ambulance Service are stationed in the Lagan Valley area.

(AQW 260/11)

Minister of Health, Social Services and Public Safety: I propose to answer AQWs 260/11, 261/11, 262/11 and 263/11 together.

The Northern Ireland Ambulance Service (NIAS) has 7 A&E ambulances and 2 -rapid response vehicles (RRVs) based in the Lagan Valley parliamentary constituency area at Lisburn and Derriaghy Ambulance Stations. These emergency resources operate in the shift patterns shown in the table below.

LISBURN AMBULANCE STATION

2 x A&E	Monday to Sunday	0800 to 2000hours 0730 to 1930hours
1 x A&E	Monday, Tues, Wed, Thursday	2000 to 0800hours
2 x A&E	Friday, Saturday, Sunday	2000 to 0800hours
1 x RRV	Monday to Sunday	16 hours daily distributed from 0800 to midnight

DERRIAGHY AMBULANCE STATION

1 x A&E	Monday to Sunday	1 x 24 hours (day and night shift)
1 x RRV	Monday to Sunday	16 hours daily distributed from 0800 to midnight

A&E ambulances are operated by 2 crew members whereas RRVs are operated by a single paramedic. A clinical support officer is also based at Lisburn. Managerial support is provided by NIAS's East Country Division area manager and two station officers although these are not based in the Lagan Valley area.

It is important to note, however, that NIAS dynamically deploys its emergency response resources using a tactical deployment plan to ensure that the nearest appropriate response is sent to an incident. This means that the response to an emergency call in the Lagan Valley area may be provided by an ambulance or RRV which is not based at Lisburn or Derriaghy.

To date, NIAS has not engaged in any discussion with the South Eastern Local Commissioning Group about ambulance resources and funding.

Ambulance Service Vehicles

Mr J Craig asked the Minister of Health, Social Services and Public Safety how many (i) ambulances; and (ii) rapid response vehicles are available for use at any one time in the Lagan Valley area.

(AQW 261/11)

Minister of Health, Social Services and Public Safety: I propose to answer AQWs 260/11, 261/11, 262/11 and 263/11 together.

The Northern Ireland Ambulance Service (NIAS) has 7 A&E ambulances and 2 -rapid response vehicles (RRVs) based in the Lagan Valley parliamentary constituency area at Lisburn and Derriaghy Ambulance Stations. These emergency resources operate in the shift patterns shown in the table below.

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DERRIAGHY AMBULANCE STATION

1 x A&E	Monday to Sunday	1 x 24 hours (day and night shift)
1 x RRV	Monday to Sunday	16 hours daily distributed from 0800 to midnight

A&E ambulances are operated by 2 crew members whereas RRVs are operated by a single paramedic. A clinical support officer is also based at Lisburn. Managerial support is provided by NIAS's East Country Division area manager and two station officers although these are not based in the Lagan Valley area.

It is important to note, however, that NIAS dynamically deploys its emergency response resources using a tactical deployment plan to ensure that the nearest appropriate response is sent to an incident. This means that the response to an emergency call in the Lagan Valley area may be provided by an ambulance or RRV which is not based at Lisburn or Derriaghy.

To date, NIAS has not engaged in any discussion with the South Eastern Local Commissioning Group about ambulance resources and funding.

Ambulance Staff

Mr J Craig asked the Minister of Health, Social Services and Public Safety how many ambulance staff are on duty at any given time in the Lagan Valley area; and what is the recommended staff complement at any one time.

(AQW 262/11)

Minister of Health, Social Services and Public Safety: I propose to answer AQWs 260/11, 261/11, 262/11 and 263/11 together.

The Northern Ireland Ambulance Service (NIAS) has 7 A&E ambulances and 2 -rapid response vehicles (RRVs) based in the Lagan Valley parliamentary constituency area at Lisburn and Derriaghy Ambulance Stations. These emergency resources operate in the shift patterns shown in the table below.

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It is important to note, however, that NIAS dynamically deploys its emergency response resources using a tactical deployment plan to ensure that the nearest appropriate response is sent to an incident. This means that the response to an emergency call in the Lagan Valley area may be provided by an ambulance or RRV which is not based at Lisburn or Derriaghy.

To date, NIAS has not engaged in any discussion with the South Eastern Local Commissioning Group about ambulance resources and funding.

Ambulance Service

Mr J Craig asked the Minister of Health, Social Services and Public Safety if he has any plans to increase resources and funding to the Ambulance Service in the Lagan Valley area to provide additional cover for the new Midwifery Unit at the Lagan Valley Hospital.

(AQW 263/11)

Minister of Health, Social Services and Public Safety: I propose to answer AQWs 260/11, 261/11, 262/11 and 263/11 together.

The Northern Ireland Ambulance Service (NIAS) has 7 A&E ambulances and 2 -rapid response vehicles (RRVs) based in the Lagan Valley parliamentary constituency area at Lisburn and Derriaghy Ambulance Stations. These emergency resources operate in the shift patterns shown in the table below.

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1 x A&E	Monday to Sunday	1 x 24 hours (day and night shift)
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It is important to note, however, that NIAS dynamically deploys its emergency response resources using a tactical deployment plan to ensure that the nearest appropriate response is sent to an incident.

This means that the response to an emergency call in the Lagan Valley area may be provided by an ambulance or RRV which is not based at Lisburn or Derriaghy.

To date, NIAS has not engaged in any discussion with the South Eastern Local Commissioning Group about ambulance resources and funding.

Nexus Institute: Funding

Ms S Ramsey asked the Minister of Health, Social Services and Public Safety for a breakdown of the funding provided to the Nexus Institute in the (i) 2010/11; and (ii) 2011/12 financial years in each Health and Social Care Trust area.

(AQW 272/11)

Minister of Health, Social Services and Public Safety:

- (i) All Health and Social Care Trusts have made initial allocations of funding to the Nexus Institute for the 2010/11 financial year. Further funding has yet to be allocated therefore final amounts are not available at this time.
- (ii) We are unable to provide this information for the 2011/12 financial year until the spending review outcome is finalised in January 2011.

Nexus Institute: Waiting Times

Ms S Ramsey asked the Minister of Health, Social Services and Public Safety what is the average waiting time for (i) an assessment by; and (ii) an appointment with, the Nexus Institute.

(AQW 273/11)

Minister of Health, Social Services and Public Safety: Waiting times vary across the region for survivors seeking counselling from NEXUS:

(i) Assessment interview

Minimum wait: 1 week in Belfast & Whiteabbey
Maximum wait: 12 weeks in Newry & Dungannon

(ii) Counselling

Minimum wait: 4 weeks in Belfast
Maximum wait: 26 weeks in Newry & L'derry

Health and Social Care Trust Energy Costs

Mr B Wilson asked the Minister of Health, Social Services and Public Safety to detail the energy costs for each Health and Social Care Trust in each of the last three years.

(AQW 274/11)

Minister of Health, Social Services and Public Safety: Information on energy costs for each Health and Social Care Trust is presented in the table below. The impact of increasing fuel costs can be noted in 2008/09.

HSC Trust	2009/10 £	2008/09 £	2007/08 £
Belfast	11,547,044	18,353,222	12,383,519
Northern	4,162,075	5,831,385	4,722,588
Southern	4,146,776	5,672,358	4,794,265
South Eastern	3,924,601	5,827,765	4,754,239
Western	4,957,057	5,386,008	4,409,092

HSC Trust	2009/10 £	2008/09 £	2007/08 £
NI Ambulance Service	171,415	259,527	237,475
Total Cost	28,908,968	41,330,365	31,301,178

Health and Social Care Trust Water Use

Mr B Wilson asked the Minister of Health, Social Services and Public Safety to detail the cost of water use for each Health and Social Care Trust in each of the last three years.

(AQW 275/11)

Minister of Health, Social Services and Public Safety: The amount charged by DRD for water and sewerage are shown in the table below:

HSC Trust	2007/08 (£)	2008/09 (£)	2009/10 (£)
Belfast HSC Trust	600,000	1,472,000	1,889,000
Northern HSC Trust	290,598	487,422	937,572
South Eastern HSC Trust	260,077	498,275	814,916
Southern HSC Trust	181,680	266,554	963,855
Western HSC Trust	378,091	610,449	765,967
NI Ambulance Service	4,660	5,196	5,037
Total	1,715,106	3,339,896	5,376,347

Since April 2008, all non-domestic customers are subject to water, sewerage and trade effluent charges where applicable. This has been phased in over a two year period with customers paying 50% in 2008/09 and 100% in 2009/10.

Health and Social Care Trust Energy Efficiency Savings

Mr B Wilson asked the Minister of Health, Social Services and Public Safety to detail any energy efficiency savings made by each Health and Social Care Trust in each of the last three years.

(AQW 276/11)

Minister of Health, Social Services and Public Safety: It is not possible to separate out savings generated from the implementation of energy efficiency schemes across the HSC due in part to fluctuating fuel costs in recent years.

The answer I provided to AQW 274/11 records a decrease of £12.4m in energy costs from 2008/09 to 2009/10. Whilst an element of these savings relate to the decrease in the cost of fuel, an element will also be the result of energy efficiency procedures implemented across Trusts.

Trusts continue to focus on energy efficiency and savings have been generated through changing fuel sources and tariffs, the installation of energy efficient lighting, boiler sequencing equipment, flue gas heat recovery systems, use of wind turbines and reduced heating programmes over summer months.

Intelligent Metering

Mr B Wilson asked the Minister of Health, Social Services and Public Safety if he has any plans to increase the use of intelligent metering across the Health and Social Care Trusts.

(AQW 278/11)

Minister of Health, Social Services and Public Safety: The Belfast HSC Trust is currently in the final stages of installing an Automatic Utilities Auditing System across the Trust estate using Intelligent Metering with the other four HSC Trusts currently reviewing or planning to install Intelligent Metering across their Trust facilities, depending on funding availability.

Environmental Best Practice

Mr B Wilson asked the Minister of Health, Social Services and Public Safety to give examples of any environmental best practice across his Department's estates; and what plans he has to roll these out across all sectors of the Health Service.

(AQW 280/11)

Minister of Health, Social Services and Public Safety: Some examples of environmental best practice across the Health, Social Care and Public Safety estates are listed in the attached Annex. DHSSPS encourages the adoption of such environmental best practice across the Health, Social Care and Public Safety estates through publication and promulgation of policy, guidance and best practice such as the Sustainable Development Design Brief, Health Technical Memorandum 07 – 02 EnCO2de - making energy work in healthcare (2006) and The Conservation and Creation of Biodiversity on Health, Social Care and Public Safety estates together with supporting specific funding for environmental projects through the DPF Central Energy Efficiency Fund and the DHSSPS Capital Efficiencies Fund.

1. ENVIRONMENTAL PROJECTS FUNDED FROM DFP CENTRAL ENERGY EFFICIENCY FUND

Environmental Category: Installation of BEMS/EMS/Boiler Controls/Zone or Area Controls/TRV

Ulster Hospital
Bangor Hospital
Braid Valley Hospital
Antrim Hospital
Finneston House

Environmental Category: Installation of Refrigeration or Air Conditioning Controls

Causeway Hospital

Environmental Category: Installation of Lighting Controls or Conversion to Low Energy Lighting

Braid Valley Hospital
Mid Ulster Hospital
Belfast City Hospital

Environmental Category: Change of Fuel (Electricity->Oil->LPG->Nat Gas)

Causeway Hospital
Route Laundry
Robinson Memorial Hospital
Roddens Residential Home for the Elderly
Craigavon Area Hospital

Environmental Category: Installation of CHP

Dalriada Hospital
Fort Centre and PDSI
Robinson Memorial Hospital
Altnagelvin Hospital
Roddens Residential Home for the Elderly
Loch Cuan EPH
Lisgarel Complex

Joymount House
N Ireland Fire & Rescue Service Crescent Link

Environmental Category: Installation of Point of Use Water Heaters

The Royal Group of Hospitals

Environmental Category: Boiler Plant Upgrading or Decentralisation

Musgrave Park Hospital
The Royal Group of Hospitals Steam Services Phase 1
Mullinure Hospital
Whiteabbey Hospital
Braid Valley Hospital
Mater Hospital
Lagan Valley Hospital
South Tyrone Hospital
St Lukes Hospital/Longstone Hospital

Environmental Category: Heat Recovery Including Destratification Fans

Ulster Hospital

Environmental Category: Installation of Radiator Reflective Panels

Millbrook Res Ctr

Environmental Category: Roof Insulation, Cavity Wall Insulation or Pipe Insulation

Mater Hospital
Laganvalley Hospital
Downshire Hospital
Craigavon Area Hospital
Downshire Hospital
Craigavon Area Hospital
Mater Hospital Boilerhouse
PDSI Building Causeway
Dalriada & Robinson Memorial Hospital
Riverside House
Ferrard complex
Ulster Hospital

Environmental Category: Renewable Energy - Biomass

Downshire Hospital
Crozier House
Skeagh House
Holywell Hospital

2. ENVIRONMENTAL PROJECTS FUNDED FROM DHSSPS CAPITAL EFFICIENCY FUND

Holywell Hospital Oil to Gas
Waste Compactor Altnagelvin
Boiler controls TCH Hospital
Energy project Woodlea House Gransha
Fuel stretcher Schemes
Boiler Decentralisation Southern Trust
Bio-mass Boiler for Skeagh House and Crozier House Southern Trust
Combined Heat & Power Unit at Daisy Hill Hospital Southern Trust

3. OTHER ENVIRONMENTAL MEASURES UNDERTAKEN BY TRUSTS

3.1 Northern HSC Trust

- The wind turbine at Antrim Hospital contributes on an annual basis around 983,818 kWhrs of electricity, 17/16% of the site's total electricity requirement.
- The NHSCT also has a number of its facilities accredited with ISO14001. ISO14001 is a structured environmental management system which assures conformance with environmental policy and environmental legislation.

3.2 Southern HSC Trust:

- **Environmental Strategy 2009-11:** The Trust remains committed to environmental matters and their Environmental strategy 2009 – 2011 is helping to ensure compliance with Government standards for waste, energy and environmental management. In the first quarter of 2010 the Trust reduced their clinical waste by **1.5% and reduced their Domestic Waste by 3%.**
- **Arena Network Environmental Survey:** This year the Trust participated in the 11th Arena Network Environmental Survey – an annual survey which looks at the overall environmental performance of organisations throughout Northern Ireland. The Trust was awarded Quintile 2 status (60-79%) which is above the healthcare sector average of 58%.
- **Leading Energy Efficiency Project Award 2009:** The Trust was awarded top prize for their work with Semple & McKillop Consulting Engineers at the all island Sustainable Energy Ireland (SEI) Awards which highlight excellence in business energy management. The 'Leading Energy Efficiency Project Award 2009' was secured for the decentralisation of the heating system at St Luke's Hospital, Armagh.
- **Portadown Health Centre:** The new centre has won a number of awards for Environmental Best Practice. The facility has a number of energy efficient technologies installed including biomass boiler.

3.3 Western HSC Trust

- In addition to undertaking a number of environmental improvement schemes funded through the DFP Central Energy Efficiency Fund, the Trust has adopted a 1degree space heating temperature reduction across Trust Buildings and is currently implementing a Water Management Contract to reduce water consumption and subsequent charges.

3.4 Belfast HSC Trust

- **Staff Training in Environmental Awareness:** The Trust includes environmental awareness training as part of their Fire Safety Training and this 'hands on' approach is unique to the public sector in Northern Ireland. This annual training is mandatory for all staff and ensures that staff are provided with important fire safety and energy conservation information. This empowers staff to take the right actions in work and at home. Additionally, partnerships have been fostered with energy providers that have resulted in 3,000 members of staff receiving a low energy light bulb for attending a Fire & Environmental Awareness Training session.
- **Integrated Management System:** The Trust has established an Environment & Sustainability Group. The Group is chaired by the Director of Planning & Redevelopment and has representatives who have sustainability as a main part of their job, including: Environment; Waste; Transport; Energy; Water; Estates; Procurement; Public Health & Public Relations. One of the main aims of the Group is to integrate Environment, Sustainability, Energy, Waste, Transport and Procurement across the Trust to ensure best practice through compliance with International, European & British Standards. One of the objectives of this Group is the implementation of an Integrated Environmental Management System (IMS). The system follows a 6 phase approach to the Trust-wide implementation of several environmental, sustainability and energy management standards. These are:
 - BS 8555 Environmental Management System (used for its phased approach)
 - ISO 14001 Environmental Management Systems

- BS 8900 Managing Sustainable Development
- BSEN 16001 Energy Management Systems
- The target completion date for the implementation of the system is June 2011.
- **Automatic Utilities Auditing System:** The Trust is currently installing an Automatic Utilities Auditing System that will provide the foundation on which energy conservation and cultural change can be based. It is an essential first step to be able to see and understand the amount and cost of heat, light, power and water consumed. The system is the first complete automatic intelligent energy and water meter reading system (AMR) to be installed on this scale in Northern Ireland which facilitates metered data being retrieved from across the entire Belfast Trust estate and is accessed via the internet. This data is collected from each fiscal meter every half hour via a radio network and provides the information platform from which every key strategy in utilities performance and cultural change can be built.

For the first time users at any level can be given simple easy to understand information of their energy and water consumption and be encouraged to take a hands on approach to conservation and see the results of their efforts in a tangible and recognisable format. This first phase targeted approximately 360 fiscal meters and the next phase will be to target and develop opportunities for the installation of new sub-metering and providing internet access to visual graphics enabling users to see the impact that their actions have on consumption on a continual basis.

- **Water Borewells:** The Trust has two operational borewells which are currently abstracting water from the Lagan Aquifer and providing potable water for the Musgrave Park Hospital site and Belfast City Hospital Tower. The existing installations have been important to the Belfast HSC Trust both in terms of the security of supply they provide and significant savings on the cost of water. The Trust has advanced plans for further borewells at Belfast City Hospital and the new Critical Care Building at the Royal Victoria Hospital as it seeks to develop site contingency plans and to identify further savings.
- **Flue Gas Stack Economisers:** An innovative system to make large boilers more efficient and deliver savings in carbon emissions and cost had been identified by the Trust's Estates Department. Equipment has been installed at 3 large sites, namely: Musgrave Park Hospital, Muckamore Abbey Hospital & Belfast City Hospital. By using the latest developments, the aim was to recover the wasted heat energy and reuse this energy in the following ways:
 - To pre-heat the boiler feed water at Musgrave Park Hospital.
 - to assist with the heating demand at Muckamore Abbey Hospital and also provide heating for the swimming pool.
 - To assist with the heating demand and to pre-heat the boiler feed water for the Tower at Belfast City Hospital

The main aim of the installation was to reduce the fuel consumed to each system and consequently reduce carbon emissions and the Trust's fuel bills by 10% at each site.

3.5 South Eastern HSC Trust

The Trust is committed to delivering and maintaining its estates portfolio in a sustainable manner and within this ethos has over the past 3 years:

- Installed CHP plant to Thompson House
- Lighting controls: Continually surveying and assessing the operations of its buildings for automatic controls via microwave/daylight or movement sensors for lights on/off. Such examples are to the offices and main entrance of Laganvalley hospital, Offices of Estates HQ, retrofits to the New Downe and the refurbishment of Ulster Hospital A&E.
- BeMS Training: The entire Trust is operated under the scope of a building & energy management system with staff regularly updated on use via training to incur efficiency in operation. This system itself is now being rationalised to allow better remote access and

a better centralised point of control from Estates HQ (as opposed to outlying access). Also surveys for gaps in pulse coverage of new buildings are ongoing with inefficient/inaccurate hardware being identified for upgrade

- A Bore Hole at the Ulster Hospital site is proposed to take advantage of the cheaper rates of utilising the site's underlying aquifer. This will dramatically reduce water costs at the site.
- Implemented DEC's (Display Energy Certificates) with accredited staff "in-house" saving £40000 per year (in previous outside professional fees) and illustrating which buildings are inefficient in energy consumption.
- Transferring (where practicable) electrical supply over to Airtricity who are at this time offering 100% green sourced electricity via wind farms and wave power. Thus reducing the carbon footprint of the Trust and saving £50000 per year in unit cost.
- Replacement of old inefficient boiler plant with new gas fired burners and high efficiency boilers where practicable such as at Laganvalley where consumption/cost savings have been regarded as 12% on consumption (62550m³) and 41% on £ spend (£93751). These savings are ongoing.
- Continuing use of and accreditation with ISO14001 (Environmental Management Standard) for Down/Lisburn area with groundwork (written policies, strategies & proofs) being prepared for application to Trust remainder (Old Ulster community area) to be further considered in the forthcoming years.
- Continual staff training via monthly inductions whereby awareness is incited via an Environmental Talk. Staff are made aware of the Trust's commitments to act responsibly within the environment and to how we can best achieve this ideal while providing excellent patient care.
- Maintaining excellent supplier links with Energia, Phoenix, Airtricity, NI water, NIE, Calor & Nichol Fuels whereby market updates are available, seminars are provided for senior staff awareness and the opportunity to "fix" gas rates at favourable amounts is available. For example the Trust recently purchased ahead for gas unit cost for the winter period thus saving substantially on its winter period expenditure

4. Centrally Driven Initiatives

- **Healthy Transport Plans:** The DHSSPS has a clear commitment towards health promotion by encouraging alternative healthier modes of transport such as walking and cycling. Equipment, services and facilities should be available to enable and motivate staff and others to adopt these 'healthier' lifestyle changes.

The Sustainable Development Design Brief provides guidance to construction designers on the requirement to carry out a transport Assessment to cover all modes of transport at the site selection stage of a project. New developments are encouraged to be located so access to public transport is within a walking distance of less than 400m. The brief also requires that project teams establish a Green Travel Plan, for the new facilities, which sets out the transport choices available to staff and visitors, and help encourage sustainable modes of travel such as cycling and walking and the use of public transport.

It is expected that all government and public sector organisations, including the Health & Personal Social Services, will lead by example, and demonstrate their commitment to the national strategy, by producing a Healthy Transport Plan for their individual organisations. A Healthy Transport Plan consists of a set of measures, which can be adapted to the needs of individual organisations in order to reduce the impact of travel both to and from the workplace and on a Health Service site.

The Health Service has adopted the Healthy Transport Toolkit, produced by Transport 2000 in order to assist Health & Social Care Service organisations in reviewing their current arrangements and support the production of and implementation of Healthy Transport Plans.

- **Waste Management:** In February 2006 the Department of Health, Social Services and Public Safety produced its first Waste Management Action Plan (WMAP). The Action Plan was

structured around the three key messages of the Waste Management Strategy – “Reduce”, “Reuse” and “Recycle”. The first two were taken forward on a corporate basis, while the third was to be driven through separate action plans for individual buildings, or groups of buildings reflecting differences in the existing recycling infrastructures and the fact that many of the larger sites are shared with other departments or agencies.

In support of Waste Prevention on construction projects, Site Waste Management Plans are being used as a tool to help minimize waste. Since October 2007 tender documents issued on contracts over £200,000 require successful contractors to prepare Site Waste Management Plans (SWMP) before commencing any site operations that would generate waste. The Health Estates Sustainable Development Design Brief, section 6.00, stipulates requirements for waste management planning in the design of capital projects.

Guidance has been issued to HSC Trusts on the demolition, dismantling, recovery and reuse of construction material in support of a Recycling and Recovery target of 75% of Construction, Demolition and Excavation Wastes to be recycled or reused by 2020. This guidance includes use of the Recycled Content Tool Kit to provide evidence of the recycled content of building materials used on capital projects.

On domestic Waste, several Trusts have taken forward a number of initiatives:

- A waste audit completed at the Ulster Hospitals Community legacy Trust found that that cardboard was one of the main sources of waste that required remedial action, with glass and cans having the most potential for recycling.
- Craigavon Area Hospital diverted 78 Tonnes of waste from landfill through various methods of recycling. Overall the Trust reduced their domestic waste by approx. 7% and made a financial savings of £2000.
- Craigavon and Banbridge legacy trust also introduced recycling of confidential waste paper reducing the amount of waste going to landfill by 14 Tonnes.
- The Royal Group of Hospitals continued to introduce waste management, with 27 members of staff achieving NVQ2 waste management operations and 3 supervisors attaining NVQ3 waste management supervision.
- Dry mixed waste recycling is currently being phased throughout the Royal site, with 200 Tonnes recycled in the reporting period 2006/2007.
- The Department's office estate i.e. (Castle Buildings + Annexes, Centre House, and Health Estates) has continued a regime of office waste paper recycling.
- **Energy performance certificates (EPC) and display energy certificates (DEC):** These are a requirement under the Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008 SR2008/170 & SR2008/241. EPCs for buildings occupied by Health and Social Care bodies will be required as follows:
 - (i) From 30 September 2008 for all newly completed buildings
 - (ii) From 30 September 2008 in some cases for the modification of any part of the building where it is designed or altered to be used separately – this could apply in some circumstances to HSC facilities;
 - (iii) From 30 December 2008 on the sale of any building and the renting out of any building

The EPC must be accompanied by a recommendation report for the improvement of the energy performance of the building.

From 30 December 2008 Health and Social Care bodies where required to have a Display Energy Certificates (DEC) for any building with a total useful floor area over 1000m². The DEC is to be accompanied by an Advisory Report which is a report issued by an energy assessor, after his energy assessment of the building, which contains recommendations for the cost-effective improvement of the energy performance of the building. Both of these have

to be lodged in the national register with a unique reference number. The national register is operated by Landmark Information Group Limited on behalf of DFP.

The Regulations also introduce a requirement where HSC bodies have buildings that operate air-conditioning systems with an effective rated output of more than 12 KW they need to have the system inspected by an energy assessor at regular intervals not exceeding 5 years.

- **Biodiversity:** The Northern Ireland Biodiversity Strategy was agreed by the Executive in 2000 and contains 76 objectives designed to protect and promote nature conservation, mostly related to DOE and DARD, although there are a number of objectives that would apply to other Departments. Health Estates Investment Group, Estates Directorate, as the Sustainable Development policy lead for the Department, has implemented or is planning to implement a number of initiatives that demonstrate our commitment to the Northern Ireland Biodiversity Strategy and would also contribute to addressing the recommendations in the report.

The Conservation and Creation of Biodiversity on Health, Social Care and Public Safety Estates has been produced by HEIG for use on both new projects and the existing estate. This guidance will also assist the DHSSPS play its part in delivering the Northern Ireland Biodiversity Strategy and any Statutory Duty on Biodiversity that may be introduced

- **Climate Change:** HEIG is reviewing current advice on Climate Change adaptations that can be incorporated in Health, Social Care and Public Safety buildings to combat the forecast effects of Climate Change for both new and refurbishment projects
- **Sustainable Construction Procurement:** The preparation and maintenance of a Sustainable Procurement Action Plan (SPAP) is a requirement of all Centres of Procurement Expertise (CoPEs). As the DHSSPS COPE for Construction Procurement, the HEIG SPAP is based on the deliver of four sustainable development priorities:
 - **Sustainable Consumption and Production** – e.g. the use of procurement to improve resource efficiency through recycling, reduction in waste and retained and refurbished buildings;
 - **Natural Resource Protection / Environmental Enhancement** – e.g. use of procurement to secure protection and enhancement of existing public buildings and other resources through sustainable infrastructure projects, goods and services. Protection, enhancement and reduction in loss of biodiversity;
 - **Sustainable Communities** – e.g. use of procurement to increase the social and economic well being of people; the skills base of the workforce and investment in R&D; promote innovation, support for enterprise and entrepreneurship, and encourage SME's/SEE's to pursue public sector business. Equality of Opportunity should also be included under this heading; and
 - **Climate Change and Energy** - e.g. use of procurement to reduce greenhouse gas emissions, promote energy efficiency and the use of renewable energy sources.

Rapid Response Vehicles

Lord Morrow asked the Minister of Health, Social Services and Public Safety how many times in the last twelve months, on which a rapid response vehicle and an ambulance have been deployed to the same incident, and the ambulance has then been stood down.

(AQW 285/11)

Minister of Health, Social Services and Public Safety: In the period from September 2009 to August 2010, a rapid response vehicle and an emergency ambulance were deployed to the same incident on 19,458 occasions. The emergency ambulance was stood down on 1,921 occasions.

Juveniles Arrested for Public Order Offences

Lord Morrow asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 1/11, why the information is not available on the number of referrals made to Social Services by the PSNI regarding juveniles arrested for public order offences during the Twelfth of July period; and what is the usual procedure for the referral of young people in these circumstances.

(AQW 286/11)

Minister of Health, Social Services and Public Safety: Information on both the source of and reason for a referral are not collected by the Department.

While the police are concerned with the investigation of alleged offences, the focus of social services is on the welfare of the child and family. If the police have reason to believe that a child is suffering or may be at risk of suffering significant harm, a referral should be made to social services in the relevant HSC Trust Gateway Team for investigation. Joint investigations and interviewing arrangements have been established under the "Protocol for the Joint Investigation by Social Workers and Police Officers of Alleged and Suspected Child Abuse".

Victims of Sexual and Physical Abuse

Mr A Easton asked the Minister of Health, Social Services and Public Safety how much funding his Department provided for victims of (i) sexual; and (ii) physical abuse, in each of the last three years.

(AQW 300/11)

Minister of Health, Social Services and Public Safety:

	08/09	09/10	10/11
Sexual Violence	£307k	£900k	£660k
Domestic Violence	£769k	£967k	£952k
Total	£1,076m	£1,867m	£1,612m

£2m capital has also been provided for the development of the Sexual Assault Referral Centre (SARC) over this period.

Victims of Sexual and Physical Abuse

Mr A Easton asked the Minister of Health, Social Services and Public Safety what services are currently available for the victims of (i) sexual; and (ii) physical abuse.

(AQW 301/11)

Minister of Health, Social Services and Public Safety: Domestic and Sexual Violence are cross-departmental issues, which DHSSPS and DoJ jointly lead on. Services currently available for victims of sexual and domestic abuse include:

- Primary Care Services;
- Counselling services;
- Therapeutic work with fathers of children experiencing domestic violence;
- Multi Agency Risk Assessment Conferencing (MARAC) safety planning for high risk victims of domestic violence;
- Specialist support services for women, men and children including refuge and emergency accommodation and
- Domestic Violence helpline.

Self-harm

Mr A Easton asked the Minister of Health, Social Services and Public Safety what services are currently available for people who self-harm.

(AQW 302/11)

Minister of Health, Social Services and Public Safety: There are a wide range of statutory and voluntary sector services for those who are considering or presenting with self harm. These can be accessed through self referral or by referral to specialist services.

The range of available services include Lifeline, various voluntary sector support, primary care, general medical and A&E services, psychological therapy services, community mental health services and inpatient mental health care.

Victims of Sexual and Physical Abuse

Mr A Easton asked the Minister of Health, Social Services and Public Safety what funding is currently available for voluntary groups who work with the victims of sexual and physical abuse.

(AQW 304/11)

Minister of Health, Social Services and Public Safety: My Department currently provides core and project funding to a total of 70 voluntary and community organisations, including a number who work with the victims of sexual and physical abuse. The budget for the 2010/11 financial year for voluntary groups who work specifically with victims of sexual and domestic violence amounts to circa £700k.

£2 Million Investment in Autism Services

Mr J Craig asked the Minister of Health, Social Services and Public Safety how the £2 million investment in autism services, made by his Department in 2009, has been spent to date.

(AQW 318/11)

Minister of Health, Social Services and Public Safety: Money earmarked for Autism services has been, and will continue to be, spent on local ASD services in accordance with actions outlined in the ASD Strategic Action Plan (2009).

Between April 2008 and March 2011 an additional £1.54m (reduced from £2.02m as a result of budget cuts) has been secured for ASD service development; it will continue to be invested in creating and improving services for those affected by autism spectrum disorder (ASD). This additional investment has already been made in -

- improving front-line diagnostic/assessment,
- intervention/support service capacity within children's services, and
- a wide range of posts, some already filled and some in the process of being established in each Trust, including, Autism Coordinators, paediatrician, clinical psychologist, speech and language therapist and Autism intervention/therapist posts.

Children with Suspected Autism

Mr J Craig asked the Minister of Health, Social Services and Public Safety what is the average waiting time for children with suspected autism, and/or a learning disability, to receive (i) an initial assessment; and (ii) specialised treatment.

(AQW 319/11)

Minister of Health, Social Services and Public Safety: Figures are not available in the format requested.

Ambulances Service Vehicles

Mr P Weir asked the Minister of Health, Social Services and Public Safety how many (i) ambulances; and (ii) rapid response vehicles are available for use at any one time in the North Down area.

(AQW 327/11)

Minister of Health, Social Services and Public Safety: I propose to answer AQWs 327/11, 328/11 and 329/11 together.

The Northern Ireland Ambulance Service (NIAS) has 3 A&E ambulances and 2 rapid response vehicle (RRV) based in North Down Local Government District at Bangor Ambulance Station. These emergency resources operate in the shift patterns shown in the table below.

1 x A&E	Monday and Tuesday	0800 to 2000hours (2 staff)*
2 x A&E	Wed, Thurs, Fri, Sat, Sun	0800 to 2000hours (4 staff)*
1 x A&E	Wed, Thurs, Sun	2000 to 0800hours (2 staff)*
2 x A&E	Mon, Tues, Fri, Sat	2000 to 0800hours (2 staff)*
2 x RRV	Monday to Sunday	16 hours daily distributed from 0800 to 0200hours (2 staff)

A&E ambulances are operated by 2 crew members whereas RRVs are operated by a single paramedic. Managerial support in the North Down area is provided by NIAS's East Country Division area manager, whose headquarters is at Bangor Ambulance Station, and two station officers one of whom is also based at Bangor.

It is important to note, however, that NIAS dynamically deploys its emergency response resources using a tactical deployment plan to ensure that the nearest appropriate response is sent to an incident. This means that the response to an emergency call in the North Down area may be provided by an ambulance or RRV which is not based at Bangor.

Ambulance Staff

Mr P Weir asked the Minister of Health, Social Services and Public Safety how many ambulance staff are on duty at any given time in the North Down area; and what is the recommended staff complement at any one time.

(AQW 328/11)

Minister of Health, Social Services and Public Safety: I propose to answer AQWs 327/11, 328/11 and 329/11 together.

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2 x RRV	Monday to Sunday	16 hours daily distributed from 0800 to 0200hours (2 staff)

A&E ambulances are operated by 2 crew members whereas RRVs are operated by a single paramedic. Managerial support in the North Down area is provided by NIAS's East Country Division area manager, whose headquarters is at Bangor Ambulance Station, and two station officers one of whom is also based at Bangor.

It is important to note, however, that NIAS dynamically deploys its emergency response resources using a tactical deployment plan to ensure that the nearest appropriate response is sent to an incident. This means that the response to an emergency call in the North Down area may be provided by an ambulance or RRV which is not based at Bangor.

Ambulances Service Vehicles

Mr P Weir asked the Minister of Health, Social Services and Public Safety how many (i) ambulances; and (ii) rapid response vehicles owned by the Ambulance Service are stationed in the North Down area. **(AQW 329/11)**

Minister of Health, Social Services and Public Safety: I propose to answer AQWs 327/11, 328/11 and 329/11 together.

The Northern Ireland Ambulance Service (NIAS) has 3 A&E ambulances and 2 rapid response vehicle (RRV) based in North Down Local Government District at Bangor Ambulance Station. These emergency resources operate in the shift patterns shown in the table below.

1 x A&E	Monday and Tuesday	0800 to 2000hours (2 staff)*
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It is important to note, however, that NIAS dynamically deploys its emergency response resources using a tactical deployment plan to ensure that the nearest appropriate response is sent to an incident. This means that the response to an emergency call in the North Down area may be provided by an ambulance or RRV which is not based at Bangor.

Priorities for the 2011-15 Budget Period

Mrs M O'Neill asked the Minister of Health, Social Services and Public Safety to outline his Departmental priorities for the 2011-2015 budget period. **(AQW 333/11)**

Minister of Health, Social Services and Public Safety: The priority of my Department must be to deliver services that are safe, sustainable and meet people's needs. We must meet the increased demand arising from a growing elderly population and from having the youngest population in the UK. People will also rightly expect that as new technology, new treatment solutions and innovative models of service delivery become available throughout the UK that patients here can avail of them to prolong their lives and improve their health.

I am concerned about whether all this can be achieved in the current financial climate. The Appleby review said that, after assuming we delivered substantial efficiencies, health in Northern Ireland required additional funding of 4.3% over inflation per annum from 2007/08 until 2012/13, with above inflation settlements beyond that. DHSSPS has received less than 1% per annum since 2008/09. The longer this continues, the greater the impact, and the harder it will be to preserve the NHS model in the years ahead.

Budget

Mrs M O'Neill asked the Minister of Health, Social Services and Public Safety what elements of his departmental budget he has ring-fenced since May 2007.

(AQW 336/11)

Minister of Health, Social Services and Public Safety: My Department has ring-fenced funds set aside for pay costs, non pay costs demographic pressures, EPF/RRI revenue consequences and the children's and young people's package.

Additional funding set aside for service developments and service improvements have also been ring fenced each year. However, as specific initiatives vary from year to year, covering a wide range of health and social care areas, it is not possible to provide an exhaustive list in this answer. Areas ring fenced have included: cancer control, cardiovascular services, elective care, revenue consequences of capital schemes, specialist drugs, long term conditions, mental health, learning disability, physical and sensory disability, children with complex needs and integrated medicines management.

DFP have ring fenced elements of the Department's budget including Invest to Save, EU Funds, Package for Innovation and Swine Flu funding. In 2010/11, depreciation and impairments will also be ring-fenced.

At an overall Departmental level, expenditure is ring fenced between capital and revenue allocations.

Medical Negligence Claims

Mrs M O'Neill asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 1096/10, for a breakdown of the types of cases which resulted in the medical negligence claims.

(AQW 337/11)

Minister of Health, Social Services and Public Safety: A breakdown of new clinical negligence claims by speciality in 2008/09 is set out in the table below:

2008/09 New Clinical Negligence Claims by Specialty

	Total Claims
Accident & Emergency	102
Anaesthetics & Pain Management	6
Cardiology	12
Dermatology	3
Endoscopy	1
General Medicine	34

	Total Claims
General Surgery	70
Gynaecology	36
Maxillo Facial (Oral Surgery)	4
None	8
Obstetrics	74
Trauma & Orthopaedics	60
Paediatric Medicine	11
Plastic Surgery	6
Mental Illness	10
Radiology	1
Insufficient information to code	27
Health Visiting	2
Family	2
Opthamology	3
ENT	11
Neurology	5
Learning Disability	3
Cardiac Surgery	5
Clinical Services (non-specific)	2
Children & Young People Services	2
Clinical Psychology	1
Elective Surgery	1
Gastroenterology	1
Infectious Diseases	1
Elderly Care Medicine	1
Nephrology/Renal	2
Neurosurgery	3
Out of Hours	1
Psychiatry	2
Radiology	9
Regional Fertility	1
Social Services	1
Theatres	2
Urology	5

	Total Claims
Physiotherapy	1
Other surgical specialty	1
Paediatric Surgery	2
Rehabilitation	1
Domicillary Services	1
Haematology	1
Oncology	1
Palliative Care	1
Totals	540

The NI Ambulance Trust received 3 new claims in this period, of which 2 related to treatment and 1 related to transport.

Medical Secretaries

Mrs M O'Neill asked the Minister of Health, Social Services and Public Safety for his assessment of the Belfast Health and Social Care Trust's proposals to make 50 medical secretaries redundant and to downgrade over 120 posts.

(AQW 339/11)

Minister of Health, Social Services and Public Safety: I refer the member to my answer to AQW 149/11.

Victims of Sexual Abuse

Mrs M O'Neill asked the Minister of Health, Social Services and Public Safety what support is available from his Department for the victims of sexual abuse in each Health and Social Care Trust area.

(AQW 340/11)

Minister of Health, Social Services and Public Safety: All Health and Social Care Trusts provide counselling services for victims of sexual abuse either through their mental health and psychological services, child and family services or from voluntary sector providers with whom they have contracts.

All 5 HSC Trusts have contracts with the NEXUS Institute and some Trusts contract with local providers. The NEXUS Institute delivers counselling from 36 outreach offices throughout Northern Ireland.

Unused Drugs

Mr M Durkan asked the Minister of Health, Social Services and Public Safety to outline the circumstances in which unused drugs are destroyed; and the value of the destroyed unused drugs for each of the last three years.

(AQW 353/11)

Minister of Health, Social Services and Public Safety: Drugs are destroyed where the full potency, safety or quality of the drug cannot be guaranteed. When a medicine has reached its expiry date it is routinely destroyed as out of date drugs can deteriorate in strength and become less effective. There is also the potential for expired drugs to pose a health risk to the patient.

Patients often return unused drugs to their pharmacies to ensure their safe disposal. These drugs cannot be dispensed again to other patients as the pharmacist cannot be certain that returned drugs have not been tampered with nor can the quality be guaranteed. It is important when dispensing any medicine that there is a clear audit trail of that drug's movement, from the manufacturer, to the

wholesaler and finally the pharmacy. This audit trail is compromised once a drug has been dispensed and then returned.

The information regarding the value of destroyed drugs is not collected routinely.

Drugs Provided to Nursing and Care Homes

Mr M Durkan asked the Minister of Health, Social Services and Public Safety how much has been spent on provision of (i) prescribed; and (ii) non-prescribed drugs to nursing homes and care homes in each of the last three years.

(AQW 354/11)

Minister of Health, Social Services and Public Safety: The information requested is not available. There is no separate prescribing budget for residents of nursing homes and care homes. Residents remain on their own GP's patient list.

Drugs and Food Supplements supplied to Nursing and Care Homes

Mr M Durkan asked the Minister of Health, Social Services and Public Safety what measures his Department has in place to ensure value for money in the supply of (i) prescribed drugs; (ii) non-prescribed drugs; and (iii) food supplements, to nursing homes and residential homes.

(AQW 355/11)

Minister of Health, Social Services and Public Safety: Residents of nursing homes and care homes remain on the GP patient list.

It is the GP's responsibility to prescribe appropriate medication to their patients based on sound clinical judgement whilst ensuring the best value for money for the Health Service.

Pharmaceutical Clinical Effectiveness Programme

Mr M Durkan asked the Minister of Health, Social Services and Public Safety for an update on implementation of the Pharmaceutical Clinical Effectiveness Programme.

(AQW 356/11)

Minister of Health, Social Services and Public Safety: The Pharmaceutical Clinical Effectiveness (PCE) Programme was initiated in 2005. The programme represents an approach designed to enhance the quality and efficacy of treatment, improve safety in pharmaceutical services and thereby deliver efficiencies. Through its various initiatives, the programme has consistently met the targeted efficiencies in successive years. To date these stand at approximately £90m. The efficiency targets set for 08/09 and 09/10 were achieved in both the Primary Care and Trust settings. PCE Outputs for 09/10 included:

- 4% increase in the rate of dispensed generic medicines to meet the 09/10 target 59% (2011 Target = 64%)
- Update of the product standardisation programme for modified release medicines
- Achievement of milestones in optimising prescribing/procurement in a number of therapeutic areas
- Tracking of continuing contribution of extant PCE guidelines to efficiencies
- Review of administrative improvements and price adjustments required in order to maintain a NI Drug Tariff in support of efficiencies
- Agreement and publication of antibiotic guidelines for secondary care

The 2009-2010 efficiency targets were met in both the Primary Care and Trust settings

Health and Social Care Budget

Mrs M O'Neill asked the Minister of Health, Social Services and Public Safety what percentage of the annual Health and Social Care budget is spent on the public health agenda.

(AQW 364/11)

Minister of Health, Social Services and Public Safety: £77.7m will be spent on the Public Health agenda which equates to 1.8% of the total budget set aside for Health and Social Care in 2010/11.

Band 5 Dieticians

Mr C McDevitt asked the Minister of Health, Social Services and Public Safety how many Band 5 dieticians have been employed by each Health and Social Care Trust in each of the last three years; and how many will be employed next year.

(AQW 386/11)

Minister of Health, Social Services and Public Safety: The requested information is provided in the table below.

NUMBER OF BAND 5 DIETICIANS EMPLOYED BY TRUST AS AT 31 MARCH.

Trust	March 2008		March 2009		March 2010	
	Headcount	WTE	Headcount	WTE	Headcount	WTE
Belfast	13	12.93	21	20.93	19	18.92
Northern	12	11.50	8	7.18	10	8.64
South Eastern	8	7.74	11	11.00	9	9.00
Southern	7	7.00	8	8.00	8	7.60
Western	8	7.27	12	11.39	12	11.39
Total	48	46.44	60	58.50	58	55.55

Source: Human Resource Management System

Notes:

1 WTE= whole-time equivalent

Information on the number of Band 5 Dieticians who will be employed by Trusts in the next year is not available. It is the responsibility for individual Health and Social Care Trusts to determine their own staffing levels and grades necessary to provide service.

Action Cancer's Campaign to Ban Smoking in Cars when Children are Present

Mrs M O'Neill asked the Minister of Health, Social Services and Public Safety for his assessment of Action Cancer's campaign to ban smoking in cars when children are present.

(AQW 392/11)

Minister of Health, Social Services and Public Safety: Action Cancer's publicity campaign is very beneficial in that it will help to further highlight the dangers of second hand tobacco smoke to children and young people travelling in private cars and in their own homes. Increasing awareness of the harm caused by second hand smoke, particularly to children, is central to encouraging parents, and other adults, to voluntarily make their homes and private vehicles completely smoke free. Efforts to change attitudes may ultimately be more effective than the introduction of further legislation which would be extremely difficult to enforce.

My Department will be issuing a new tobacco control strategy for consultation. The new strategy will contain objectives aimed at: reducing the numbers of people starting to smoke; encouraging more smokers to quit; and affording greater protection for all from tobacco related harm.

Senior Medical Staff Bonuses

Lord Morrow asked the Minister of Health, Social Services and Public Safety whether senior medical staff bonuses will also be cut when he is making other savings across his Department.

(AQW 405/11)

Minister of Health, Social Services and Public Safety: Doctors do not receive bonus payments.

Clinical Excellence Awards schemes are in operation across the UK to recognise the exceptional contribution made by individual consultants to the delivery of high quality patient care, locally nationally and internationally.

However, I am mindful of the need to consider efficiency savings right across the health service. That is why I, along with the Health Ministers for England, Scotland and Wales, have commissioned a UK wide review of Clinical Excellence Awards.

The review will be led by the Review Body on Doctors' and Dentists' Remuneration and will report in Summer 2011.

Soya Milk

Mr G Savage asked the Minister of Health, Social Services and Public Safety who would investigate retailers that are advertising and selling "soya milk"; and what are the penalties that can be incurred for this practice.

(AQW 407/11)

Minister of Health, Social Services and Public Safety: The name "Soya milk" is not a description that is permitted in the advertising and retail sale of milk.

The Spreadable Fats (Marketing Standards) and the Milk and Milk Products (Protection of Designations) Regulations (NI) 2008 (SR No.239) implement "Community Provisions" controlling designations for milk and milk products. The national legislation came into operation on 1st July 2008 and is enforced by the District Councils.

The regulations state that any person who contravenes or fails to comply with the Community provisions is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

Investigation of complaints regarding advertising and sale of products described as "Soya milk" would be undertaken by environmental health officers of the District Council where the offence takes place.

Post-Exposure Prophylaxis

Mr S Neeson asked the Minister of Health, Social Services and Public Safety how many courses of Post Exposure Prophylaxis have been administered in hospitals in each of the last five years, broken down by (i) Health and Social Care Trust; (ii) hospital; and (iii) categorised for administration due to sexual contact and non sexual contact.

(AQW 408/11)

Minister of Health, Social Services and Public Safety: Information on the number of courses of Post Exposure Prophylaxis that have been administered in hospitals in each of the last five years is not available and could only be provided at disproportionate cost.

Nursing Positions

Mr A Easton asked the Minister of Health, Social Services and Public Safety how many nursing positions are currently vacant in each Health and Social Care Trust.

(AQW 410/11)

Minister of Health, Social Services and Public Safety: Information on the number of nursing vacancies can be found in the latest Northern Ireland Health and Social Care Workforce Vacancies Report at 31st March 2010, which is on the DHSSPS website at:

http://www.dhsspsni.gov.uk/vacancy_survey_march_2010_web_report-2.pdf

Doctor and Consultant Positions

Mr A Easton asked the Minister of Health, Social Services and Public Safety how many (i) doctor; and (ii) consultant positions are currently vacant in each Health and Social Care Trust.

(AQW 411/11)

Minister of Health, Social Services and Public Safety: Information on the number of doctor and consultant vacancies can be found in the latest Northern Ireland Health and Social Care Workforce Vacancies Report at 31st March 2010, which is on the DHSSPS website at:

http://www.dhsspsni.gov.uk/vacancy_survey_march_2010_web_report-2.pdf

Unused Prescription Drugs

Mr T Gallagher asked the Minister of Health, Social Services and Public Safety what arrangements are in place for the collection and disposal of unused prescription drugs; and to detail the costs associated for this service in the last financial year.

(AQW 501/11)

Minister of Health, Social Services and Public Safety: There is currently a waste medicines contract in place with a specialist company for the collection and disposal of all medicinal waste from pharmacies across Northern Ireland. Patients are encouraged to return any unused prescription drugs to their pharmacies to ensure of their safe disposal.

The cost of the operation of this waste medicines contract was approximately £400,000 in the 2009/10 financial year.

Hospitality Expenses

Mrs M O'Neill asked the Minister of Health, Social Services and Public Safety when the independent Value for Money Audit on his Department's hospitality expenses will be published.

(AQW 512/11)

Minister of Health, Social Services and Public Safety: I am not aware of any independent value for money audit of my Department's hospitality expenses having been commissioned.

Cancelled Operations

Mr T Gallagher asked the Minister of Health, Social Services and Public Safety to detail the number of cancelled operations in each Health and Social Care Trust in each of the last five years, broken down by (i) inpatients; and (ii) outpatients.

(AQW 565/11)

Minister of Health, Social Services and Public Safety: Information is on the number of cancelled operations is not collected centrally.

Elliot Dynes Rehabilitation Unit at the Royal Victoria Hospital

Ms S Ramsey asked the Minister of Health, Social Services and Public Safety for an update on the proposed closure of the Elliot Dynes Rehabilitation unit at the Royal Victoria Hospital; and to explain why the offers of redundancy to the 7 nursing and 2 auxiliary staff currently working there have been withdrawn.

(AQW 614/11)

Minister of Health, Social Services and Public Safety: The Elliot Dynes Unit comprises a 24-bed ward and is currently open. The Belfast Trust plans to re-provide these 24 beds in the main Royal site by January 2011. After January 2011, the Trust plans to continue to use the Elliot Dynes building to house a number of other services currently based therein.

The use of public money to fund the considerable cost of early retirement/redundancy cannot be justified at a time when the service needs nursing skills. The Trust must not allow individuals to leave the HSC while there is a need for their skill; in this case valuable nursing skills.

Parental Substance Abuse

Miss M McIlveen asked the Minister of Health, Social Services and Public Safety how many children and young people are currently in care in each Health and Social Care Trust area because of parental substance abuse.

(AQW 642/11)

Minister of Health, Social Services and Public Safety: The figures requested are not available.

Although a very significant factor, parental substance misuse/abuse is seldom an isolated problem or the sole reason for children's admission to care. It is very common experience that a range of associated issues of concern in relation to children's welfare will co-exist alongside parental substance misuse, (eg; neglect, material deprivation, mental health issues, domestic violence).

Agenda for Change Review

Mr C Lyttle asked the Minister of Health, Social Services and Public Safety for an update on the status of the Agenda for Change review of banding for auxiliary nurses in the Ulster Hospital Accident & Emergency Unit.

(AQW 658/11)

Minister of Health, Social Services and Public Safety: The Agenda for Change review process is being taken forward in partnership with trade union representatives at local level. Management at the South Eastern Trust have advised me that subject to all consistency processes being satisfied the Agenda for Change review outcome for auxiliary nurses in the Ulster Hospital Accident and Emergency Unit will be known within the next four weeks.

Ambulances and Rapid Response Vehicles

Mr J Craig asked the Minister of Health, Social Services and Public Safety how many (i) ambulances; and (ii) rapid response vehicles are available at the Lagan Valley Hospital; and how many are currently in use.

(AQW 676/11)

Minister of Health, Social Services and Public Safety: Lisburn Ambulance Station is located on the Lagan Valley Hospital site. For details of the emergency response cover based there, I would refer the Member to the composite reply I gave on 28 September 2010 to AQWs 260/11, 261/11, 262/11 and 263/11.

Property Rental Arrangements

Mr S Hamilton asked the Minister of Health, Social Services and Public Safety if and when he first notified his Department of the financial link between two of his companies and the South Eastern Health and Social Care Trust in the form of property rental arrangements.

(AQW 695/11)

Minister of Health, Social Services and Public Safety: I have accurately and carefully completed the NI Assembly Register of Member's Interests.

Properties at Church Street and Regent Street, Newtownards

Mr S Hamilton asked the Minister of Health, Social Services and Public Safety to detail any complaints or requests made since May 2007 by the South Eastern Health and Social Care Trust to the landlords of properties it rented at Church Street and Regent Street, Newtownards, including the dates of any correspondence sent and received.

(AQW 742/11)

Minister of Health, Social Services and Public Safety: Matters regarding maintenance and repair of Trust estate are not dealt with by the Department, but by individual Trusts.

The South Eastern HSC Trust has provided the following information relating to complaints or requests made since May 2007 to the landlord in respect of its rented properties at Church Street and Regent Street, Newtownards.

Property	Complaint / request	Dates of correspondence
3 Church Street	Window Repair	February 2009
39 Regent Street	Damage to equipment caused by a burst pipe	March 2009 - Feb 2010
39 Regent Street	Boiler repair	May 2010 – Sep 2010

Department of Justice

Report on Responses and Way Forward

Mr K Robinson asked the Minister of Justice what constitutes a lawful excuse for 'throwing anything at or towards the playing area or spectator area' as stated in the 'Report on Responses and Way Forward' sports law document, August 2010.

(AQW 236/11)

Minister of Justice (Mr D Ford): Those occasions when throwing something towards the playing area would be lawful would be very few but would, for instance, include the obvious example of throwing a ball back onto the pitch. There may be other occasions when stewards or match officials give their approval in sponsorship events for example where donations might be thrown into collecting buckets. My intention is therefore to build some essential discretion into the proposed offence of throwing objects in sports grounds, while at the same time tackling the unlawful throwing of objects or missiles.

Report on Responses and Way Forward

Mr K Robinson asked the Minister of Justice to detail the legal definition of 'drunk' and how this can be proven at a designated sports match, as mentioned in the 'Report on Responses and Way Forward' sports law document of August 2010.

(AQW 239/11)

Minister of Justice: It is for the courts to decide, based on the evidence presented to it, whether a person is or was drunk. That evidence could be witness, for example police witness statements and/or

CCTV footage. This arrangement also obtains in respect of other offences involving drunkenness. The offences I propose to create of being drunk at a regulated sports match, or on a hired bus going to or from a match, take this same approach.

Live Sporting Events

Mr K Robinson asked the Minister of Justice if he plans to attend any specific football, rugby and GAA matches to sample the atmosphere at live sporting events and to observe spectator behaviour, in order to inform the development of any future sports legislation.

(AQW 308/11)

Minister of Justice: When able, I attend and thoroughly enjoy the atmosphere of live sporting events. I will continue to so do as the sports legislation is being brought forward.

Records on Convicted Offenders

Lord Morrow asked the Minister of Justice to outline the procedures in place to ensure that accurate records are kept on convicted offenders, particularly in relation to members of the travelling community; and whether he intends to introduce more stringent measures, including the storage of DNA sampling.

(AQW 338/11)

Minister of Justice: Convictions are recorded by the court clerk on the NI Courts and Tribunals Service ICOS computer system. These are confirmed by a peer or supervisory check to ensure conviction details are correct. The confirmed information is sent to the Causeway ICT system for sharing with the appropriate criminal justice organisations and is used to update the criminal record of individuals. An individual's criminal record does not specify their race, religion, nationality or ethnic background.

I am currently reviewing the law in Northern Ireland which allows the indefinite retention of DNA and will be bringing forward proposals for change in the coming weeks.

Historical Enquiries Team

Mr T Elliott asked the Minister of Justice how many cases the Historical Enquiries Team has (i) completed; (ii) under current investigation; and (iii) not yet commenced.

(AQW 341/11)

Minister of Justice: This 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.

You may therefore wish to direct your question to the PSNI.

Historical Enquiries Team

Mr T Elliott asked the Minister of Justice what year of the Troubles the Historical Enquiries Team has reached in its investigations.

(AQW 342/11)

Minister of Justice: This 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.

You may therefore wish to direct your question to the PSNI.

Prison CCTV Failures

Mr T Burns asked the Minister of Justice to detail the number of CCTV failures at each prison in each of the last five years; and how long each camera was broken before being repaired or replaced.

(AQW 406/11)

Minister of Justice: CCTV repairs are to be attended to within 4 hours for critical items, with a next day service for all other requests. Reported repairs of CCTV over the last five years have been as follows:-

CCTV REPAIRS

	Maghaberry	Hydebank Wood	Magilligan	Total
2005/6	65	25	37	127
2006/7	68	31	35	134
2007/8	79	28	37	144
2008/9	108	22	63	193
2009/10	86	27	72	185

It is not possible to provide information on the time taken in each case. In addition two systems at Maghaberry are not fully operational due to obsolescent technology. Plans are in place to replace both systems with more modern equipment. I have an assurance from the Northern Ireland Prison Service that in the meantime, owing to the location of the systems, the security of the establishment is not significantly impaired.

PSNI Officers

Mr A Easton asked the Minister of Justice for a breakdown of the community background make-up of PSNI officers.

(AQW 409/11)

Minister of Justice: The current position within PSNI as of 21 September is stated as:

Perceived Catholic community background 29.33% and perceived non-Catholic community background 70.67%

PSNI Fleet

Mr A Easton asked the Minister of Justice how many (i) cars; (ii) motorbikes; and (iii) Land Rovers are currently in the PSNI fleet.

(AQW 413/11)

Minister of Justice: Operational responsibility for the PSNI fleet 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.

You may therefore wish to direct your question to the PSNI.

Restorative Justice Schemes

Mr A Easton asked the Minister of Justice how many Restorative Justice schemes are currently funded by his Department.

(AQW 433/11)

Minister of Justice: Funding is provided to two Community-based Restorative Justice (CBRJ) organisations - Northern Ireland Alternatives and Community Restorative Justice Ireland - which manage a total of 16 schemes formally accredited under the Government Protocol for CBRJ Schemes. The statutory public register of currently accredited schemes is available to view on the Department of Justice website.

Convictions for Drug-Related Offences

Mr A Easton asked the Minister of Justice to detail the number of convictions for drug related offences in each of the last three years.

(AQW 434/11)

Minister of Justice: The table below gives the number convicted for drug related offences for the calendar years 2004 to 2006 (the latest year for which figures are currently available).

Data 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 2004-2006

Year	Number convicted
2004	590
2005	612
2006	735

PSNI Civilian Staff

Mr A Easton asked the Minister of Justice how many civilian staff currently work for the PSNI.

(AQW 440/11)

Minister of Justice: The number of civilian staff employed by the PSNI is a matter for the Chief Constable, who is accountable to the Northern Ireland Policing Board.

You may therefore wish to direct your question to the PSNI.

Republican Dissident Activity

Mr S Moutray asked the Minister of Justice to detail any meetings he has had, since taking up office, with senior police personnel in relation to the level of resources available to the PSNI to address ongoing republican dissident activity.

(AQW 495/11)

Minister of Justice: I meet with the Chief Constable and his senior officers on a regular basis to discuss the security situation. I am determined to do all I can to ensure the PSNI have the necessary resources to deal with terrorist activity, and I can advise that for 2010/11 an extra £50.3m has been provided to PSNI to counter the terrorist threat.

Failings in the Maze Prison

Mr S Anderson asked the Minister of Justice what plans he has to ensure that the failings in the Maze prison highlighted in the 'Billy Wright' Inquiry are not repeated in Maghaberry prison.

(AQW 497/11)

Minister of Justice: Immediately on publication of the Billy Wright Inquiry report, work was set in hand.

The Director General appointed a project team led by a Senior Governor, which began its task on Friday 17th September. The team will report to me as soon as practicable with an evidence-based comparative analysis of the weaknesses identified in the report against current operating practices specific to Maghaberry, and also referenced across the wider prison estate. In the event that identified weaknesses are shown not to have been successfully addressed within current operating practices, corrective action will be initiated and tracked.

The outcome of this analysis will also feed into the Service's recently launched corporate change initiative, the Strategic Efficiency and Effectiveness (SEE) Programme, which provides the platform for the longer term reform of NIPS, and be provided to the team reviewing the conditions of detention management and oversight of prisons.

Civil Disturbances

Mr S Anderson asked the Minister of Justice to detail any meetings he has had in relation to civil disturbances that followed protests at parades and other public events in the last 12 months.
(AQW 499/11)

Minister of Justice: I have had a series of meetings with the PSNI, the Parades Commission, Executive Colleagues, community groups, the Loyal Orders, Church and business representatives to discuss these issues.

Collectively we have a duty to find a way forward in order to resolve the issues around contentious parades. We need to consider how best we can support local communities to address the differences that exist, and encourage compromise from all sides in an effort to reach solutions that respect the rights of those who wish to parade and the rights of those who have concerns about such parades.

Court Sessions

Mr G Campbell asked the Minister of Justice if there are any plans to change the hours during which court sessions are held over the next 12 months.
(AQW 528/11)

Minister of Justice: The Lord Chief Justice has responsibility for a number of matters concerning the holding of courts, including their ordinary sitting hours. The Lord Chief Justice's Office has agreed to write to the Member directly on this matter.

Court Service Staff

Mr G Campbell asked the Minister of Justice how many staff were employed by the Court Service in (i) 2008; and (ii) 2009.
(AQW 529/11)

Minister of Justice: At 31 December 2008 there were 865 staff employed by the NI Court Service in 812 full time equivalent posts. This figure includes staff on loan, outward secondment or career breaks.

At 31 December 2009 there were 900 staff employed by the NI Court Service in 845 full time equivalent posts. This figure includes staff on loan, outward secondment or career breaks.

Knife Crime

Mr G Campbell asked the Minister of Justice whether he intends to launch any initiatives, in the immediate future, aimed at deterring knife crime.
(AQW 530/11)

Minister of Justice: The Department of Justice is committed to tackling knife crime as part of a wider strategy to address crime generally and to create safer communities. As part of the Justice Bill, which I intend to introduce to the Assembly in the coming weeks, I propose to tighten the law by increasing the maximum penalty for the offence of having a knife on school premises.

Annual Cost of Detaining a Prisoner

Mr A Easton asked the Minister of Justice to detail the average annual cost of detaining a prisoner compared to other parts of the UK.
(AQW 537/11)

Minister of Justice: The annual cost of detaining a prisoner or Cost Per Prisoner Place (CPPP) is calculated for each financial year. The table below sets out the last full year for which costs are available for Northern Ireland and the rest of the UK.

	2008/09	2009/10
Northern Ireland	£81,340	£77,831
England and Wales (Note 1)	£45,000	Unavailable
Scotland (Note 2)	£41,724	£36,661

With only three prison establishments, the Northern Ireland Prison Service faces additional challenges in dealing effectively and economically with the diverse population of prisoners.

Moreover in Northern Ireland the calculation is made using different elements to that in England & Wales and Scotland, for example HMPS do not include the cost of the headquarters function in their calculation. There are other functions, such as prison education, that HMPS do not fund, making comparisons more difficult.

Since 2006/07 the NIPS CPPP has decreased by over 13%.

Note 1. NOMS provided the CPPP for 2008-09 in a response to a Parliamentary Question. The calculation has not yet been published by NOMS for the 2009-10 Financial Year.

Note 2: Scottish Prison Service Annual Report and Accounts 2009-10

Prisoners' Privileges

Mr A Easton asked the Minister of Justice to detail the privileges to which prisoners are entitled. (AQW 538/11)

Minister of Justice: The Northern Ireland Prison Service's Progressive Regimes and Earned Privileges Scheme (PREPS) sets out in full the range of privileges to which prisoners can have access. The goal of the PREPS scheme is to encourage prisoners to engage in developmental activities and address their offending behaviour in preparation for returning to the community.

The privileges which prisoners can earn through moving up regime levels under the scheme include increased financial awards, extra visits or gym sessions, access to in-cell television and other electrical equipment, and extra time to associate with other prisoners.

The Preps Corporate Framework is available to view on the NIPS website <http://www.niprisonservice.gov.uk/module.cfm/opt/5/area/Publications/page/publications/archive/false/download/true/id/414>

Small Claims Court

Mr R Beggs asked the Minister of Justice whether he is reviewing the current monetary jurisdiction of the Small Claims Court; and if he is considering an increase in the £2000 maximum award. (AQW 607/11)

Minister of Justice: The jurisdiction of the Small Claims Court has been the subject of a recent public consultation. I expect to be in a position to publish the outcome of the public consultation exercise shortly.

Insurance Claims

Mr R Beggs asked the Minister of Justice why only 60 per cent of insurance claims are settled out of court here compared to 96.5 per cent in England and Wales; and what action he is taking to address this. (AQW 608/11)

Minister of Justice: The settlement of a case is a matter for the parties and their legal advisers.

I am supportive of measures which the High Court and the Court of Judicature Rules Committee have put in place in the last two years to encourage more up front sharing of information by parties which should promote earlier settlements.

My Department is also working to implement the EU Directive on Mediation which should further facilitate the resolution of cases outside court.

Legal Costs in Accident Claims

Mr R Beggs asked the Minister of Justice what action he is taking to reduce the proportion of legal costs involved in accident claims.

(AQW 610/11)

Minister of Justice: Fees for solicitors and barristers for proceedings in the County Court are determined by the County Court Rules Committee and prescribed in the County Court Rules. In fixing those fees I expect that the Rules Committee will continue to have regard to the need for costs to be proportionate to the amount at stake. In the High Court costs which are not agreed by the parties or between a solicitor and client are assessed by the Taxing Master who decides what constitutes fair and reasonable remuneration for the work conducted.

Damage to Property Caused by Vehicles

Mr R Beggs asked the Minister of Justice why claims for damage to property only caused by vehicles must be dealt with by the County Court; and whether he has any immediate plans to review this process.

(AQW 611/11)

Minister of Justice: Claims for damage to property in respect of road traffic accidents are excluded from the Small Claims Court by the County Court Rules (NI) 1981. They have been excluded since 1982 to avoid liability in road traffic accidents being determined under the informal small claims procedure which might then affect a later claim for personal injury arising from the same accident.

The jurisdiction of the Small Claims Court has been the subject of a recent public consultation. The consultation invited views on the exclusion of certain types of claims from the Small Claims Court including claims for damage to property in respect of road traffic accidents. I expect to be in a position to publish the outcome of the public consultation shortly.

Low Value Insurance Claims

Mr R Beggs asked the Minister of Justice what plans he has to reform the legal process so that a greater number of low value insurance claims can be dealt with in the Small Claims Court rather than the more expensive County Court.

(AQW 612/11)

Minister of Justice: At present all personal injury claims and claims arising from road traffic accidents are excluded from the Small Claims Court. Claims up to a value of £15,000 can be litigated in the County Courts at a reasonable cost and with minimum of delay. The jurisdiction of the County Court and the small claims jurisdiction has been the subject of a recent public consultation which invited views on the type of proceedings presently excluded from the Small Claims Court. I expect to be in a position to publish the outcome of the public consultation exercise shortly.

Driving Whilst Disqualified

Miss M McIlveen asked the Minister of Justice how many people were convicted for driving whilst disqualified in each of the last three years; and how many of these people received (i) custodial; and (ii) non-custodial sentences.

(AQW 616/11)

Minister of Justice: The table below documents the number of custodial and noncustodial disposals given to those convicted for driving whilst disqualified.

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 for driving whilst disqualified and given a custodial or noncustodial disposal
2004-2006

Year	Custodial	Noncustodial	Total number convicted
2004	387	930	1,317
2005 ¹	299	1,016	1,315
2006	245	859	1,104

1 Includes one conviction for 'applying for driving licence whilst driving'.

Antisocial Behaviour

Mr T Clarke asked the Minister of Justice what strategies his Department has in place to tackle anti-social behaviour.

(AQW 653/11)

Minister of Justice: My Department has a range of strategies in place to tackle anti-social behaviour and to deliver by 15% reduction in incidents by 2011.

Working closely with partner organisations at a regional and local level, the approach is based on three themes. Prevention includes community safety wardens, neighbourhood watch, the clean neighbourhood programme and CCTV. Intervention includes diversionary programmes such as 'Splash' and finally, Enforcement provides for a graduated approach from warning letters to Acceptable Behaviour Contracts through to Anti-Social Behaviour Orders (ASBOs).

We are currently on target to achieve the 15% reduction and tackling anti-social behaviour is one of my priority areas.

The devolution of policing and justice provides the opportunity to engage widely and consult afresh on a new Community Safety Strategy for Northern Ireland. My Department is currently engaging with government departments, key stakeholders and other groups to help us consider and shape the overall priorities and themes for the new Community Safety Strategy with a view to launching a formal public consultation in the autumn.

Anti-Social Behaviour Orders

Mr T Clarke asked the Minister of Justice how many Anti-Social Behavior Orders have been issued since their introduction.

(AQW 654/11)

Minister of Justice: The Department of Justice has been notified by the relevant authorities that there have been 135 Anti-Social Behaviour Orders issued in Northern Ireland since they were introduced in 2005.

2005	9
2006	32
2007	24

2008	32
2009	25
2010	13

Notes:

The Anti-social Behaviour (NI) Order 2004 defines relevant authority as district councils, PSNI or Northern Ireland Housing Executive.

The statistics for 2010 reflect the number of ASBOs issued so far this year (January to July 2010).

Assembly Questions

Mr K Robinson asked the Minister of Justice how many Assembly Questions received by his Department have not been answered (i) in full; or (ii) in part since he took up office.

(AQW 660/11)

Minister of Justice: My Department has received a total of 456 written Assembly Questions between 12 April 2010 and 24 September 2010.

Of those, DOJ was the lead department for 351 Assembly Questions. DOJ was not responsible for the information requested to answer the remaining 105 Assembly Questions, however, in each instance the relevant member was informed where the information could be obtained.

Of the 351 Assembly Questions for which my Department was responsible, 337 were answered in full. A further 14 Assembly Questions could not be answered in full as it was not possible to provide the information in the format requested by the Member. However, for 5 of these, information was provided in part, where available.

Department for Regional Development**NI Water**

Mr P McGlone asked the Minister for Regional Development to outline if a declaration for potential conflict of interest was (i) sought by his Department; and (ii) provided by members of the Independent Review Team into NI Water as part of their appointment.

(AQW 255/11)

Minister for Regional Development (Mr C Murphy):

- (i) No declaration for potential conflict of interest was sought by the Department. (ii) Deloitte, as part of the normal engagement process, completed a full conflict check on engagements with DRD and NI Water in the context of Jackie Henry, as an individual, joining the review team. The outcome of this was advised to and discussed with DRD and as a result the Department did not consider that there were any conflicts of interest.

Dungiven to Londonderry Dual Carriageway

Mr G Campbell asked the Minister for Regional Development if he can confirm when work on the Dungiven to Londonderry dual carriageway will commence, if the planning, public inquiry and funding processes are completed on time.

(AQW 266/11)

Minister for Regional Development: I announced the preferred route for this scheme in May 2009. My Department's Roads Service has advised that it anticipates the publication of scheme specific draft Orders, and the Environmental Statement in early 2011. This will most likely lead to a public inquiry in summer 2011, to examine the case for and against the scheme.

Roads Service anticipate that construction of the dual carriageway will commence in 2013, subject to the availability of funding at that time.

Pot Holes on the Whiterock Road in West Belfast

Ms S Ramsey asked the Minister for Regional Development to detail the number and type of complaint or incident recorded by the Roads Service in relation to pot holes on the Whiterock Road in West Belfast. **(AQW 284/11)**

Minister for Regional Development: My Department's Roads Service has advised that through its cyclical programme of inspections, which are carried out as part of its road maintenance regime, it has recorded 18 defects relating to surface damage on the Whiterock Road, over the last year. Eleven of these defects were on the carriageway, three on the footway and four were attributed to other statutory bodies. Roads Service has repaired all fourteen defects for which it was responsible, and only one of the defects to be addressed by the other statutory bodies has yet to be repaired.

In addition, Roads Service received two reports of potholes, which on inspection were found to be sunken manholes.

Roads Resurfaced in the Strangford Constituency

Mr S Hamilton asked the Minister for Regional Development (i) how many kilometres of road were resurfaced in the Strangford constituency in (a) 2007/08; (b) 2008/09; (c) 2009/10; and (d) 2010/11 to date; and (ii) how many kilometres are planned to be resurfaced in the remainder of 2010/11. **(AQW 295/11)**

Minister for Regional Development: My Department's Roads Service does not allocate its maintenance budget on a constituency basis. Budget allocations are made on the basis of need to its four Roads Service Divisions and, in turn, allocated across Council areas.

The Strangford constituency falls within Roads Service's Eastern and Southern Divisions and includes three Council areas.

Details of the total kilometres of road resurfaced for each of the Council areas, which fall within the Strangford constituency, are included in the tables below:-

Ards Borough Council Area

Financial Year	Length of road resurfaced (Kilometres)
2007/08	10.75
2008/09	12.95
2009/10	9.95
2010/11 (to date)	5.75
2010/11 (remainder)	3.8 (subject to availability of funding)

Down District Council Area

Financial Year	Length of road resurfaced (Kilometres)
2007/08	5.43
2008/09	2.08

Financial Year	Length of road resurfaced (Kilometres)
2009/10	2.42
2010/11 (completed)	1.27

Castlereagh Borough Council Area

Financial Year	Length of road resurfaced (Kilometres)
2007/08	10.5
2008/09	5
2009/10	10.5
2010/11 (to date)	0.8
2010/11 (remainder)	1.7 (subject to availability of funding)

Traffic Calming Measures in Strangford

Mr S Hamilton asked the Minister for Regional Development (i) how much was spent on traffic calming measures in the Strangford constituency in (a) 2007/08; (b) 2008/09; (c) 2009/10; and (d) 2010/11 to date; and (ii) how much spending is planned for the remainder of 2010/11.

(AQW 298/11)

Minister for Regional Development: My Department's Roads Service has advised that details of expenditure on traffic calming in the Strangford constituency for the years requested are as follows:-

2007/08	£47,000
2008/09	£38,000
2009/10	£85,000
2010/11	£0

Due to severe budgetary constraints, no funding is available for new traffic calming measures in the Strangford constituency in the 2010/11 financial year.

Road Gritting and Salting Provision

Mr K Robinson asked the Minister for Regional Development to detail the road gritting and salting provision planned for the 2010/11 winter and how this compares to the provision for the 2009/10 winter.

(AQW 305/11)

Minister for Regional Development: I can advise that my Department's Roads Service has a winter service programme in place for the 2010/11 winter season. Although Roads Service has no statutory obligation to salt roads, it does earmark funds to deliver the winter service programme with the aim of helping main road traffic to move safely and freely in wintry conditions across the North.

It is Roads Service's policy to salt main through routes carrying more than 1,500 vehicles per day and other busy through routes where there are difficult circumstances, such as steep hills carrying more than 1,000 vehicles per day. In addition, when applying the criteria, buses get a high weighting, for example, a 40 seater bus is counted as 40 vehicles. This policy results in the provision of a salted network of around 7,000 km (4,300 miles) and covers 28% of roads in the North, which carries 80% of traffic, effectively targeting Roads Service's resources to the busier routes carrying the most vehicles.

Efforts are also made to ensure that small settlements of more than 100 dwellings have a treated link to the salted network and consideration is given to placing grit piles or salt bins at hills, bends or junctions on roads that are not salted.

In addition, last year, Roads Service introduced improvements to their operational response around rural schools regularly affected by adverse weather conditions.

While there will always be some very minor changes to the length of the salted network, this year's winter service arrangements are similar to the winter service arrangements provided last year.

Improvements to the Shore Road

Mr P McGlone asked the Minister for Regional Development if there are any plans to improve the Shore Road, between Ballyronan and Ballylifford.

(AQW 350/11)

Minister for Regional Development: My Department's Roads Service has advised that it has assessed two improvement schemes on the Shore Road, between Ballyronan and Ballylifford, one at the junction with the Brookmount Road and the other at the junction with the Salterstown Road. Unfortunately, these assessments indicated that the schemes did not attract a high enough priority for inclusion in the Local Transport and Safety Measures programme.

However, as part of the ongoing maintenance operations, some sections of the road south of Ballyronan, towards Ballylifford, have had edge strengthening work carried out. Further similar work is also currently being considered as preparatory work ahead of a final surfacing scheme, which is programmed for completion in the 2011/12 financial year. This scheme may be completed earlier, should additional funding become available.

Translation of Departmental Papers

Mr A Bresland asked the Minister for Regional Development how much his Department spent on the translation of departmental papers into (i) Irish; and (ii) Ulster-Scots in (a) 2007/08; (b) 2008/09; and (c) 2009/10

(AQW 397/11)

Minister for Regional Development: My Department has spent the following amounts on translating departmental papers into Irish and Ulster-Scots during the financial years specified:

Year	(i) Irish £s	(ii) Ulster-Scots £s
(a) 2007-2008	597	nil
(b) 2008-2009	3383	202
(c) 2009-2010	3129	40
Total:	£7109	£242

Single Tender Actions

Mr P McGlone asked the Minister for Regional Development how many single tender actions were issued by (i) Roads Service; (ii) Translink; and (iii) the Harbour Commissioner in (a) 2005/06; (b) 2006/07; (c) 2007/08; (d) 2008/09; and (e) 2009/10.

(AQW 416/11)

Minister for Regional Development:

- (i) Roads Service has advised that it issued three single tender actions in the 2005/06 financial year and one in the 2007/08 financial year. No single tender actions were issued in 2006/07, 2008/09 and 2009/10.
- (ii) Translink have provided me with the following list of Single Tender Actions which they have justified as allowable under the Utilities Contracts Regulations 2006. Single Tender Actions under the Management Statement and Financial Memorandum established to define sponsorship arrangements with Translink must be approved by the Department for Regional Development.

Financial Year	Date	Project	Amount
2006/07	May 2006	AD Little to carry out TPWS risk assessment	£4,025
2007/08	Sep. 2007	Jeremy Benn Associates as specialist design contractor for earthworks examination programme	£20,000
2007/08	Feb. 2008	Westinghouse for Bangor TEMPL15 TDM system replacement project	£120,311
2008/09	May 2008	Appointment of Scott Wilson Limited as Design Contractor for Rock Slope Remedial Works	£60,019
2008/09	May 2008	Appointment of Westinghouse Rail Systems Ltd (WRSL) for the provision of miniature warning lights (MSL) at UWC XD263 (Robinson's)	£85,050
2008/09	Jun. 2008	Westinghouse dualling of train describer system	£169,241
2008/09	Jul. 2008	Westinghouse – Antrim Station signaling improvements	£14,782

I am also aware that Translink have recently started a review of procurement compliance within the Group. This work is ongoing and will be carried out in conjunction with the Central Procurement Directorate who oversee Centre of Procurement Expertise status.

- (iii) The Department does not set the procurement policies of the trust ports. The procurement practice of the trust ports which do not receive public funding is a commercial matter for them.

Contract Extensions

Mr P McGlone asked the Minister for Regional Development how many contract extensions have been put in place, without going to tender, by (i) Roads Service; (ii) Translink; and (iii) the Harbour Commissioner in (a) 2005/06; (b) 2006/07; (c) 2007/08; (d) 2008/09; and (e) 2009/10. **(AQW 417/11)**

Minister for Regional Development:

- (i) Roads Service has advised that there was one contract extension in 2007/08 which was outside the mechanisms provided by the contract. In 2009/10, two contracts that were awarded to multiple contractors were also extended outside the mechanisms provided by the contract.

No contract extensions were put in place in 2005/06, 2006/07 and 2008/09.

Work is ongoing to confirm the position with regard to specialised IT systems which assist in the delivery of the Agency's core business.

(ii) Translink is currently reviewing compliance with Procurement rules as part of ongoing controls to ensure Centre Of Procurement Expertise status is retained. This review has identified certain matters to be addressed. At this stage, Translink has identified two cases where contracts have been extended without going to tender, as follows:

- Extension of contract with pension advisors;
- Delay in renewing contracts for legal services.

Both these cases pre-date the timeframe in the question. Translink have told me they are now re-tendering both services.

(iii) The Department does not set the procurement policies of the trust ports. The procurement practice of the trust ports which do not receive public funding is a commercial matter for them

CO 71 Contract

Mr G Savage asked the Minister for Regional Development, pursuant to AQW 5662/10, to detail the points score each company received prior to the award of the CO 71 contract.
(AQW 427/11)

Minister for Regional Development: I have been advised by Northern Ireland Water that the points score each company received prior to the award of the CO 71 contract is commercially sensitive information, the public disclosure of which may prejudice the reputation of the losing bidders.

CO 71 Contract

Mr G Savage asked the Minister for Regional Development, pursuant to AQW 5135/10, whether the new CO 71 contract has been approved for tender and advertised in the European Journal.
(AQW 428/11)

Minister for Regional Development: I have been advised by NI Water that contract C398 (Provision of Technical Support) which supersedes contract C071, is currently being advertised in the European Journal and on NIW's website.

CO 71 Contract

Mr G Savage asked the Minister for Regional Development whether the contractor on the CO 71 contract has breached any statutory requirements; and to detail the nature of any breaches and if they have been remedied.
(AQW 429/11)

Minister for Regional Development: I have been advised by Northern Ireland Water that it is not aware of any breach of any statutory requirements by the contractor on the C071 contract.

Capital Projects in the North Down Area

Mr P Weir asked the Minister for Regional Development for an update on all his Department's capital projects in the North Down area that (i) were or will be commenced or completed in 2010/11; (ii) are planned for 2011/12; and (iii) have been postponed because of budgetary constraints.
(AQW 431/11)

Minister for Regional Development: The table below sets out the relevant capital projects in the North Down area.

(i) Were or will be commenced or completed in 2010/11	(ii) Are planned for 2011/12	(iii) Have been postponed because of budgetary constraints
Crawfordsburn Road, Bangor Storm and Foul sewer Extensions	Ballywalter Road, Millisle Storm Sewer Extension	None
Morston Park, Bangor, Flood Alleviation Scheme	Bangor Drainage Area Plan Stage 1	
Green Road, Conlig. Storm Sewer Extension.	North Down, Bangor Zone Watermain Improvements	
Holywood Sewer Catchment Investigations.		
Gransha Road, Bangor, Trunk Sewer replacement		
Craigdarragh Road To Seahill Road Sewer Replacement		
Millisle Drainage Area Plan Stage 2		
Ballyholme (Bangor) Drainage Area Plan Phase 1		
Lukes Point (Bangor) Drainage Area Plan Phase 1		
Gransha Road, Bangor Wastewater Pumping Station Refurbishment		
A2 Ballyrobert Road to Ballysallagh Road - Bangor bound carriageway and footway, including extension of cycle path.	Roads programmes not yet developed for 2011/12	
Ballyholme Road, Bangor - Seacliff Road to Waverley Drive - carriageway, lay-by and footways.		
Skipperstone Road, Bangor – footways.		
Seapark Road and Ballymenoch Park - carriageway, lay-bys and footways.		
A2 Bangor Ring Road - Bloomfield Road roundabout - carriageway and footways.		
Downshire Road, Holywood - carriageway and footways.		

(i) Were or will be commenced or completed in 2010/11	(ii) Are planned for 2011/12	(iii) Have been postponed because of budgetary constraints
A21 Newtownards Road, Bangor - Abbey Hill Park to Church Street – footways.		
Bloomfield Road, Bangor - A2 Ring Road to Bloomfield Place - footways.		
Donaghadee Road at the Savoy Building, Crawfordsburn Road at Bangor West Station, and Clandeboye Road at Church Road - addition of remote monitoring facility.		
Balloo Road/Bloomfield Road South – Junction improvement.		
High Street/Church Street/Shore Road Holywood – junction upgrade.		
Abbey Ring and Church View, Holywood. Willowbrook, Breezemount, Old Gransha Road, Bangor - dropped kerbs.		
Ballymagee Primary School, Rathmore Primary School and Bangor Academy - Safer Routes to school.		
Bangor Line Time Division Multiplexer Replacement	Bangor Line Sea Defences	
Seahill Cutting Stabilisation		
Vegetation Management Programme - Bangor Line	Vegetation Management Programme - Bangor Line	
Helens Bay Halt Wall		
Bangor West Path		
Fluorescent Lighting Across Translink - 'Invest to Save' *		
New Trains Two Platform Extension Programme *	New Trains Two Platform Extension Programme *	
Class 4000 Rolling Stock *	Class 4000 Rolling Stock *	
CCTV Programme (NIR) *	CCTV Programme (NIR) *	
Building Services Upgrade Programme *	Building Services Upgrade Programme*	

(i) Were or will be commenced or completed in 2010/11	(ii) Are planned for 2011/12	(iii) Have been postponed because of budgetary constraints
Disability Discrimination Act (DDA) - (Ulsterbus/Metro) Station Facilities *		
CCTV Programme (Ulsterbus) *	CCTV Programme (Ulsterbus) *	

* These programmes will have an impact on the entire Translink network, including North Down.

Planned expenditure after 2010/11 will be subject to funding from the outcome of the current Spending Review exercise.

Roads Resurfaced

Mr A Ross asked the Minister for Regional Development how many kilometres of road were resurfaced in (i) Larne; (ii) Carrickfergus; and (iii) Newtownabbey in each of the last five years.

(AQW 436/11)

Minister for Regional Development: My Department's Roads Service has advised that details of the total kilometres of road resurfaced for Larne, Carrickfergus and Newtownabbey are contained in the tables below:-

LARNE AREA

Date	Length of road resurfaced (Kilometres)
2006/07	5.20
2007/08	6.05
2008/09	3.45
2009/10	12.18
2010/11 (to date)	5.95

*CARRICKFERGUS AND NEWTOWNABBEY AREA

Date	Length of road resurfaced (Kilometres)
2006/07	18.10
2007/08	18.52
2008/09	6.15
2009/10	17.60
2010/11 (to date)	5.21

* Carrickfergus and Newtownabbey Sections are now amalgamated.

Public Car Parks

Mr I McCreagh asked the Minister for Regional Development what facilities are available for a driver with a disability who is unable to collect a ticket from a machine, from a seated position in their car, when entering or exiting a public car park.

(AQW 442/11)

Minister for Regional Development: Roads Service's contractor, NSL Services Group, has advised that, for car parks with ticket machinery at entry and exit points, there are a number of measures to provide assistance to any driver who may have difficulty in accessing or using the equipment.

Entry and exit points have a built-in intercom facility which enables the driver to speak directly to a car park attendant for advice and assistance. If a driver is unable to use the intercom, there is an electronic system whereby vehicles remaining stationary at entry and exit points are detected and the car-park attendant is alerted.

Additionally, car park attendants will normally be able to observe the entry and exit points and provide assistance, where required.

Disabled Parking Badges

Mr P Weir asked the Minister for Regional Development what medical assessment is carried out as part of the application process for a disabled parking badge.
(AQW 459/11)

Minister for Regional Development: The Blue Badge Unit, which is part of my Department's Roads Service, advises that a badge may be issued without medical assessment to any applicant who is:

- in receipt of the higher level of the mobility component of DLA;
- in receipt of a War Pension Mobility Supplement; or
- registered as Blind by a Health and Social Services Trust.

If an applicant does not qualify under the above criteria, mobility will be considered under 'Assessed Criteria', which means that an applicant must demonstrate a permanent and substantial walking disability, that is, an inability to walk or being virtually unable to walk.

Applicants are asked to provide evidence of a walking disability. If the Blue Badge Unit considers the information provided insufficient to allow a decision to be made on an application, a medical questionnaire is sent to an applicant's GP for comment on the nature of the walking disability.

Roads

Mr C McDevitt asked the Minister for Regional Development to detail the number of (i) unadopted roads; (ii) partially unadopted roads; (iii) partially adopted roads and (iv) unadopted stretches of road, between two adopted stretches of road, and the total mileage in each of these categories.
(AQW 471/11)

Minister for Regional Development: My Department's Roads Service has advised that there are 3195 unadopted roads having an estimated total bonded length of some 377 kms.

Information on partially unadopted roads, partially adopted roads and unadopted stretches of road between two adopted stretches of road is not readily available and there would be a significant commitment of staff resources required in order to collate such information. However, if you have particular interest in specific roads and could supply those details to Roads Service, it will endeavour to provide you with the required information.

Board of NI Water

Mr J Dallat asked the Minister for Regional Development to detail the process followed in appointing the four interim members of the Board of NI Water; and the length of time which elapsed, following the setting up of the Independent Review Team, before the four interim members were appointed.
(AQW 507/11)

Minister for Regional Development: In answer to your first question I would refer the Member to the answer I provided to AQW 8472/10 tabled by Mr Patsy McGlone MLA and published in the Official Report of Written Answers to Questions dated Friday 23 July 2010.

As regards the length of time which elapsed, following the setting up of the Independent Review Team (IRT), before the four interim members were appointed to the NI Water Board, I can confirm that it was approximately 5 months. The IRT commenced its work on 25 January 2010 and the appointment of the four interim non-executive members of the NI Water Board (excluding the interim Chair) was announced on 30 June 2010.

Surplus Land at Rushmere Shopping Centre

Mrs D Kelly asked the Minister for Regional Development to detail the timescale for the disposal of surplus land at Rushmere shopping centre, at the boundary with Lake Road, Craigavon.

(AQW 521/11)

Minister for Regional Development: The Member may be aware that the proposed disposal of surplus land at Rushmere shopping centre has proved to be a very complex case. However, my Department's Roads Service has advised that all the necessary requirements should be in place to allow the subject land to be offered for sale on the open market early in 2011. This sale will be subject to the successful abandonment of public road, which will contain conditions concerning the provision of alternative permanent facilities.

A26 Between Coleraine and Glarryford

Mr G Campbell asked the Minister for Regional Development to detail the average number of vehicles, per day, on the A26 between Coleraine and Glarryford in (i) 2008; and (ii) 2009.

(AQW 532/11)

Minister for Regional Development: My Department's Roads Service has advised that it has three automatic traffic counting sites located on the A26 between Coleraine and Glarryford.

Details of the average annual daily two-way traffic flow information, recorded at these sites in 2008 and 2009, are provided in the table below:

Location	Annual Average Daily Traffic (AADT)	
	2008	2009
A26 between Coleraine and Ballymoney	16,242	16,209
A26 by-passing Ballymoney	16,810	17,642
A26 between Ballymoney and Glarryford	13,388	13,465

Double Yellow Lines

Mr P Weir asked the Minister for Regional Development to detail the criteria used to determine (i) if a double yellow line is placed on a road; and (ii) the distance of each double yellow line.

(AQW 535/11)

Minister for Regional Development: My Department's Roads Service has advised that there are no set criteria for determining when a double yellow line is used or the distance over which it should be placed, and that their introduction is considered on a site-by-site basis. This is because of the largely varying nature of each specific location, when taking into account the road network and the needs and concerns of local users.

Waiting restrictions, such as double yellow lines, are generally introduced for the purposes of assisting traffic progression or road safety. For example, they can be instigated as a result of a request from residents, Translink, businesses, PSNI or local Council, as a result of changes to the local road system, or because of the road traffic collision history at the site.

There is a general prohibition on waiting, or parking, within 15 metres of any road junction irrespective of whether the junction is marked with double yellow lines. However, Roads Service generally only places double yellow lines on traffic critical junctions, or at locations where a persistent parking problem is known to exist.

CO 71 Contract

Mr G Savage asked the Minister for Regional Development if he can confirm that the current supplier of the CO 71 contract received an increment in their tender rates after the second year of the current contract.

(AQW 557/11)

Minister for Regional Development: I have been advised by Northern Ireland Water that the current supplier of the C071 contract did not receive an increment in tender rates after the second year of the current contract.

Roads Resurfaced

Mr S Moutray asked the Minister for Regional Development how many miles of road were resurfaced in (i) Banbridge; (ii) Lurgan; and (iii) Portadown in each of the last five years.

(AQW 559/11)

Minister for Regional Development: My Department's Roads Service has advised that it does not record details of road length resurfaced on an individual town basis but is able to provide this information by council area. Details of the total road length resurfaced, in kilometres, for the Banbridge Council area and Craigavon Council area, which includes Lurgan and Portadown, for the last five financial years are set out in the tables below:

BANBRIDGE COUNCIL AREA

Financial Year	Lane Length (kilometres)
2005/06	14.87
2006/07	14.8
2007/08	19.7
2008/09	14.66
2009/10	16.07

CRAIGAVON COUNCIL AREA

Financial Year	Lane Length (kilometres)
2005/06	22.93
2006/07	17.00
2007/08	21.15
2008/09	18.676
2009/10	15.99

Door-to-Door Service

Mr J Spratt asked the Minister for Regional Development how many passengers used the Door-to-Door service in the South Belfast constituency, in the last 12 months.

(AQW 567/11)

Minister for Regional Development: The information required is not available in the format requested. However, I can confirm that for the period 1 September 2009 to 31 August 2010 a total of 32,705 journeys were taken by members of the Door-to-Door Scheme who are resident in the Belfast operational area. There are currently 3,320 members of the Scheme resident in that area.

Blue Badge Scheme

Mr J Spratt asked the Minister for Regional Development to detail the uptake of the Blue Badge Scheme in the South Belfast constituency, in the last 12 months.
(AQW 569/11)

Minister for Regional Development: The database maintained by Blue Badge Unit, within my Department's Roads Service, does not store information on the number of Blue Badges issued on a constituency basis. Although it is able to provide details of Blue Badges issued within the Belfast area by postcode, the system does not have the facility to report on the number of Blue Badges issued by postcode in any given year. However, it is able to provide details of the number of current valid Blue Badges issued within the Belfast area, by postcode, which are contained in the table below.

Postcode	Individual	Support Organisation
BT1	40	4
BT2	49	22
BT3	15	20
BT4	1671	2
BT5	2721	11
BT6	1985	3
BT7	625	12
BT8	1828	52
BT9	1035	120
BT10	753	0
BT11	1938	4
BT12	1286	13
BT13	1762	0
BT14	2019	8
BT15	1709	10
BT16	1178	74
BT17	1689	4

I hope you find this information helpful.

Millbrook Roundabout in Larne: Park-and-Ride Scheme

Mr R Beggs asked the Minister for Regional Development what progress has been made in identifying suitable land, in the vicinity of the Millbrook roundabout in Larne, for the provision of a park and ride scheme.
(AQW 573/11)

Minister for Regional Development: My Department's Roads Service has identified a portion of land suitable for the provision of a park and ride car park close to the Millbrook Roundabout in Larne. The land lies between the Old Belfast Road and the A8 Ballymena Road, and is located on the left hand side of the road leaving the Millbrook Roundabout and travelling towards Larne. It is estimated that this location would be sufficient to accommodate car parking space for some 50 vehicles and provides convenient access to public transport.

I can advise that a meeting has taken place between Roads Service, local councillors and residents to discuss the proposal and, although a few concerns were expressed, there is a general willingness to proceed with the planning of a scheme.

A meeting has also taken place with Planning Service and, following a positive response, a formal planning application is currently being developed, which will be lodged in the near future. Upon receipt of planning permission, it is intended to purchase the land, subject to the availability of finance.

NI Water

Mr G Savage asked the Minister for Regional Development whether NI Water has, within the last 6 to 12 months, instructed Mechanical and Engineering and Informational Control Analytical Field Managers and Area Managers to (i) distance themselves from embedded contract staff engaged under contract CO 71; and (ii) no longer approve embedded contract staff leave, given that these same staff approved this leave when their posts were classed as Mechanical and Engineering Professional Technical Officer and Higher Professional Technical Officer, under the Water Service, and since NI Water's inception.
(AQW 595/11)

Minister for Regional Development: I have been advised by NI Water that it does not recognise the term "embedded contract staff". As both the Terms and Conditions of Contract C071 and the day-to-day operation of the Contract are the subject of legal action by a member of the contractor's staff it would be inappropriate to disclose information in respect of any matters that may impact upon the ongoing litigation or which could in any way help to circumvent the legal process.

Door-to-Door Service

Mr P Weir asked the Minister for Regional Development how many passengers used the Door-to-Door service in the North Down area, in each of the last three years.
(AQW 604/11)

Minister for Regional Development: The information asked for is not available in the format requested. However, I can confirm that the numbers of trips made by members of the scheme who were resident in the Bangor and Holywood urban areas were as follows:

Area	Bangor & Holywood
September 2007-August 2008	12,363
September 2008-August 2009	17,404
September 2009-August 2010	19,961
Total	49,728

NI Water

Mr P McGlone asked the Minister for Regional Development, pursuant to AQW 83/11, whether the fact that the financial systems at NI Water did not record supplier expenditure prior to April 2007 was the reason that Atkins Contractors was approached directly to supply the information that the Permanent Secretary gave to the Public Accounts Committee on 31 August 2010; and if there were any systems in place within his Department to collect this information.
(AQW 615/11)

Minister for Regional Development: I have been advised by Northern Ireland Water that it does hold supplier expenditure information in their financial systems prior to April 2007. The staff answering the original Public Accounts Committee query, as it related to capital expenditure, were referencing the Capital Works Monitoring System, subsequently updated and replaced, and had concerns about the accuracy of coding of expenditure at contract level in that system prior to 2007. Atkins were requested to provide the information to expedite the reply.

4000 Class CAF DMU Trains

Mr M Storey asked the Minister for Regional Development when the new 4000 Class CAF DMU trains will be introduced to the rail network.

(AQW 627/11)

Minister for Regional Development: Production of the new CAF 4000 units has commenced. The first unit is programmed to be delivered in the first half of 2011, with subsequent testing and commissioning taking place on the NIR network. The manufacture and delivery of subsequent units (2 to 20) will continue through 2011 and the first quarter of 2012. It is planned for the first unit to enter passenger service in the latter half of 2011 with all units in passenger service by 2013.

Tender C398

Mr G Savage asked the Minister for Regional Development for his assessment of whether the tender C398 - Provision of Technical Support Staff in the Area of Mechanical and Engineering Services in any way contravenes any statutory UK or European employment law.

(AQW 648/11)

Minister for Regional Development: I have been advised by NI Water that it does not consider that tender C398 (Provision of Technical Support) contravenes any statutory UK or European employment law.

Contract for Street Lighting Maintenance

Ms D Purvis asked the Minister for Regional Development, in relation to the previous contract for street lighting maintenance, (i) whether the contract was awarded in accordance with Central Procurement Directorate and EU public procurement standards; (ii) on what date the contract was agreed; (iii) on what date the contract was terminated; (iv) the total value of the contract; (v) how many times the original contract was extended (a) with approval; and (b) without approval; and (vi) whether any irregularities were found in relation to the procurement of this contract.

(AQW 776/11)

Minister for Regional Development: I will address the Members questions in the order they have been asked. My Department's Roads Service has advised that:-

- (i) The contract for Street Lighting Maintenance was awarded in accordance with Central Procurement Directorate and EU Public Procurement Standards.
- (ii) The Measured Term Street Lighting Maintenance Contract 2007 was awarded to multiple contractors between the 21 and 27 June 2007 with a common end date of 12 August 2009.
- (iii) The contract was not terminated but came to an end on 25 July 2010.
- (iv) The total estimated value of the contract, at award stage, was £8.6m.

In August/September 2009, prior to the award of the replacement contract, solicitors representing two of the tenderers raised a number of legal issues relating to the procurement. After consideration of, and counsel advice on these matters, it was decided to re-run the competitions.

Tenders were re-advertised in February 2010 and potential legal challenges, to the award of the contract, have now been resolved and the new contract will be awarded this week.

Pending the resolution of these issues and to allow work to be carried out, the 2007 Contract was extended, from the original end date of 12 August 2009 to 25 July 2010. Approval for the extension of the contract was provided in line with Roads Service practice at that time.

(vi) No irregularities were found in relation to the procurement of this contract.

A4 Dual Carriageway

Lord Morrow asked the Minister for Regional Development for his assessment of the design of the new A4 dual carriageway which is due to be operational before the end of 2010.

(AQO 140/11)

Minister for Regional Development: Design and development of the A4 Dungannon to Ballygawley dual carriageway has been carried out in accordance with relevant national guidelines, resulting in the selection of a route deemed to have greatest merit following an overall assessment of environmental, engineering, economic, accessibility and traffic considerations.

The preferred route, as developed and promoted by Roads Service, was subjected to the statutory public consultation, including a public inquiry. The Inspector made recommendations to provide an additional parallel link road between Mullybrannon and Syerla [pronounced C-er-la] roads, one additional accommodation over-bridge and some other relatively minor adjustments, but he ratified the main alignment as put forward by Roads Service.

The dual carriageway was designed for a speed limit of 70 miles per hour. In the interests of road safety, the junction strategy provides limited access onto and off the new road. For the eastern end of the scheme, the new dual carriageway is on-line and treatment of existing junctions include grade separation, left in / left out, and stopped-up roads. There are no at grade cross-over type junctions anywhere on the new road.

I took the opportunity to visit the site in March of this year to view the progress on the construction of the dual carriageway. I am confident that, in terms of the chosen route and its design standards, the A4 dual carriageway, when completed, will create a very significant improvement to the road network in the West and will provide significant benefits to all those wishing to travel and transport goods within the region.

Roads: Budget Cuts

Mr J O'Dowd asked the Minister for Regional Development whether the Dublin Government has made any representations to his Department in relation to proposed budget cuts which may impact on joint road building or other schemes.

(AQO 142/11)

Minister for Regional Development: My Department's Roads Service has advised that, to date, the Irish Government has not made any representations to my Department in respect of budget cuts.

The Taoiseach, at the opening of the new A1 Newry Bypass, at the end of July, reiterated his Government's commitment to the A5 Derry to Aughnacloy and the A8 Belfast to Larne dualling schemes. As you are aware these schemes are being supported by a £400 million contribution from the Irish Government.

It is hoped to commence construction in 2012, subject to a successful outcome of the Public Inquiries, scheduled for mid 2011, and the availability of finance.

Regional Development Strategy: Airports

Mr M McLaughlin asked the Minister for Regional Development whether the revised Regional Development Strategy will include a long-term vision for our airports.

(AQO 145/11)

Minister for Regional Development: The Regional Development Strategy is a long term spatial development strategy which aims to influence the future distribution of activities throughout the Region to 2025.

It recognises the significant role that our airports have as gateways to the Region and emphasises the need for them to be managed in a way that contributes to regional objectives for economic growth and regeneration.

Northern Ireland Water: Review

Ms D Purvis asked the Minister for Regional Development for his assessment of the potential conflict of interest in his Department commissioning the report and selecting the members of the Independent Review Team for Northern Ireland Water, given that its terms of reference required an analysis of failures by the Department as a shareholder.

(AQO 146/11)

Minister for Regional Development: Firstly I would point out that the Independent Review was jointly commissioned by the DRD and the NI Water Accounting Officers – not by DRD alone. The Department proposed the membership of the review team and the jointly agreed terms of reference (including a consideration of any failures by DRD's Shareholder Unit, as suggested by the DRD Accounting Officer) to me. I agreed to the membership of the team and the approach being adopted and I therefore did not regard it as a conflict of interest but rather a means of enabling the review team to determine where responsibility for any procurement governance failings and deficiencies in procurement compliance procedures had emerged. I met with the review team just before the report was finalised and asked them whether they were satisfied as to their independence, whether they had got all of the evidence that they required and whether they were satisfied that they could stand over any recommendations that were made in their report. They answered in the affirmative to all of those questions.

I can reassure you that any recommendations in the final report relating to DRD have been implemented and the role of the Shareholder Unit has been strengthened.

Water Meters

Mr R Beggs asked the Minister for Regional Development what progress has been made in installing water meters in commercial premises for businesses that request them.

(AQO 147/11)

Minister for Regional Development: I have been advised by Northern Ireland Water that it introduced a new process in August 2009 for dealing with non domestic customers who have opted to change from an unmeasured billing arrangement to a measured or metered account and require the installation of a meter. NIW currently aims to survey premises within 4 weeks of a request, to determine its suitability for meter installation, and thereafter to install the meter within 4 to 6 weeks.

Since the introduction of the new process last year good progress has been made, with 80% of requested meters now installed, 17% of requests were not progressed on instruction from the customer or because a meter could not be fitted. The remaining requests are being progressed and surveys and installations are ongoing.

Public Transport Reform

Mr P Maskey asked the Minister for Regional Development what impact his Department's reform of public transport legislation will have on local transport services and facilities, including the Falls Road depot.

(AQO 148/11)

Minister for Regional Development: The aim of the proposed public transport reforms and enabling legislation is to create efficient, effective and sustainable public transport services that contribute to the Executive's transportation, environmental, social inclusion and equality objectives, while

supporting the development of the wider economy. Most of the public transport services will continue to be delivered by the Northern Ireland Transport Holding Company (NITHC)/Translink through directly awarded contracts as is permitted under EU Regulation 1370/2007. I have ruled out the privatisation of public transport now, or in the future.

In order for the contracts directly awarded to NITHC/Translink to comply with EU Regulation 1370/2007, the Translink companies must be efficient and well run. This will mean that on an ongoing basis NITHC/Translink will need to assess its efficiency and identify any improvements that are needed. This efficiency requirement will apply to all NITHC/Translink's services and facilities. The NITHC Board has indicated that the Falls Road depot will remain as an important part of its business although there will be some rationalisation of resources to address current business needs.

As part of the agreed financial plan with NITHC/Translink for this year, discussions are ongoing about the numbers of staff required in the bus engineering sector and a process of voluntary redundancy and relocation within Greater Belfast is underway. This process is not directly linked to the public transport reform legislation but arises from a need to ensure services are provided safely and efficiently in ways that minimise fare levels. This could impact on some staff based in Falls Road depot but I have sought and received assurances from the NITHC Board about the long term future of this depot.

Department for Social Development

Local Area Partnership Schemes

Mr A Easton asked the Minister for Social Development what Local Area Partnership schemes are planned for the (i) Bangor; (ii) Holywood; (iii) Donaghadee; and (iv) Millisle areas for the 2010/11 financial year.

(AQW 193/11)

Minister for Social Development (Mr A Attwood): My Department does not operate Local Area Partnerships and has no plans to introduce them in Northern Ireland. However, it does support a Neighbourhood Renewal Partnership in Kilcooley in Bangor. The following Neighbourhood Renewal funded schemes are underway in this area in the current financial year:

Kilcooley Primary School Nurturing Project
North Down Borough Council Technical Assistance
Kilcooley Women's Centre STEP Project
Kilcooley Better Health, Better Life Project
Bangor Alternatives Project
Kilcooley Community Forum 3 Project.

Expenditure on Printed Reports

Mr G Robinson asked the Minister for Social Development to detail his Department's expenditure on printed reports which are distributed to elected representatives and other stakeholders in each of the last 5 years; and what plans are in place to offer these reports electronically to save cost and paper waste.

(AQW 215/11)

Minister for Social Development: The usual printed reports distributed to elected representatives and other stakeholders are the Departmental Resource Accounts and the Social Security Agency's Annual Report & Accounts, the costs of which are detailed in the following table:

	2005-06 £	2006-07 £	2007-08 £	2008-09 £	2009-10 £	Total £
DSD	4,620	5,944	4,200	3,125	3,900	21,789

	2005-06 £	2006-07 £	2007-08 £	2008-09 £	2009-10 £	Total £
SSA	4,135	4,900	4,437	7,350	5,613	26,435
TOTAL	8,755	10,844	8,637	10,475	9,513	48,224

The number of hard copies of the Departmental Resource Accounts produced annually has been reducing from a figure of 350 copies to 125 copies in 2009-10 with an anticipated further reduction to 60 copies in 2010-11. Hard copies will be reduced to a minimum wherever possible with electronic versions being made available instead.

Risks of Disallowances or Infraction Proceedings

Dr S Farry asked the Minister for Social Development for his assessment of any risks of disallowances or infraction proceedings that could be undertaken in relation to the work of his Department and its agencies; and what measures he is taking to mitigate any such risks.

(AQW 216/11)

Minister for Social Development: The rules governing social security, child support and pensions in Northern Ireland are closely aligned to those operated by the Department for Work and Pensions. Infraction proceedings may be instigated by the European Commission in circumstances where the Commission considers that social security, child support and/or pensions legislation is not fully compliant with European Law. Any such infraction proceedings are handled by the Department for Work and Pensions on behalf of Northern Ireland.

In my Department's Urban Regeneration work, the potential for infraction proceedings may appear in the improper tendering or letting of contracts that fall within the relative EU thresholds. In this respect, the responsibility for this process falls on the Department of Finance and Personnel's Central Procurement Directorate, as a Centre of Procurement Excellence. Any proceedings would therefore be the responsibility of DFP.

The Department of Finance and Personnel's European Division retains overall responsibility for EU matters.

The European Commission deals directly with DFP purely on guidance and procedural issues relating to EU Structural Funds and relative matters. DFP in its overarching European role cascades this information across appropriate NICS Departments.

Overgrown Foreign, Invasive Plant Species

Mr T Burns asked the Minister for Social Development how many times his officials have had to clear overgrown foreign, invasive plant species from any Departmental owned property, including Housing Executive sites, in each of the last five years; and to detail (i) the cost of performing these clearances; and (ii) the type of plant species which were removed in each instance.

(AQW 221/11)

Minister for Social Development: The Department for Social Development has had to arrange for the clearance of overgrown foreign invasive plant species from Departmental owned property on 14 occasions in the last five financial years. The cost of performing these clearances totalled £20,728. The table attached provides details of the type of plant species which were removed in each instance.

Details of removal of foreign invasive plants in the last five years are on the table attached.

DETAILS OF THE REMOVAL OF FOREIGN INVASIVE PLANTS FROM PROPERTY OWNED BY THE DEPARTMENT FOR SOCIAL DEVELOPMENT.

Details	2006	2007	2008	2009	2010 to date
Removal of Hogweed: River Lagan.		£1950	-	£1950	£3225
Treatment of Japanese Knotweed: Springvale site.	£420	-	£800	£743	-
Removal and burial of Japanese Knotweed: Springvale site.	-	-	-	£3550	-
Treatment of Japanese Knotweed: Merkland Place site.	-	-	£260	-	-
Treatment of Japanese Knotweed: Fort George, Derry.					
Treatment of Japanese Knotweed: Curran site, Portadown.				£700	£3000
Treatment of Japanese Knotweed: Lower Fountain Hill, Derry.				£380	
Treatment of Japanese Knotweed: Fort George, Derry.				£1450	£2300*
Totals	£420	£1950	£1060	£8773	£8,525

- Two occurrences

As regards sites owned by the Housing Executive the information is not available in the format requested because in most instances the type of foreign invasive species removed was not recorded. However, the attached table details costs incurred by the Housing Executive in the management of foreign invasive species on Housing Executive sites in each of the last five years.

BREAKDOWN OF REMOVAL OF OVERGROWTH IN EACH HOUSING EXECUTIVE AREA

Area	2006	2007	2008	2009	2010 year to date
Belfast					
General	£1,821	£3,977	£6,327	£5,282	
Carnanmore Park	£764				
Grays Court		£1,586	£1,586		
Finaghy Road		£676			
Hornby Street		£405			
Shore Crescent			£2,673		
Whitewell Road			£5,229		
North East					
Shore Road, Newtownabbey				£2,990	£6,260

Area	2006	2007	2008	2009	2010 year to date
Blacks Hill	£4,348	£2,174	£2,174	£2,174	
South East			£26	£26	£8
South Area					
Craigavon and Armagh	£108				
Newry & Mourne/ Banbridge	£620	£510	£232	£1,682	£345
West					
Strabane	£3,936	£1,968	£1,968		
Leckagh Cottages		£1,145	£1,145	£1,145	
Windmill Terrace		£664	£664		
Lapwing Way		£1,087	£1,087		
Alama Park			£1,352	£1,352	
Total £71,518	£11,597	£14,193	£24,464	£14,651	£6,613

Neighbourhood Renewal and Areas at Risk Programmes

Mr C Boylan asked the Minister for Social Development to outline the difference between the Neighbourhood Renewal and Areas at Risk programmes funded by his Department.

(AQW 291/11)

Minister for Social Development: The Neighbourhood Renewal programme was launched to target those neighbourhoods that are within the worst 10% of urban wards as measured by the Noble Multiple Deprivation Measures and the worst 10% of Enumeration Districts as measured by the Noble Economic Deprivation Measure. This has been refined to accommodate focus by NISRA on census Super Output Areas rather than wards. The Areas at Risk pilot programme was designed to address areas which were outside of the Noble 10% most disadvantaged which were at risk of serious decline. Typically these areas are within the 10%-20% band as defined in Noble.

Owner-occupier Housing Stock

Mr G Campbell asked the Minister for Social Development what consideration the Housing Executive gives to the existence of owner-occupier housing stock in the immediate vicinity of land or properties which a Housing Association wishes to purchase from the Housing Executive.

(AQW 296/11)

Minister for Social Development: The Housing Executive transfers sites to Housing Associations to provide social housing based on the housing need within the area. The issue of owner occupiers living in the area who have a view on local development is addressed through the planning process, and social housing schemes require the same level of neighbourhood consultation as other proposed developments. An issue has arisen in relation to proposed purchases by Housing Associations of properties within an established private residential scheme. I have instructed that the Housing Association Guide is amended to address the issue of consultation with homeowners where Housing Association purchases may be proposed.

Funds Allocated for Maintenance

Ms C Ní Chuilín asked the Minister for Social Development if the Housing Executive deducts administration costs from funds allocated for maintenance, such as Egan contracts.

(AQW 359/11)

Minister for Social Development: The Housing Executive does not deduct admin costs from funds allocated for maintenance such as Egan contracts

Egan Contracts

Ms C Ní Chuilín asked the Minister for Social Development how much funding was allocated for Egan Contracts; and how much of this funding was spent solely on maintenance work, in each of the last three years.

(AQW 360/11)

Minister for Social Development: The Housing Executive use Egan style contracts for a significant number of their maintenance and repair works.

The table below shows how much has been allocated and spent on maintenance work annually for these contracts from 2007/08 to 2009/10.

2007/08		2008/09		2009/10	
Budget Allocation £m	Actual Expenditure £m	Budget Allocation £m	Actual Expenditure £m	Budget Allocation £m	Actual Expenditure £m
85.1	84.7	85.3	82.6	98.3	100.9

Plans to Protect Vulnerable People

Mr J Bell asked the Minister for Social Development, given the recent report by Oxford Economics which stated that the UK's financial situation necessitates a contraction of public spending, what plans his Department has to ensure that vulnerable people are protected as far as possible.

(AQW 388/11)

Minister for Social Development: My Department more than any other works to protect the disadvantaged and the vulnerable. This work includes:

- Tackling disadvantage in our most deprived communities through the Neighbourhood Renewal Strategy;
- Providing services to ensure those in need are aware of their entitlements benefits and receive the help they need;
- Delivering better child support arrangements so that money gets to more children;
- Assisting vulnerable people to live independently in the community through the Supporting People Programme, providing homes through the Social Housing Development Programme, tackling fuel poverty; and
- Funding the provision of advice and volunteering services and a range of direct provision programmes such as Areas at Risk.

As Minister for Social Development, I will seek to prioritise support for disadvantaged communities and individuals through the next Programme for Government and the 2011 – 15 Budget. I have and will continue to bid for resources to protect services for the most vulnerable. I will also continue to work with and challenge my counterparts in Whitehall to ensure that full consideration is given to the potential impact of any Welfare Reforms here in Northern Ireland and in particular for those already at risk of poverty and social exclusion.

Health and Safety Schemes

Mr A Easton asked the Minister for Social Development what new Health and Safety schemes are planned for the (i) Bangor; (ii) Holywood; (iii) Donaghadee; and (iv) Millisle areas for the 2010/11 financial year.

(AQW 390/11)

Minister for Social Development: Details of Health and Safety schemes planned for the Bangor areas are set out below:

Clandeboyne Place – Structural Repairs to 15 dwellings – subject to funding

Ballyree Drive – Retaining Wall - subject to funding

There are no new health and safety schemes planned this year for Holywood, Donaghadee or Millisle.

There are other schemes that have a health and safety element, such as smoke detector installation and replacement schemes, medium rise flats fire safety as follows:-

	Fire Doors Medium Rise Flats	Smoke Detector Installation	Smoke Detector Replacement
Bangor		56	263
Holywood	36	17	17
Donaghadee	24	56	8
Millisle		9	11

These figures refer only to the areas in question and are parts of larger schemes, which are subject to funds being available to progress them.

Funding of Women's Centres

Mr P Weir asked the Minister for Social Development what progress his Department has made regarding the funding of women's centres.

(AQW 458/11)

Minister for Social Development: My Department continues to assist the work of the OFMDFM review of funding for women's groups and organisations. OFMDFM is working to produce a draft report for consideration by OFMDFM and DSD Ministers later this year. When the report is finalised it will be made available to the Executive.

Overpaid Housing Benefit

Mr J Craig asked the Minister for Social Development, pursuant to AQW 48/11, why a landlord or agent is liable for the repayment of overpaid Housing Benefit, given that it is the tenant who is in receipt of the benefit.

(AQW 465/11)

Minister for Social Development: A landlord or agent may be held liable for repayment of an overpayment of Housing benefit where payment of that benefit has been made directly to them.

In approximately 80% of private rented sector claims payment of Housing Benefit is made directly to the landlord/agent.

In all cases, the circumstances which led to the overpayment are reviewed when determining from which party the overpayment will be recovered.

Citizens Advice

Mr J Craig asked the Minister for Social Development how much funding his Department provided to the Citizens Advice Bureau in each of the last five years.

(AQW 469/11)

Minister for Social Development: Funding provided by my Department to the Citizens Advice Bureau in each of the last five years, is detailed in the attached tables.

TABLE 1 – FUNDING BY PROGRAMME

Programme	2006/07	2007/08	2008/09	2009/10	2010/11
Neighbourhood Renewal Phase 2	£125,977	£136,451	£138,228	£17,117	-
Local Community Fund	£13,764	£6,650	-	-	-
Regeneration ¹	£49,784	-	-	-	-
Benefit Uptake ²	£175,902	£217,584	£163,886	£137,907	£260,855
Community Volunteering Scheme	£40,441	£60,110	£59,046	£2,754	-
Modernisation Fund	£33,749	£52,617	£41,702	-	-
Modernisation Fund Capital	-	-	-	£100,000	-
Regional Infrastructure	£495,496	£574,494	£636,038	£808,881	£669,806
Community Support Programme ³	£855,306	£1,114,945	£1,194,970	£1,149,969	£1,010,046
NR Advice Workers	-	-	-	£257,123	£300,651
Total	£1,790,419	£2,162,851	£2,233,870	£2,473,751	£2,241,358

1. Funding provided by the Northern Ireland Housing Executive
2. Funding provided by the Social Security Agency
3. Funding provided by the Department for Social Development via the District Councils. 06-09 is actual expenditure. 09/10 shows allocated funding as actual expenditure has not been finalised. 10/11 is the figure to date.

TABLE 2 – FUNDING SPLIT BETWEEN REGIONAL CAB AND LOCAL CAB

Regional CAB	£795,371	£902,885	£899,932	£946,789	£930,661
Local CAB	£995,048	£1,259,966	£1,333,938	£1,526,962	£1,310,697
Total	£1,790,419	£2,162,851	£2,233,870	£2,473,751	£2,241,358

Financial Support for Funeral Costs

Mr B McElduff asked the Minister for Social Development how many applicants were refused financial support for funeral costs because they missed the application deadline, in each of the last three financial years.

(AQW 473/11)

Minister for Social Development: The information requested is outlined in the table below.

Year	Total Social Fund Funeral Payment applications received	Total applications refused due to missed deadline
2009/10	3686	228
2008/09	3783	330
2007/08	3416	192

Housing Executive Waiting List

Mr G Savage asked the Minister for Social Development how many applicants have been on the Housing Executive waiting list for (i) 2 years; (ii) 3 years; (iii) 4 to 5 years; (iv) 6 to 10 years; (v) 11 to 15 years; and (vi) 16 to 20 years, broken down by district office.

(AQW 505/11)

Minister for Social Development: The information is not available in the format requested. The table attached details a breakdown of applicants on the waiting list by time, as at 30 June 2010.

TABLE 1 – APPLICANTS ON THE WAITING LIST BY TIME AS AT 30 JUNE 2010

District	0-2 years	2-3 years	3-4 years	4+ years
East Belfast	1286	256	184	422
North Belfast	1653	296	201	370
Shankill	523	103	70	115
South Belfast	1333	240	156	323
West Belfast	1255	354	293	536
Antrim	665	104	87	131
Ballycastle	165	49	52	90
Ballymena	792	191	127	288
Ballymoney	255	61	43	77
Carrickfergus	529	132	77	224
Coleraine	760	144	115	245
Larne	342	42	50	80
Newtownabbey ¹	467	94	74	163
Newtownabbey ²	561	112	88	139
Armagh	446	92	75	136
Banbridge	395	68	76	100
Dungannon	621	95	64	128

District	0-2 years	2-3 years	3-4 years	4+ years
Fermanagh	543	72	68	149
Lurgan	672	132	93	180
Newry	1098	206	159	374
Portadown	483	71	60	77
Bangor	1044	232	192	410
Castlereagh	877	176	146	243
Downpatrick	688	188	102	249
Lisburn Antrim Street	1155	261	192	360
Lisburn Dairy Farm	415	78	58	67
Newtownards	1051	234	164	307
Cookstown	233	46	49	60
Waterloo	551	109	74	141
Waterside	622	102	83	116
Collon Terrace	654	89	58	111
Limavady	326	60	44	77
Magherafelt	330	58	44	75
Omagh	405	62	62	91
Strabane	373	61	33	84

Carbon Monoxide Alarms

Mr J Craig asked the Minister for Social Development if he has any plans to make the installation of carbon monoxide alarms compulsory in all homes owned or maintained by the Housing Executive or Housing Associations.

(AQW 522/11)

Minister for Social Development: There is no statutory requirement to fit carbon monoxide alarms to new or existing housing stock. However, in light of the recent tragic incident in Castlerock, a technical review has commenced by the Housing Executive and it is hoped to complete this by the end of December 2010. If the review indicated that carbon monoxide alarms were required in Social Housing dwellings any potential implementation programme would be subject to the availability of finance.

My department currently has no plans to introduce legislation in respect of fitting of carbon monoxide alarms but will review this in light of the outcome of the review being undertaken by the Housing Executive.

I welcome the recent motion on 'Carbon Monoxide Awareness and Strategy' and the debate which took place in the Assembly on 20 September, to compel builders to fit carbon monoxide alarms to all new homes and to raise awareness of this silent killer and encourage people to fit carbon monoxide alarms in their homes.

Capital Projects in the North Down Area

Mr P Weir asked the Minister for Social Development for an update on all his Department's capital projects in the North Down area that (i) were, or will be, commenced or completed in 2010/11; (ii) are planned for 2011/12; and (iii) have been postponed because of budgetary constraints.

(AQW 539/11)

Minister for Social Development: The information on capital projects in my Department specific to the Member's North Down constituency is not available in the requested format, therefore, the details in relation to the Bangor area are provided. The capital schemes relating to the Social Housing Development Programme covered by the Housing Executive's Bangor District Office are set out below:

Responsible Body	Location	Number Of Units
Completed 2010-11		
Helm Housing	28-32 Belfast Road & 18 Inglewood Park, Bangor	37
Helm Housing	Rathgill Zone 1, Bangor	28
Oaklee	Shaftsbury Road, Bangor	34
Due to Commence 2010-11		
Helm Housing	1-3 Crawfordsburn Road, Bangor	21
Due to Commence 2010-11		
Clanmil	Bloomfield Road/South Circular Road, Bangor	49
Northern Ireland Housing Executive	Competition Scheme at Rathgill, Bangor	50
Oaklee	Gransha Road, Bangor	6
Trinity	Holborn Avenue, Bangor	14
Trinity	West Church, Bangor	18
Planned for 2011-12 (Subject to Budget Availability Under Budget 2010 Process).		
Connswater	Crosby Street, Bangor	8
Fold	Groomsport Road, Bangor	14
Fold	Kerr Park, Holywood	21
To Be Confirmed	34-36 Bangor Road, Holywood	12
Postponed due to Budgetary Constraints		
None		

To date, no Housing Executive schemes have been postponed due to budgetary constraints.

In addition, Bangor Social Security Office is one of 8 remaining offices still to be converted to a Jobs & Benefits office. The current planning assumption for delivery of a new office on the site of the existing Social Security Office is that the earliest date construction is likely to begin is late 2011-12. This is, however, subject to the confirmation of available capital funding.

Village Area of South Belfast

Mr A Maskey asked the Minister for Social Development to outline the process currently being used to value the homes being vested by his Department as part of the regeneration programme in the Village area of south Belfast.

(AQW 544/11)

Minister for Social Development: Land and Property Services within DFP are responsible for assessing the value of all homes that have been vested across the Village. The operative date for the vesting order was 19 April 2010 and in effect that is the date the LPS valuation will be based upon.

Houses for Travellers

Lord Morrow asked the Minister for Social Development, pursuant to AQW 186/11, to detail the cost for each of the projects in Foyle and West Belfast; and to outline the type of dwellings involved.

(AQW 563/11)

Minister for Social Development: The information below details the units built specifically for travellers in the last two years 2008/2009 and 2009/2010:-

2008/09: Foyle Constituency

Ballyarnett Travellers

Total Qualifying Scheme Costs (including Housing Association Grant): £2,819,560

Dwelling type: 2 x 7 person 4 bed
8 x 5 person 3 bed

2009/10: West Belfast Constituency

Monagh Road Travellers, Phase 1& Phase 2

Total Qualifying Scheme Costs (including Housing Association Grant): £5,888,602

Dwelling Types: 1 x 9 person 4 bed
8 x 7 person 4 bed
11 x 5 person 3 bed
1 x 3 person 2 bed

Employment and Support Allowance

Mr J Spratt asked the Minister for Social Development how many people in each constituency are currently in receipt of Employment and Support Allowance.

(AQW 581/11)

Minister for Social Development: The information requested is set out in the table below.

Westminster Parliamentary Constituency	Recipients
Belfast East	912
Belfast North	1,575
Belfast South	852
Belfast West	1,459
East Antrim	853
East Londonderry	1,137
Fermanagh And South Tyrone	998

Westminster Parliamentary Constituency	Recipients
Foyle	1,173
Lagan Valley	788
Mid Ulster	1,160
Newry And Armagh	1,151
North Antrim	1,072
North Down	609
South Antrim	840
South Down	1,113
Strangford	769
Upper Bann	1,370
West Tyrone	981
Unallocated Recipients*	114
Total	18,926

* Recipients are allocated to a constituency by postcode. In some cases this is not possible, for example, a postcode may be missing, incomplete or incorrectly recorded.

Housing Waiting List in South Belfast

Mr J Spratt asked the Minister for Social Development how many people are currently on the waiting list for (i) Housing Executive; and (ii) Housing Association accommodation in the South Belfast constituency.

(AQW 582/11)

Minister for Social Development: The information requested is not collated by Parliamentary Constituency and is therefore not available in such format. The Housing Executive and Housing Associations allocate accommodation from a Common Social Housing Waiting List and, at 30th June 2010, there were 2,052 applicants registered on the Waiting List for social housing within the Housing Executive's South Belfast District Office area.

Homeless in South Belfast

Mr J Spratt asked the Minister for Social Development how many people are currently classified as homeless in the South Belfast constituency.

(AQW 583/11)

Minister for Social Development: The information is not collated by Parliamentary constituency and is therefore not available in such format. On 30 June 2010 there were 670 Full Duty Applicants who met statutory homelessness criteria registered on the waiting list for social housing within the Housing Executive's South Belfast District Office catchment area.

Derry City Centre Public Realm Scheme

Ms M Anderson asked the Minister for Social Development whether his Department consulted the disability sector regarding the Derry City Centre Public Realm scheme to ensure that it did not incorporate any design features which would cause difficulties for pedestrians with a disability.

(AQW 597/11)

Minister for Social Development: My Department consulted widely with all interested parties including organisations representing disabled people prior to commencing implementation of the Derry City Centre Public Realm Scheme. This extensive consultation process, which was launched by Minister Ritchie on 30 May 2007 and managed by BDP on behalf of the Department, was conducted through public exhibitions of the scheme proposals, public meetings, establishment of a dedicated web page with an electronic feedback facility, distribution of information leaflets and face to face meetings with individuals and organisations. All views and concerns expressed were taken account of as far as possible in arriving at the final scheme design.

A disability audit of the final scheme design proposals was carried out by Disability Action in November 2008. Whilst generally welcoming the scheme, the audit suggested a number of actions to make the area more user friendly for disabled people. These included recommendations on kerblines, paving patterns, parking and drop-off facilities, crossing points, street furniture, market layouts and bus stops. These recommendations have been taken account of as far as possible in the construction of the scheme.

Roads Service officials meet regularly with organisations representing disabled people in Derry and will continue to review the operation of the new public realm scheme after it is handed over to the Department for Regional Development later this year.

Antisocial Behaviour Legislation

Mr P Weir asked the Minister for Social Development what plans his Department has to bring forward new anti-social behaviour legislation; and for his assessment of the impact this legislation might have on Housing Executive tenants.

(AQW 600/11)

Minister for Social Development: The Housing (Amendment) (No.2) Bill was introduced in the Assembly on 22 June 2010. It contains two clauses dealing with anti-social behaviour. Clause 9 means that social housing tenants would no longer have an automatic right to exchange tenancies if they, or any persons residing with them, have been made the subject of certain sanctions for anti-social behaviour.

Clause 10 of the Bill ensures that the Housing Executive and registered housing associations are better informed about any sanctions for anti-social behaviour which may be in force, and are in a position to use this information to withhold consent to any application the tenant may make to exchange tenancies, to buy their home, or to transfer to other accommodation. The information can also be used to enable the Housing Executive to decide whether to treat a person as ineligible for housing accommodation or homelessness assistance, or to enable a registered housing association to allocate its accommodation.

I would emphasise that the above proposals should have no negative impact on any Housing Executive tenants unless, as a consequence of their anti-social behaviour, they find themselves unable to exchange tenancies, buy their homes or transfer to other accommodation. The impact of the proposals on Housing Executive tenants generally should be positive, given that the aim of the proposals is to discourage anti-social behaviour and limit its spread.

Larne Town Centre

Mr K Robinson asked the Minister for Social Development whether he has had any discussions with his Ministerial colleagues about securing funds for the development of Larne town centre.

(AQO 153/11)

Minister for Social Development: I have visited Larne twice since taking up my Ministerial post: first in June, when I visited the town to launch the town centre masterplan; and again earlier this month when I met members of the Larne traders forum. On both occasions, those I met impressed upon me the need for further investment in the regeneration of the town centre.

I have discussed the need for continuing investment in the regeneration of Larne and other town and city centres with my Ministerial colleagues, both in the Executive as part of our discussions on the budget and in bi-laterals with the Finance Minister and others.

A bid for additional funding for one particular proposal to assist in the development of Larne town was put forward in the last monitoring round but was turned down. This will be carried forward to the next monitoring round in December.

I will continue to press home the message to my Executive colleagues during the current spending review process that urban regeneration is, on a pound for pound basis, arguably as effective an intervention as any that is available to help us move out of recession. I trust that all those who recognise the economic and social value of regeneration – from across the political spectrum and in all sectors of society – will assist me in making that case.

Fuel Poverty

Mr J Bell asked the Minister for Social Development what action his Department is taking to address fuel poverty.

(AQO 154/11)

Minister for Social Development: Proposals for a new Fuel Poverty Strategy have just been subject to a public consultation which ended on 24th September. While our new strategy will address all three contributors to fuel poverty, income, fuel price and energy efficiency, it will focus strongly on removing energy inefficiency as a cause of fuel poverty whilst exerting whatever influence we have on other departments and agencies to help tackle high fuel prices and low incomes. However I am considering what intervention might be possible on the difficult issue of fuel prices.

My Department continues to fund the Warm Homes Scheme and the Housing Executive's Heating Replacement Scheme with the aim of improving the energy efficiency of the existing housing stock. In addition, my Department also continues to administer the annual Benefit Uptake campaign and the Winter Fuel Payment which helps maximise household incomes.

Neighbourhood Renewal: Funding

Mrs D Kelly asked the Minister for Social Development for his assessment of funding for neighbourhood renewal in the next budgetary period.

(AQO 155/11)

Minister for Social Development: My budget bid for the period 2011 to 2015 seeks a continuing and increased level of funding for Neighbourhood Renewal demonstrating my commitment for this Programme.

My Department currently funds over 300 projects with an annual value of £20 million from the Neighbourhood Renewal Investment Fund. The purpose of these projects is to deliver much needed changes to these most deprived areas, including providing additional services to over 280,000 people in 100,000 households.

The vast majority of these projects have contracts for funding which will end on 31 March 2011. While it is my intention to continue funding the Neighbourhood Renewal programme after 2011, all Government Departments within the Northern Ireland Executive have been asked to identify savings from within existing funds.

However the Executive have to make the assessment if, across the breadth of DSD's functions, Housing, SSA, CMED, Neighbourhood Renewal and Urban Renewal, all are crucial in going forward.

Neighbourhood Renewal is the Executive's flagship programme for tackling the deprivation experienced by communities across Northern Ireland. I will be seeking to work in even closer collaboration with my Executive colleagues to maintain investment and public services in these areas. This approach will

reduce duplication and improve value for money. The absence of such an approach risks fragmentation, duplication and will be unsuccessful. I hope this will prevail across all government departments.

Housing: South Antrim

Mr P Girvan asked the Minister for Social Development how many people in the South Antrim constituency are currently on the housing waiting list or deemed to be in housing stress.

(AQO 156/11)

Minister for Social Development: At 30 June there was a total of 1887 applicants on the Waiting List in the Housing Executive's District Offices in Antrim and Newtownabbey, which covers the South Antrim constituency area; of these 913 were deemed to be in Housing Stress.

The most difficult area for the provision of housing is in Crumlin where it is extremely difficult to secure land for new build. In addition there is a limited availability of three bed houses, especially in popular areas such as Dublin Road, Moylena, Townparks North, and Newpark.

Warm Homes Scheme: Armagh

Mr W Irwin asked the Minister for Social Development what plans he has to address the heating and insulation inadequacies in Housing Executive houses in the Armagh district where tenants who met the criteria under the Warm Homes scheme are now prevented from applying.

(AQO 157/11)

Minister for Social Development: The Warm Homes scheme is for people who own their home or rent it from a private Landlord and receive certain benefits. Therefore, Housing Executive tenants are not eligible to apply to the scheme. For tenants of Housing Executive properties within the Armagh District there is a five year programme to replace room heaters, open fires and Economy 7 under heating replacement schemes.

Nevertheless, I can confirm that roof insulation and cavity wall insulation should be present in all properties as the Housing Executive has had a series of External Cynical Maintenance schemes and Cavity Wall Insulation schemes in the Armagh District over the years.

Alcohol Promotions

Mr S Hamilton asked the Minister for Social Development to outline his plans to deal with irresponsible alcohol promotions.

(AQO 158/11)

Minister for Social Development: In recognition of the many health and social problems caused by the excessive consumption of alcohol, I will be seeking Executive approval to include an amendment in the Licensing and Registration of Clubs (Amendment) Bill to introduce powers to ban irresponsible alcohol promotions in pubs, clubs, supermarkets and other outlets. It is intended that the ban on irresponsible alcohol promotions will be in place by summer 2011.

My initial intention was to take forward these proposals as part of the new Justice Bill currently being brought forward by the Department of Justice (DoJ) – an approach which Minister Ford had stated that he was happy to consider once further details had been received. However, I have since been assured that it is possible for the measures to be included in the Licensing and Registration of Clubs (Amendment) Bill which I am currently taking through the legislative process

Welfare Reform: Lone Parents

Mr D McKay asked the Minister for Social Development how many lone parents moved from Income Support to Jobseeker's Allowance following the introduction of the Welfare Reform Act 2010.

(AQO 159/11)

Minister for Social Development: The Welfare Reform Act 2010 amends existing legislation to ensure that Lone Parents with a child under 7 are a prescribed category of person entitled to Income Support and that Lone Parents on Income Support with a child under one will not be required to take part in a work focused interview. No Lone Parents have therefore moved from Income Support to Jobseekers Allowance as a result of this legislation.

Queen's Parade, Bangor

Mr B Wilson asked the Minister for Social Development for an update on the seafront development scheme at Queen's Parade in Bangor.

(AQO 160/11)

Minister for Social Development: In December 2009, my predecessor appointed Karl Greenfarm Properties Limited as the preferred developer for the site. The developer is currently in Pre Application Discussions with the Planning Service on the proposals for the site and is awaiting the publication of the Bangor Draft Masterplan proposals in October 2010 before finalising the concept plans. It is expected to take until Spring 2011 to complete this process. The Department has established a Project Board to manage the regeneration scheme and a Community Engagement Partnership to liaise with the local community throughout the process.

Housing: Mid Ulster

Mrs M O'Neill asked the Minister for Social Development how many heating, kitchen and window replacements were delivered in the Mid-Ulster constituency in 2009/10.

(AQO 161/11)

Minister for Social Development: The information is not available in the format requested because the Housing Executive does not collate the information by parliamentary constituency. However, the table below details the heating, kitchen and external Cyclical Maintenance schemes that occurred in the Housing Executive District Office areas for Magherafelt, Cookstown and Dungannon in 2009/2010:-

District Council	Scheme Name	Number of Properties	Type of work
Cookstown	Ratheen Avenue	42	Heating
Cookstown	Stewartstown/Pomeroy	207	External Cyclical Maintenance
Cookstown	Eglishe/Parkview	43	Kitchen
Cookstown	Sullenboy Park	30	Kitchen
Dungannon	Aughnacloy	23	Kitchen
Magherafelt	Park View/Riverside	35	Kitchen

Curran Street, Portadown

Mr J O'Dowd asked the Minister for Social Development what is the current status of the proposed redevelopment of Curran Street, Portadown.

(AQO 162/11)

Minister for Social Development: My Department is currently in the process of obtaining full planning permission for the redevelopment of the Curran Street Site. An application was submitted to Planning Service in December 2009 and I understand that a decision is imminent. The process to appoint a developer to acquire the site and deliver the scheme formally commenced in June 2010 with an advertisement placed in the Official Journal of the European Union. A short-list of interested developers has now been drawn up and each will be asked to submit bids to purchase and develop the site. The

process of assessing the bids will take a number of weeks and I am hopeful that a Preferred Developer will be appointed in early 2011.

Ross Street Flats, Belfast

Mr A Maginness asked the Minister for Social Development for an update on his Department's proposals for Ross Street flats in West Belfast.

(AQO 163/11)

Minister for Social Development: On 28 July I announced plans for the redevelopment of the flats and cottages at Ross Street in West Belfast. I believe these new proposals can address both the housing needs of the community alongside wider community safety issues that have blighted the area for too long now.

The period of consultation on these proposals is now complete and responses are now being analysed. However I have already met with local residents and am encouraged by the very positive response my proposals have received.

A business case will be prepared and presented to me alongside the results of the consultation exercise in the coming weeks and I expect to be in a position to announce a way forward by the end of October.

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.

Employment and Learning

Departmental Spend on Consultants

In Bound Volume 41, page WA104, replace the answer to question (AQW 7836/09) asked by Mr Craig with:

	2005/06 £m	2006/07 £m	2007/08 £m
Expenditure on External Consultancy	0.62	0.38	0.50

Private Consultancy Firms and Events Organisers: Cost to DEL

In Bound Volume 43, page WA97, replace the answer to question (AQW 151/10) asked by Mr McGlone with:

The amount that the Department has spent on external consultancy in the past five years is contained in the table below. The Department adheres to DFP guidance on professional services, which defines external consultancy expenditure and best practice in relation to the engagement of consultants.

Year	2004/5 £m	2005/6 £m	2006/7 £m	2007/8 £m	2008/9 £m
Amount	£0.42	£0.62	£0.38	£0.5	£0.58

The amount the Department has spent on event organisers in the past five years is contained in the table below. The Department procures event organisers in association with the relevant branch and the Central Procurement Directorate – CPD within DFP.

Year	2004/5	2005/6	2006/7	2007/8	2008/9
Amount	£16750.00	£16750.00	£29790.00	£22723.00	£35972.00

The amount mentioned refers to the salary costs of the former Equality, Rights and Social Needs Division. This Division has undergone a restructuring exercise within the wider Directorate which has resulted in a significant reduction in headcount and costs. Anti-discrimination and equality issues are the responsibility of the Directorate encompassing Equality, Good Relations and Economic Policy.

This Directorate is responsible for, amongst other issues, gender issues, older people issues, monitoring ECNI, children and young people's issues, implementing good relations policies, racial equality issues, addressing disability discrimination, tackling poverty and social exclusion, EC directives, providing good relations funding, developing legislation for an Older People's Commissioner, victims and survivors issues and oversight of the Programme for Government.

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