



Northern Ireland
Assembly

OFFICIAL REPORT

(Hansard)

Volume 57

(25 October 2010 to 21 November 2010)

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Beggs, Roy (East Antrim)
Bell, Jonathan (Strangford)
Boylan, Cathal (Newry and Armagh)
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Bradley, Mrs Mary (Foyle)
Bradley, P J (South Down)
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Deeny, Dr Kieran (West Tyrone)
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Empey, Sir Reg (East Belfast)
Farry, Dr Stephen (North Down)
Ford, David (South Antrim)
Foster, Mrs Arlene (Fermanagh and South Tyrone)
Frew, Paul (North Antrim)
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Hilditch, David (East Antrim)
Humphrey, William (North Belfast)
Irwin, William (Newry and Armagh)
Kelly, Mrs Dolores (Upper Bann)
Kelly, Gerry (North Belfast)
Kennedy, Danny (Newry and Armagh)
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McGimpsey, Michael (South Belfast)
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O'Dowd, John (Upper Bann)
O'Loan, Declan (North Antrim)
O'Neill, Mrs Michelle (Mid Ulster)
Poots, Edwin (Lagan Valley)
Purvis, Ms Dawn (East Belfast)
Ramsey, Pat (Foyle)
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Ritchie, Ms Margaret (South Down)
Robinson, George (East Londonderry)
Robinson, Ken (East Antrim)
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Ross, Alastair (East Antrim)
Ruane, Ms Caitríona (South Down)
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Spratt, Jimmy (South Belfast)
Storey, Mervyn (North Antrim)
Weir, Peter (North Down)
Wells, Jim (South Down)
Wilson, Brian (North Down)
Wilson, Sammy (East Antrim)

Principal Officers and Officials of the Assembly

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

Ministerial Offices

The Executive Committee

First Minister	Mr Peter Robinson
Deputy First Minister	Mr Martin McGuinness
Minister for Employment and Learning	Sir Reg Empey <i>(resigned 27 October 2010)</i> Mr Danny Kennedy <i>(from 27 October 2010)</i>
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 Caitriona Ruane
Minister of Enterprise, Trade and Investment.....	Mrs Arlene Foster
Minister of the Environment	Mr Edwin Poots
Minister of Finance and Personnel.....	Mr Sammy Wilson
Minister of Health, Social Services and Public Safety.....	Mr Michael McGimpsey
Minister of Justice.....	Mr David Ford

Junior Ministers

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

Northern Ireland Assembly

Monday 25 October 2010

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

Members observed two minutes' silence.

Assembly Business

Condolences

Mr Speaker: Before we move to today's business, on behalf of the whole House, I want to extend our deepest sympathies to the families of Mr John Harrison and Mr Jim Dougal, who passed away recently, and who were very well known to all Members of the House. I also extend our sympathies to the families of the three people who died tragically on Saturday as the result of a helicopter accident in the Mournes. I know that our prayers and thoughts are with all those families this morning.

Private Members' Business

Comprehensive Spending Review

Mr Speaker: Having been given notice by not less than 30 Members under Standing Order 11, I have summoned the Assembly to meet today for the purpose of debating the motion that appears in the Order Paper. The Business Committee has agreed to allow up to two hours for the debate. The proposer of the motion will have 10 minutes in which to propose and 10 minutes in which to make a winding-up speech. Two amendments have been selected and published on the Marshalled List. The proposer of each amendment will have 10 minutes in which to propose and five minutes in which to make a winding-up speech. All other Members who are called to speak will have five minutes.

Mr Adams: I beg to move

That this Assembly has serious concerns about the impact of the British Government's comprehensive spending review proposals; and calls on the Minister of Finance and Personnel to address these concerns.

Go raibh maith agat, a Cheann Comhairle. I also pass on our sympathies and solidarity to the families of John Harrison and Jim Dougal.

In proposing the motion, I welcome the amendments that have been tabled by the Democratic Unionist Party and the Ulster Unionist Party. I call upon parties and MLAs to support the motion and amendments.

We are here to represent our peers and were sent here to show leadership and to advocate the rights of citizens. The Assembly is part of a unique and experimental form of governance that is linked to other institutions, and it acts as a bridge out of conflict. It is also a forum in which opposing views can be articulated as we seek to build a new society. Developing a peace

process and sustainable institutions collectively has been a considerable achievement, but we can, and have to, do more. The Assembly has to deliver for those whom we represent. We have met many challenges in the recent past, but the current crisis may well be the most challenging of all, impacting as it does on the social and economic rights of citizens.

You will not be surprised to hear, a Cheann Comhairle, that Sinn Féin has no truck for British Government involvement in Irish affairs. Others here have an entirely different view. Let us agree to disagree on that this morning. Instead, let us focus on that Government's assault on public services, lower- and middle-income families, people on social welfare and the most vulnerable sections of our community. During the Westminster election, some parties here attached themselves to the Tory bandwagon. Sinn Féin pointed out the danger of another period of Tory governance. Regrettably and unfortunately, our prediction has come true.

As a consequence, the North now faces a reduction of 6.9% in the current expenditure budget and 37% in capital expenditure over the next four years. The Tory Government have also reneged on the St Andrews commitment to £18 billion for infrastructure. That is entirely and absolutely unacceptable, and we need to face up to that. It is worth noting that the Irish Government have kept to their financial commitments. The massive cut in capital expenditure will have a devastating impact on the construction industry, our infrastructure and the upgrade and maintenance of hospitals and schools over the next four years.

The Tories claim that the cut is necessary to get rid of the deficit. However, in truth, it is about the old-fashioned Conservative principle of protecting the rich at the expense of lower- and middle-income earners and the poor. It is wrong, and the Assembly needs to say that it is wrong. Ní ghlacann Sinn Féin leis sin ar chor ar bith. If it really was about the deficit, the Trident system, which will cost billions, would have been scrapped and the banks would have been made to pay for their greed. However, that is not how Conservative politics works. Conservatism, whether in London or Dublin, is not about building communities, sustaining public services or citizens' rights.

The economic and social impact of Tory policies will drive many people into poverty. The

poorest will be hit 10 times harder than the wealthy; those are not my statistics but others'. Public services will be decimated. Among the provisions most likely to be affected are mental health services, which are under pressure already. Last week, in the constituency of West Belfast, four young people are suspected of having taken their own lives. I was at one of the funerals, and I called to each of the wake houses. That is an awful crisis for their families and the communities around them. However, it should also be a crisis for the Assembly. Suicide prevention, which is just one pertinent example, needs an emergency response with appropriate resources. Where is that response? That is what people were asking me on Saturday morning. It will certainly not be forthcoming if the Tories have their way.

Lone parents, the elderly and the sick will suffer the most. The patterns of poverty that have remained unchanged over decades, which affect supporters of the unionist parties, our party and other parties, will be reinforced. Up to 20,000 public sector jobs will go, and another 16,000 private sector jobs will follow.

The outlook is bleak, but it does not have to be like this. There is another way of coming at the problem; there is a better way. Is féidir linn todhchaí níos fear a bheith againn. We need to have a vision of where the Assembly wants to go and what we want to do for those whom we represent. The best way to tackle the recession is through stimulus, investing in jobs, building infrastructure, tackling waste and protecting front line services. Costed proposals by Sinn Féin would realise almost £1.9 billion in combined savings and new revenue. Other political representatives here will have other proposals and suggestions; other shareholders will have other propositions. All the parties here need to explore all those in a spirit of openness and inclusivity. In that respect, therefore, I welcome the Minister of the Environment's statement yesterday that he is prepared to revisit the review of public administration (RPA) and the significant savings that that offers.

Sinn Féin also believes that the political parties in the Assembly, the trade unions, the community and voluntary sector and the business sector must work together. We want to develop and be part of a progressive consensus and to build on the ideas that have been put forward to protect jobs and public services and to help to grow the economy. The Assembly

needs to send a very clear message today that it is firmly opposed to cutting public services. At the same time, of course, there is a need for efficiency in all sectors. People who are very well paid need to have their earnings capped. We believe that MLAs should take the lead and accept a 15% reduction in salary. That should also apply to the top layer of civil servants.

There are other ways to end waste, such as reducing the use of external consultants and getting rid of unnecessary quangos. The Executive could set up a special investment fund to support indigenous small and medium-sized businesses, social enterprise projects, green technology and renewable energy and tourism, and to ensure that EU funding is assessed. An environmental levy on plastic bags, for example, is another effective way of reducing waste and generating revenue. The banks, which were greedy, unregulated and responsible for most of the current crisis, need to play their part in the recovery. We propose that the four major banks in the North should contribute to a development bond of £400 million over the next four years. The credit union movement could also contribute to a social fund. The Housing Executive and our Executive have the power. The Housing Executive could be authorised to borrow money to fund social housing needs.

10.45 am

In my time here, Finance Ministers have acknowledged in the Chamber that the Executive do not have the necessary economic levers to manage our economy efficiently. It is time that that changed. I hear a lot about can-do politics; I hear a lot about the history of this part of the island. Let us not accept that we do not have proper economic levers. Let us lead, and let us seek to get those economic powers devolved.

It also makes sense that the Executive and the Irish Government should agree measures to reduce the duplication of services across the border in health, education, the environment, infrastructure, and much more. We have seen how effective that that can be on the roads network.

It is time for innovation; it is not time for heads to go down. We are here to give leadership, and, as I said earlier, I think that we can send a very clear signal from the Assembly that we are united and we are going to get behind the Executive to bring forward constructive, common

sense propositions to see our way out of this economic crisis. Go raibh míle maith agat.

The First Minister (Mr P Robinson): I beg to move amendment No 1: Leave out all after “calls on” and insert

“the Northern Ireland Executive to collectively address these concerns.”

First, I join with you, Mr Speaker, in the comments that you made in relation to the tragic crash that took place. On behalf of all on these Benches, I express our condolences to the bereaved. Of course, there were two deaths of people who were very close to many of us. We all knew Jim Dougal well; most of us had appeared before him in interviews. We can all testify to his good humour. “Gentleman” was the term used most in relation to Jim, and we deeply mourn his passing.

Most recently, there was the passing of John Harrison. John's death seems so tragic in that he was 11 or 12 years my junior. The deputy First Minister, the Minister of Enterprise, Trade and Investment and the Minister for Employment and Learning shared time with him in Washington until the very end. I had lunch with him before he left for Newark, and the deputy First Minister travelled back with him. His death was a massive shock to us all, and we are all badly reeling from it. We express our sympathy to his wife Mandy, his parents and his children, Peter, Thomas and Catherine.

I welcome this valuable debate and congratulate those who tabled the motion. There is no issue between us and Sinn Féin on the wording of the motion. Our amendment simply recognises that not all the responsibility should fall on our poor friend, the Minister of Finance and Personnel; he should take neither the credit nor the blame for what is to come. What happens will be a collective decision by the Executive.

I was happy that, at their most recent meeting, the Executive unanimously agreed on the way to handle the process and that the Executive Budget review group will sit down together, look at all the propositions and bring recommendations to its Executive colleagues, who will have the final say. Do not forget that the Assembly will be asked to approve that Budget, so it will be a collective act by the Assembly and the Executive.

In the very short time available to me, I want to deal with only one aspect of the situation: how

we can increase our revenue, make savings and do things differently. When people are looking at issues, including RPA, they need to remember that it would be a cost to the Executive in the first three years — the period that is covered by our spending review — of about £130 million. Therefore, if we were to follow that route, we would be looking for more money, although in the long term, if we were to follow the initial proposals of the Minister of the Environment, there would be a saving over the following 20 or 25 years.

I want to touch on one aspect: the breach of commitments. We have not gone into the detail that we need to on those matters. The Assembly and Executive Review Committee might want to look at the nature of the commitments that were given. Along with the Finance Minister, I had the benefit of meeting former Secretary of State for Northern Ireland, Mr Shaun Woodward, this morning. We reminded each other of the backcloth against which decisions were taken, and we renewed our memory about the nature of the commitments.

The commitment of £18 billion was made in the context of an Assembly being set up after periods of conflict and division and having certainty about the money that would be available to us so that we would not start up a devolved institution only to face reductions in our budget. We would know where we stood, we would be able to plan ahead, we would have our investment strategy, our Budget and our Programme for Government, and we would know that we could move forward. In that context, it was agreed that £18 billion would be made available to us. That was not a glib remark of the Prime Minister or the then Chancellor; it was a statement made on the steps of 11 Downing Street by the then Chancellor of the Exchequer, who went on to become Prime Minister, Gordon Brown.

Not only did he do that, but he made a statement in the House of Commons, so it is on the record of the House of Commons. In his statement, he specifically indicated that it was a guaranteed settlement, which included £18 billion for capital expenditure.

It seems to have been forgotten by everybody up to now that, at the moment at which £18 billion was guaranteed for capital expenditure, policing and justice was not devolved and there was no prospect of it being devolved. Therefore, the

£18 billion capital was to be made available for the existing Departments, not including policing and justice. It was to be made available from Government resources; it was not to include the reinvestment and reform initiative (RRI) loan capability or money that we would get by way of asset disposal or any other source. We were to get £18 billion over 12 years for our capital expenditure. Indeed, the trajectory of the money that came to us in the years that followed was in line with that commitment, without the add-ins that the Government of today are now attempting to include.

Remember what I said: that was £18 billion for the existing Departments, not including policing and justice. This Government not only include the reinvestment and reform initiative and what we may get by way of capital receipts from the disposal of surplus assets, but they are including the policing and justice capital budget, which should have been on top of the £18 billion because it was never thought of as being part of a capital allocation when the £18 billion was set. Therefore, not only do we have a clear breach of the £18 billion, but they have disappeared the capital money for policing and justice. The settlement on policing and justice gave specific guarantees about certain matters; the police college was one and the prison another. Our allocation was set not only for the £18 billion, but that the capital budget for policing and justice would take account of us at least being able to deliver those specific projects. All of that has gone.

There is also a breach regarding our access to the reserve. Initially, our access had been unqualified; it was simply if there was a large requirement for additional funding that was unforeseen. Now, they have qualified it so that we have to take it out of our own Budget if we are capable of doing so. If money was arising from a spending review, we would have to give that towards the allocation. However, our agreement quite clearly indicated that any money that we had for our original Departments was ring-fenced, policing and justice would stand on their own and any additional requirements would, therefore, come from that source.

Furthermore, there has been a breach in relation to end-year flexibility (EYF). The Government breached that very easily: they have ended EYF. Therefore, from what we have been told, it appears that the commitment that we would have automatic access — not just this year or

next year but into the future — without Treasury approval to our EYF in policing and justice has been removed because they have removed EYF. We will want to speak to the Prime Minister and to ensure that, regardless of what replaces EYF, the policing and justice underspend will be kept in Northern Ireland and we will have automatic access to it.

I have touched on just some of the areas in which there is a breach of the commitment. In the general terms of EYF, we had over £300 million sitting in our EYF stock. The Government are ending EYF; that money is lost to Northern Ireland. That is a huge chunk of money that, by moving it from revenue to capital, could have helped us to deal with some of the reductions that are taking place in that area.

I agree with the previous Member who spoke about the crisis that we now face, the impact that it will have on our community and the need for the Executive to have a united response. This is a major challenge. People do not want grandstanding on this issue.

Mr Speaker: I ask the Member to bring his remarks to a close.

The First Minister: They want us to be able to deal with these matters and to do so effectively and collectively.

Some Members: Hear, hear.

Mr McNarry: I beg to move amendment No 2:
At end insert:

“, in consultation with the First Minister and deputy First Minister and all other Executive colleagues, to bring forward appropriate and agreed Budget proposals for approval by this Assembly which will address these concerns and protect key front-line services.”

Unless yesterday's terrorists return to their wicked ways or those still wedded to violence are allowed to flourish, nothing comparable can interfere with the progress that we have made, except, perhaps, our self-inflicted inability to manage new prosperity out of current financial setbacks. Having gone with us, despite the high stakes of delivering peace and normality, our people are depending on the Executive and the Assembly to see them through uncharted economic waters that have not been experienced during most of our lifetimes.

Twelve years after we began in 1998, none of us can hide from or escape the challenges that we face. The truth is that we have not yet established full maturity in seeing people, on the one hand, as Executive colleagues and, on the other, as political opponents; in seeing the merit and validity of each other's argument; or in doing what is best for the country, rather than the party. When it comes to the issue that has provoked the debate, we are already blaming others: blaming others who are no longer in power for promises allegedly being dishonoured by a newly elected coalition Government, and blaming others instead of, until now, accepting responsibility for ourselves. We need to catch ourselves on.

Grandstanding, linked to insidious threats, gives rise to expectations that cannot be met and that will only corrupt the Assembly's integrity. Confusing the public and shaking their confidence in our ability to address and arrest their concerns over a growingly depressed economy is not the message that should be sent out from the debate. People do not want promises, unless they believe that we can keep them; they are not interested in agreements, when all we do is squabble over them; and they are not impressed with who, what and why. Today, they want to hear about how and when we will pull through. Financial filibustering and fighting talk, with handbags at dawn outside or inside Downing Street, impresses no one, least of all those clamouring for quality leadership and positive action.

I do not know what the Minister will say, although I wait with bated breath to hear him. Will he say that, without co-ordinated collective collaboration co-opting Executive co-operation, his hands are tied? Will he say that the Executive have abdicated their moral and legal authority to stay in office and have succeeded only in punching well below their weight? I do not want to hear that from the Minister, but, if that is the case, we in the House and the public need to know about it, and the sooner the better.

The Sinn Féin president reassumed his personal prejudice and exposed his shallow inadequacies when he said that, by indicating how people here should live, the Chancellor had shown the awful ignorance of a Tory Minister. Let me remind him how glad people here, and those in Brighton, Manchester, Canary Wharf and across the United Kingdom, are to be allowed to live. And let me inform him that it was not the

Chancellor who plunged us into massive debt or let the banks play casino, nor, indeed, was it the coalition Government. Was it not Liam Byrne, Labour's Minister, who left the note in the Treasury that said, "there's no money left"? What a way to greet an incoming Government. Perhaps Sinn Féin would have preferred that Labour had stayed in power to bankrupt us? Come to think of it, maybe that is what Sinn Féin is prepared to do. For the rest of us, our debt — a United Kingdom debt — is forcing an economic crisis on us. This is a national emergency in which Northern Ireland must play its role in helping to reduce pressures and to roll back from a decade of reckless borrowing and bank blindness that almost put our nation in the poorhouse. Let us have no more playing to the crowd, because the crowd has clearly lost interest.

National emergencies have a habit of bringing out the best in people. They provide a steep learning curve when old attitudes often have to be abandoned and people have to pull together for the common good. We are in such a situation today: a new spirit of working together, of addressing the very real problems that confront us, could be as important an outcome from this crisis as is restoring our finances and rebalancing our economy. Indeed, the success of achieving the latter can only be ensured by the former.

11.00 am

Our success in tackling our financial crisis will be directly related to how successfully we work together as a team. We must, today, go away having become Team Northern Ireland, pulling together for the sake of all our people. That is the real destiny that now lies before us, the real choice that we now have to make and the real test of political maturity and our ability to construct a responsible, responsive and accountable democracy. The people are crying out and looking to us for leadership at this time of crisis. We must not fail them. These are not empty words, for the way in which we face this challenge will be as important as the way in which we solve the crisis. We need to be innovative and consider options that we have never considered before.

The task that we now face is multifaceted: on the one hand, we have to live within our means; on the other, we have to redesign, restructure and rebuild our economy. We need to look at all

the options of revenue-raising, including things that we have refused to consider before. We cannot afford to wait for the commercial market to recover — something that the National Asset Management Agency (NAMA) puts in a 10-year time frame. Until we systematically dispose of surplus assets that we have, we must establish a comprehensive register of the entire portfolio. We need to bring together similar properties, spanning all Departments, that could be packaged up and eventually sold. That will involve a thoroughgoing assessment of the occupancy and usage rates of all government buildings.

We have to get down to agreeing real figures and putting them on the table. It was lamentable and confusing for the public that, last week, there was a discrepancy between DFP figures and Treasury figures, which exercised some people, not least some of our leading journalists, for a number of days. It would appear that that discrepancy may be down to the fact that the Treasury figures had incorporated in the baseline the £370 million of cuts locally levied by our Minister in his recent emergency Budget, while DFP figures had lumped those local cuts in with the spending review cuts. That is probably why the Treasury was talking about a 6-9% cut and DFP was moving towards an 8% cut in current expenditure.

This is all about Executive accountability — no sulks, no solo runs, no promises that we cannot deliver. It is all about protecting jobs and saying to people that things are going to be very tough. We are asking the people to put their trust in us to take them through the worst times that we are going to experience and to have ready and in position the building blocks for better times ahead. That, surely, should be the message that a unanimous Executive can send out to the electorate: we are in for tough times; put your trust in us and we will come out of this and deliver it together. I commend my party's amendment to the House.

Mr Speaker: There is a long list of Members who wish to speak. That is understandable, given the motion that is before the House. On the clear understanding that the Minister of Finance and Personnel must be away for 12.30 pm, I ask Members to be brief. In that way, we may be able to give all Members who wish to speak in the debate an opportunity to do so.

Ms Ritchie: First, on behalf of the SDLP, I convey my heartfelt sympathies to the families of the three men who so tragically lost their life in the Mourne on Saturday at around 4.00 pm. I also convey our sympathies to the families of the late Jim Dougal and the late John Harrison.

There has been much comment on the recent comprehensive spending review and its possible impact in the North. Disappointingly, although the facts have been well aired, some of the disclosure has been ill informed. Indeed, some of the comment has bordered on delusional. Those who say that we should simply tell London that the settlement is unacceptable and tell the "David and George Show" to try again are not living in the real world. Unfortunately, the Tories were elected to reduce the deficit, and, having announced how they propose to do it, they will not drop it just because we do not like it. We do not like it; let us emphasise that point. It may be possible to secure improvements around the edges of the published settlement and to secure guarantees on policing and security costs, access to end-year flexibility, latitude in how welfare reform is implemented here and more freedom to borrow. For that reason, I fully support plans to engage the Prime Minister on how to improve the settlement for the North.

We have to understand that the comprehensive spending review settlement is in three parts: current expenditure, capital expenditure and, sometimes forgotten, annually managed expenditure, through which we receive our welfare reform benefit payments. On current expenditure, we will face a cut in real terms of 7% by the final year of the CSR. Departments could well be tasked with finding savings of less than 2% per annum overall, and, whilst that will be very difficult, that is the political and financial reality. There could well be voluntary redundancies, whereby people leave and retire. Therefore, we have to look at possible ways to protect those in public sector jobs. It will be difficult, but we have to look at that and adopt a consensual approach to it. Perhaps one way to do so is through a social partnership.

On the capital expenditure side, regardless of what smoke and mirrors the Secretary of State uses to sustain an unsustainable argument, our budgets will take a substantial cut, and that will leave us well short of our expectations. Capital investment will grow our economy, and we will now probably have to do two things. First, the

Executive may have to find sufficient savings in current expenditure to permit a significant transfer from day-to-day spending into capital in order to pump-prime our infrastructure and our capital side, and, secondly, we have to genuinely prioritise capital budgets.

That brings us to annually managed expenditure, where the damage is really being done. In the June Budget, the Government took £11 billion out of welfare benefits, and they took a further £7 billion in this CSR period. Those are Treasury figures. The Northern Ireland share is not far off £500 million. However, what makes this situation iniquitous is that the money does not come out of the Northern Ireland block, where we could all protest about budget cuts. It comes directly out of the pockets and purses of benefit recipients. David Cameron claims that that is fair and that the Government have done the right thing in the right way. I do not think that they have done the right thing in any case, but they most certainly have not done it in the right way. There is unfairness in child benefit. What about snatching the mobility allowance that is payable to people in residential care? Do the Government want people to walk to hospital appointments? Those large-scale welfare cutbacks have little to do with the laudable desire to help people move out of benefit dependency and into the dignity and self-sufficiency of gainful employment.

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

Ms Ritchie: They represent an old-fashioned onslaught on the poor. All parties in the Chamber need, in some cases, to behave responsibly.

Mr Speaker: The Member's time is up.

Ms Ritchie: We, in the SDLP, will behave responsibly. We look to others to do likewise.

Mr Lyttle: I start by offering the Alliance Party's condolences to the Harrison and Dougal families and to the families of the three men who were tragically killed in the crash at the weekend.

My party and I are acutely aware of the urgent need for the Assembly and its Executive to respond to the comprehensive spending review collectively. The question that I am receiving from members of the public on this announcement is loud and clear: will the Assembly, particularly its Executive, respond to the economic challenge

with collective responsibility, or will its constituent political parties seek to electioneer? I am glad that we have heard in the debate about a vision for tackling waste, creating jobs and protecting front line services. However, for Sinn Féin to suggest that responsibility for dealing with that challenge lies with the Finance Minister alone was, at best, misleading. To posture as the party against cuts is untenable given the reductions that have been made by Sinn Féin Ministers to the budgets for sustainable transport and community relations in schools.

My party and I recognise that it is important for elected representatives in Northern Ireland to continue to fight our corner and to raise our concerns directly with the UK Government over the pace and depth of cuts. As the First Minister said, that is particularly important with regard to the commitments that were made for £18 billion funding for capital investment in Northern Ireland.

My party shares with other Members concerns about those budgetary reductions. Indeed, my party colleague Naomi Long, who takes her seat on the Opposition Benches in Parliament, was the first Northern Ireland MP to challenge the Chancellor of the Exchequer about the need for special measures in this region to stabilise our economy and stimulate private sector growth. She will continue to make representations at Westminster in the best interests of the people of Northern Ireland.

Nevertheless, it is for the Northern Ireland Executive and Assembly to make decisions on the matter. Like it or not, political posturing has wasted money and opportunities to improve the efficiency of public services in this region. We needed RPA, we need the Education and Skills Authority (ESA), and we need reform of arm's-length bodies. Without that, we will continue to fail the public, who expect the Assembly to make decisions that will help our society by delivering improved opportunities for education, jobs, health and support for the most vulnerable people.

We believe that there are ways to create a more sustainable and competitive Northern Ireland. The Executive have to make efficiency savings and improve productivity throughout the public sector. With effective planning, cutting spending does not have to mean cutting services. We must ensure that every penny of taxpayers' money secures value.

The Alliance Party would prioritise actions that will find savings through building a shared future. In the context of real financial pressure, the luxury of wasting money on maintaining a divided society cannot be tolerated, and, although it will take time to realise those savings, it is critical that we make a start now. The Alliance Party estimates that addressing the cost of division can lead to savings of around £1 billion a year. Specifically, there are considerable economic and social benefits to be achieved through the sharing of education.

My party has long championed the reform of political institutions, and the rationalisation of Departments would result in more joined-up government and real financial savings. We support a reduction in the number of MLAs. Alliance is also prepared to accept that some additional revenue raising in Northern Ireland may be required and that no Government would seek to address our local challenge through savings alone. We also agree that the larger than expected reduction in capital expenditure means that we must find ways to reallocate money from revenue funding to strategically important capital projects that will support our construction industry and create infrastructure for growth. Tough decisions will be required on reducing future expenditure on salaries and safeguarding jobs. If a decision is taken to reduce public sector pay, protecting the low-paid must be a priority.

As we have heard today, those are all decisions that need to be made collectively by the Executive. We call on the Executive to send out a message that they are ready to work together to deliver decisive action.

Mr Speaker: The Member's time is up.

Mr Lyttle: It is vital that the Executive provide leadership on that issue to deliver first-class modern public services, safeguard jobs and deliver a shared and better future for this region.

11.15 am

Mr Poots: At the outset, I apologise for being unable to stay for the entirety of the debate. I intend to attend the funeral of John Harrison, who was a good friend to all of us.

I was surprised by the wording of the motion. It is stupid, to say the least, in that it identifies the Minister of Finance as being solely responsible for addressing the concerns. I am

surprised at Dr McDonnell for adding his name to a motion worded in such a way.

In respect of the collective responsibility that we have to address, let us be absolutely clear about the circumstances in which we find ourselves: the cuts to Northern Ireland are serious, they will have great significance, and there is nothing pleasant about them. People will lose their jobs, and they will be put into poverty as a consequence of the decisions of the coalition Government. Therefore, the people who supported the election of the coalition Government — those to my right in the Ulster Unionist Party and those in the Alliance Party, which was a sister party of the Liberal Democrats right up until the formation of the Government — wanted to disassociate themselves from that Government when the bad news came out. When the Alliance Party had to take real decisions of government, it ran away from the circumstances. However, the public will take a hammering from its sister party and from the wedded party to my right.

The circumstances in which we find ourselves are that we will be left holding the poisoned chalice. Although I agree that we need to go to David Cameron and discuss issues around EYF, policing and justice and so forth and seek better arrangements, it would be foolhardy for Members to pass the message on to the public in Northern Ireland that we might achieve something in which no cuts will take place here. Let us face reality: cuts will take place whether we like it or not. However, we have a responsibility to mitigate those cuts as far as we can. Therefore, we all need to start looking at the difficult decisions that we have to take.

We cannot keep pushing the snowball in front of us. We have to address the issues. Our party is prepared to do that. Our Finance Minister has indicated to the public that difficult decisions have to take place, and it is incumbent on all of us — that includes Sinn Féin — to step up to the mark and deliver on the issue. People need to know the bottom line. Uncertainty and insecurity will be as damaging to Northern Ireland as the cuts. Therefore, we need to provide clarity and certainty to the Northern Ireland public to allow the economy not to suffer any more than is absolutely necessary.

The capital budget has the potential to have a devastating impact on our construction industry. When I refer to the capital budget, I refer not

only to that in Northern Ireland being cut by 37% but to the capital budget in Scotland being cut by 38%. Many of our larger construction companies carry out public construction work in Scotland, and the cut in that budget will have a huge and devastating impact on Northern Ireland.

We have to make really difficult decisions about revenue raising and about whether we engage in PPPs and in a whole range of issues as to whether we take money out of revenue and place it in capital. As Minister of the Environment, I had to find 12% in-year last year in our budget. It was painful, but the world did not stop.

As regards current funding, we can find a lot without causing real pain to front line services if we act collectively and responsibly and seek to address issues early. A recruitment freeze is not a total solution. We have trained young nurses and none of them has been able to get a job in Northern Ireland. We have paid to bring all those young people through training, qualified them for positions, yet they all have to go elsewhere to find jobs. Therefore, my plea to the House is this: let us work together and let us seek to mitigate the damage from the Budget to the people of Northern Ireland.

Mr McLaughlin: Go raibh maith agat, a Cheann Comhairle. I want to associate myself with your remarks on the deaths of two highly respected journalists and the tragedy that occurred at the weekend. I also want to make it clear that I support the motion and the amendments.

Last week, the British Government set out the outcome of the comprehensive spending review. It has become obvious that Maggie Thatcher's Tory party is back. In the event that some people have carelessly forgotten the swingeing programme of public cutbacks that it introduced, we see that that philosophy is still very much alive.

The spending review sets out a four-year programme of savage cuts in vital public services. We need to remember the context of that announcement. The Tories are insisting on a four-year crusade to pay off a deficit that was caused, in the first place, by banks and financial institutions. Why would they choose four years when the issue that needs to be tackled could be addressed over a much longer period in a way that gave Assemblies such as this one the opportunity to protect, defend and develop

public services, particularly essential front line services?

Mr Beggs: Is the Member aware that, during the summer, DFP officials told Northern Ireland's community and voluntary sector that the former Chancellor was living beyond his means prior to the banking crisis and that, in fact, the Labour Government were spending way beyond what they could afford before that crisis happened?

Mr McLaughlin: I am just trying to figure out the usefulness of that interjection. What would you expect the Tories to say about the outgoing Government? I do not dispute the performance of the outgoing Government any more than I applaud the performance of the current Government. We have to deal with the consequences. I will come to that.

Consider that, practically during the same announcement, the Tory/Liberal Democrat coalition actually excused massive, hugely wealthy and successful businesses of significant sums of unpaid tax. For example, Vodafone was pardoned of a £6 billion tax bill, which is equivalent to the cut that was made to welfare payments. Consider that banks that were on the verge of bankruptcy until public money was used to bail them out are now preparing to divvy out among themselves £7 billion of bonuses this autumn. That is the context in which the Assembly and others must consider the announcement that has been made. Instead of repaying their debts to the public, those people are back to their bad old habits. It appears that they have drawn no lessons from the crisis that they caused.

Members may agree or disagree with that opinion. However, the Assembly cannot afford to disagree on the need to prepare measures and to work together across party lines to respond to the betrayal of the commitments and expectations of our community. We are engaged in a historic and extremely difficult journey. The process of transition has thrown up many challenges. Last week's announcement has actually compounded that difficulty. It could be argued that it has, perhaps, thrown up some insurmountable challenges. Let us see what we can do to rise to those challenges.

Sinn Féin has set out its proposals. It has also invited other parties to submit and share their ideas. We look forward to that engagement. I want to express some disappointment that that engagement has not been more proactive.

Mr McDevitt: I thank Mr McLaughlin. I appreciate his giving way. Does he agree that we need to take partnership and working together beyond the Chamber and that it is, in fact, time for a formal social partnership that brings employers, trade unions, the voluntary sector, Churches and politicians around the table to agree a regional recovery programme?

Mr Speaker: Order. Interventions should be sharp and to the point. If long interventions are taken, not every Member will get a chance to speak. Members on all sides of the House must understand that. Mr McLaughlin has an extra minute added to his time.

Mr McLaughlin: Thank you very much, Mr Speaker. Do I not get two minutes?

I will deal with Mr McDevitt's point briefly: the Assembly must consider all the ideas that come from the parties. We also have to study the experiences of social partnerships elsewhere, including the difficulties and the broken commitments made by Governments that undermined what might have been a progressive idea. The experience is not all rosy; however, we should be prepared to consider all ideas.

We should accept it as an imperative that we must address the impact of the removal of part of the block grant. That engagement will continue, and Members should bear it in mind that in a couple of weeks the British Government are due to come forward with their proposals to rebalance the economy and help grow the private sector. We must engage beforehand to ensure that we get the best possible and most substantial deal out of the British Government in that regard. We must factor that into our discussions on the Budget.

In the meantime, as political parties, we should come together on the agenda of opposing those cuts. We do not have to accept them at face value. We can bring forward revenue-raising ideas and ideas for efficiencies, particularly with regard to quangos and arm's-length bodies.

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

Mr McLaughlin: Perhaps the Finance Minister will take the opportunity in his remarks to withdraw his criticism of those who peacefully demonstrated their opposition to what the Government are doing?

Mr Newton: The fact that the Assembly has been recalled indicates that this is one of the most serious debates that it has entered into. It is certainly one of the most relevant, and people want to see outcomes and positive actions from it.

During the introduction of the comprehensive spending review in Westminster, the behaviour of the MPs sitting behind George Osborne as he made his remarks and the laughter, cheering, jeering, goading and backslapping of those MPs congratulating him was totally insensitive, unbecoming and tasteless. It was so because of the serious cutbacks that George Osborne was talking about: the cutbacks to benefits and the potential for huge unemployment. The boorish behaviour of those politicians was disgusting. It was politics in the extreme. It seems obvious to me that the attitude and ethos of the Tories have not changed. Shame on the Liberal Democrats for joining them in that. They are as uncaring for the poor today as they ever were. Those at the sharper end of things need to be afraid, very afraid, of this Government.

I was not going to mention the attitude of the Alliance Party. However, its Members are attempting to distance themselves from the cuts. The Alliance Party is the sister party of the Liberal Democrats. I was going to congratulate Mr Farry on his analysis of the financial situation, but he has not made one comment about those who are going to be affected by these cuts. To try to distance themselves from the cuts, Members of the Alliance Party say that their MP sits on the Opposition Benches, but that is not acceptable and is hypocritical in the extreme.

Mr Lyttle: Will the Member give way?

Mr Newton: I will not give way; I have only five minutes in which to speak.

The coalition Government need to face the reality that things are different in Northern Ireland, which has a history like that of no other part of the UK. Rather than savage cuts to our Budget, we need a balm applied to the situation here and support, as we make a transition from a serious conflict situation into peace. The economy of Northern Ireland is not even out of recession. Other parts of the UK may be out of it, but Northern Ireland is not.

The outcome of the Chancellor's decision will be like having a bucket of cold water thrown over the career and job prospects of many people in

Northern Ireland. My colleague, Minister Poots, referred to the situation of nurses.

11.30 am

The scale of what the Chancellor delivered was largely predicted by the Finance Minister. It was virtually what Sammy Wilson was talking about during the summer. We know the situation that all political parties are now in: they need to wake up and smell the coffee. It is a serious time for politics, not a time for pretending to be in Opposition.

We are not yet out of recession. It is estimated that unemployment will rise by around 30,000. Those are people; they are not statistics. They are mothers, fathers, sons and daughters. The prospect of a long recession, from which we will recover only slowly, is now imminent. However, the electorate expects politicians to do all that is necessary to protect it. In his opening remarks, Mr Adams made a comment about positive leadership. The people expect positive leadership; they expect leadership that is in touch with reality, and they expect good management of the situation. They also expect engagement around the Executive table, and they expect Ministers to meet with and commit to the Finance Minister. They want to see partnerships with business leaders, the community and voluntary sectors and, indeed, the trade unions, who have a part to play.

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

Mr Newton: The people expect departmental plans, the Executive Programme for Government to be agreed and a Budget that makes good sense.

Mr Elliott: On behalf of the Ulster Unionist Party, I want to be associated with the remarks regarding the deaths of John Harrison and Jim Dougal, two very professional and respected members of the media, and those about the County Down helicopter tragedy. I also offer condolences to the family of Captain Bill Henderson, a former Member of this House, who died at the weekend.

I do not think that anybody in this House supports cuts. Nobody in this House supports the increasing level of fuel duty. Probably nobody in the House supports the increase in VAT from 17.5% to 20%. However, as some Members explained, that is the reality and something that

we must grapple with over the coming months and years.

I totally support the Executive and the First Minister and deputy First Minister going to lobby the UK Government on the issues that they outlined here this morning and over the past number of days. However, that alone will not resolve our problems. We need to take political responsibility. That is what we in the House were elected to do. I have heard people criticise the UK coalition Government. I also criticise the Labour Government and those who kept them in power for so long. They did the damage for years and put the UK into its current financial position, and they have questions to answer as well.

In taking this forward, I have concerns about Sinn Féin and how reliable it will be in showing co-operation in the Executive. I hope that, over the coming weeks, we will see co-operation from all parties in the Executive in bringing forward an agreed Budget. If that does not happen, how will we progress this Province? How will we progress the public sector? Failure to agree a Budget will mean that those who they are saying the cuts will damage will be the very people who will suffer. The Health Department alone employs 70,000 people. Those people have to get paid, and there must be front line services —

Mr McGimpsey: I thank Mr Elliott for giving way. I agree strongly with him that we must have a Budget. There can be no question of any party playing fast and loose on this issue. It is crucial that we have a Budget and that it is agreed sooner rather than later. It is also crucial that the Budget protects those who are sick and vulnerable — the weak, frail and elderly. There is still enough money in the pot to do that.

Mr Speaker: The Member has an extra minute in which to speak.

Mr Elliott: Thank you, Mr Speaker. I also thank the Member for the intervention. Clearly, a Budget is needed for those front line services and to move the process forward. That is the case not only for the Health Department but for the Department of Education, the Department of the Environment, DCAL and other areas.

The 37% reduction in capital will have serious consequences for the Province. I heard about the reduction in capital for Scotland and mainland GB. Those are areas from which people, particularly those in the construction

industry, get a lot of work for the public in Northern Ireland.

I am keen to hear from the Minister of Finance and Personnel. I support his mature attitude to the proposals so far. *[Interruption.]* Perhaps that will change in an hour's time, but I am willing to give him a fair wind at this stage. The Minister can also expect a mature approach from the Ulster Unionist party in the Executive in bringing forward a Budget that will help the people of this Province.

I also look forward to hearing the figures from the Minister. There has been a lot of confusion about the figures during the past number of days, particularly about the £4 billion deficit, with some economists giving a much reduced figure. There is also confusion around the 37% cut in the capital budget, with some suggesting that it is actually over 40%.

I look forward to hearing from the Minister of Finance and Personnel. The Ulster Unionist Party will do what it can to create a Budget and to secure additional finance.

Mr O'Loan: I have great pleasure in speaking in this critical debate. At the outset, I want to make it clear that the SDLP accepts the amendments.

The debate and what lies behind it present a major challenge to the Assembly. We are not saying that we should simply accept the CSR, hook, line and sinker, but, nonetheless, we know that we are faced with a very difficult situation. The Assembly needs to rise to the occasion. That is what the public, those who voted for us, want from us today. They hope that out of this meeting will emerge a united voice to say that we will co-operate to address the difficult situation in the interests of all our people.

Mr McGlone: My point has already been touched on in the Chamber today. Does the Member agree that many of those who work in the construction industry and the public sector and, consequently, those in the retail sector, look to the Assembly today for stability and leadership so that they can have confidence in the way forward?

Mr O'Loan: I could not agree more with the Member, and I thank him for his comment.

The motion calls on the Minister and the amendments call on the Executive to address concerns. What are we talking about when we say that? What we and the public are looking

for is real collective working in the Executive. We know very well that the structures of the Good Friday Agreement are in place, but we have not had the spirit of that agreement, and the outcome has been poor delivery for our people. Those structures are good if they are worked well and very poor if they are not. The challenge before us is now such that the only right thing to do is to use those structures well. I call on the Minister and the entire Executive to do that.

The Minister of Finance and Personnel will have a key role in putting together a Budget that should be agreed by all in the Assembly. Let the Minister do his job, bring everyone around the table and show that he is a listening Minister who will attempt to build the consensus that we need. When he brings us around the table, the SDLP will argue for the protection of the weak and for measures that will build up our economy and protect our front line services. I hope that the Minister will listen to the arguments that we will put forward.

All of that can be done despite the financial stringencies that we face. We can deliver our services better, and there is scope for tangible improvement in how we deliver our services. One thing that we must not do is devolve the cuts to a lower level in the system and pretend that we have not imposed the pain. Of course, it will not all be pain-free, and I heard the Minister say publicly that it will not be slash and burn. I welcome that comment, but he needs to turn that into reality. What exactly do we mean? Hard decisions will have to be made.

The question is: how do we endure that pain and maintain social cohesion? We do not want to create further disadvantage and a more embittered section of our society. As was articulated clearly by the party leader and by Conall McDevitt in his intervention, the SDLP's way of addressing that is through social partnership. We need partnership in here and the bigger social partnership of the business sector, the trade union sector and the community and voluntary sector all working together.

I must refer to our public sector workers, because the debate about what is about to happen and whether we need freezes or pay cuts at certain salary levels could easily turn into an assault on our public sector and could demoralise the very sector that we need to deliver the services that we want. We need to bring public sector workers on board. There is

much goodwill and commitment in our public sector. We need to engage with that and show that we are willing to build a coalition of all in the community to address the challenge that we face.

The Assembly needs new mechanisms in respect of how we carry out our politics, and I repeat that there is a need for a budget committee. I support the efforts of the First Minister and deputy First Minister on the capital side, which have been referred to by the First Minister and others. As indicated on page 25 of the Treasury's spending review document, considerable capital investment is being made in Scotland and Wales. That investment is coming directly from Westminster money and not out of those countries' devolved settlements. However, those projects, such as the building of aircraft carriers in Glasgow and Rosyth, do not apply to Northern Ireland.

As we know, the welfare cuts are very substantial. There will be further welfare cuts of £200 million here. I endorse Robin Newton's remarks in deploring the conduct of Members of the House of Commons who welcomed those cuts. The cuts are a major loss to those affected, and a huge sum of money will come out of our economy. We will have the Barnett consequential of the fairness premium. We will have a proportion of the £7.2 billion that has been spent in England hidden in our money. Let us make sure that that money is used fairly and that it goes to the disadvantaged pupils in our schools.

I will address briefly the point about whether we should accept the settlement. The settlement has to go through Parliament. Our MPs will be there to challenge the measures that are not appropriate. We have heard Simon Hughes say that a particular benefit will not carry the support of Parliament. There is work to be done, and our parliamentarians will be there to do it.

The Chairperson of the Committee for Finance and Personnel (Ms J McCann): Go raibh maith agat, a Cheann Comhairle. I heard what the First Minister said about the Committee initiating an inquiry into the reneging on the commitments on £18 billion capital spend and the Executive's access to end-year flexibility stocks. Hopefully, the Committee will discuss that.

I will now make some comments as a Member. For some time, we have listened to various individuals, organisations and, in particular,

British politicians telling us that the cuts are based on economic necessity and that everyone must take the pain. Both of those statements are false. First, lessons from other economies around the world show that it is, in fact, investment that helps economic recovery. Cuts have had no such success anywhere. Indeed, many leading economists have warned that the cuts may plunge the economy even further into recession and result in mass unemployment.

The second falsehood that we hear continually is that we all have to take some of the pain. That is totally untrue: the poorest 10% of households and families will be hit 15 times harder than the richest 10%. Households with incomes below £11,000 a year will suffer most from the loss of public services. It is worth remembering that the decisions that all of us should take the pain are made by a coalition Cabinet of millionaires that has no mandate here in the North. Those people are making decisions that will destroy people's lives.

Members have said that we have to wake up and smell the coffee and show positive leadership. I agree that we need to show some positive leadership. However, that simply will not happen if we do only what we have always done and do not sit down together and show the type of leadership that my two party colleagues outlined.

11.45 am

Our colleagues have put forward proposals to find immediate and viable solutions and to map out a way forward that will defend front line services, promote sustainable economic growth and protect the most disadvantaged and vulnerable. That is what we need to look at when we talk about smelling the coffee; we should not merely implement the cuts. If we do nothing more than simply implement the cuts, the human cost will be that even more people will lose their job. Many people will lose their home, and those who are on benefits, including the disabled, the sick and the elderly, will find it even more difficult to make ends meet. Families and households that are already living in poverty will spiral even further into despair.

There is a social and moral responsibility on all of us that says that we have to protect those who are vulnerable. Regardless of a person's economic or social position in life, their age or their background, they are entitled to a decent quality of life. Everybody is entitled to access

services such as health and education; they are entitled to have a job; they are entitled to have a house and enough food on their table to eat, so that their children do not go out to school in the mornings hungry; and they are entitled to have heat in their home. To do nothing but implement the cuts is not the right thing to do. We have to explore other options, as outlined by our party, because implementing the cuts is not an option for people in our communities, and it should not be an option for Members.

Mr Speaker: I call Dawn Purvis. *[Interruption.]* Order. Order in the Public Gallery, or I will have it cleared.

Ms Purvis: I express my condolences to the families of Jim Dougal and John Harrison, who were outstanding journalists, and to the families of those who lost their life in the air crash at the weekend.

I support the motion and the amendments, and I am pleased that we are back here today to discuss these important issues. Since the onset of this recession, it has been clear that we face a profoundly difficult economic situation, which is, possibly, unlike any other in history. We have known that difficult choices were on the horizon, and there is no denying that the time has come for those choices to be made. I recognise that a number of the problems that we are discussing today are to do with decisions made in London, and, like others, I take issue with those decisions. I think that several of them are plain wrong. You do not stimulate private sector growth by cutting public services.

I bristle at the hypocrisy of the coalition Government in describing their approach to budgeting as fair. It is clearly an indictment of the most vulnerable for the crime of being poor, while it preserves a golden amnesty for the most well off. Although problems for the people of Northern Ireland may be created elsewhere, solutions have to be found here. I have three recommendations, not only for our Finance Minister but for the Executive. First, I ask them to co-operate. Ministers and Departments that work together in the planning and commissioning of services deliver better programmes, better government, bigger savings and better value for money. Ministers have to get out of their silos and stop protecting pet projects that feed ideologies or special interest groups and begin to work together across Departments to plan their programmes and

their budgets. The past behaviour of Executive Ministers does not leave us optimistic that co-operation can be easily achieved. If joint planning cannot take place on a voluntary or comprehensive basis, the Assembly should pursue, in this legislative session, a statutory duty on Ministers to co-operate.

Secondly, we have to redefine “fair” to fit the Northern Ireland context. Although some in London have grown weary of hearing it, Northern Ireland is a special case. It has a small economy that is struggling for growth, and the cuts are not fair. Living standards here are about 80% of the UK average; employment is below the UK average; and a higher proportion of those of working age here have no academic qualifications. Furthermore, the employment that we do have tends to be in sectors that have moderate or lower wages. Our population relies more on welfare benefits; our housing stock is in worse shape than that in the rest of the UK; and we experience higher levels of fuel poverty. We are at a very different starting point for the introduction of these cuts. Therefore, fair budgeting has to look very different in Northern Ireland from how it looks in the rest of the UK. If the dictionaries at Eton have left its graduates devoid of an accurate understanding of the meaning of “fair”, we will have to demonstrate it for them.

It is critical that Executive Ministers employ the highest possible levels of flexibility and creativity to protect our most vulnerable citizens. I implore Ministers to be strategic and innovative in their approach to change and to use the capacities of their Departments with as much invention as possible. This is no time for conventional thinking.

We need to find ways to keep people connected to work and the workforce to redistribute and rework Con-Dem's sharpest cuts to make them more considered and less blunt and to keep the value of mental, as well as physical, health in mind.

Finally, I ask that Ministers support the home team. We may have a more challenging starting point than other regions in the United Kingdom, but we also have some of the greatest opportunities to make a difference locally. There is a lot that is good in Northern Ireland. I encourage Ministers to support local innovators and local homeowners. It is time that we did more to help those people to create local initiatives and businesses, even if they will not have the chance to export. Northern Ireland is a small country and, in among the big

players, there have always been a large number of high-quality small businesses and even microbusinesses that have kept our economy alive through thick and thin. As much as we need large exporters, we also need the local initiative and stability that comes with smaller businesses. More than ever, local, organic, smaller businesses deserve our support.

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

Ms Purvis: There is much more to be done, and, whatever happens in this period, the real value for the people of Northern Ireland will come with whatever choices our Executive make working together.

Mr Hamilton: I am looking up to the Public Gallery for my cheer, but it does not appear to be coming. We will see if it comes at the end of my speech.

I very much welcome today's debate and the dawning of reality that it represents for some in the House. I appreciate why the reality is now hitting people: the full effects of the £4 billion of cuts — a remarkably bad deal for Northern Ireland — are unfolding before all our eyes. Those effects will have a negative impact on our ability to recover economically and generate new jobs, they will attack some of the most vulnerable in our society, and they will decimate a construction industry that has already shed thousands of jobs over the past number of years. The construction industry will be impacted on by 40% reductions in the capital budget. Those reductions were cheered by the Secretary of State last week as the Chancellor wielded his axe.

As the Tory/Liberal Government embark on a cuts programme that was condemned roundly by several Nobel prize-winning economists over the weekend, the impact on Northern Ireland is becoming perfectly clear. We should oppose the cuts and state our opposition to them loudly and clearly, although it baffles me why anyone would have wanted to canvass for votes in Ulster alongside David Cameron back in May knowing that this is exactly what his party wanted to do. It baffles me that anybody in this House would want to say that he or she belongs to a sister party of one half of the coalition Government. Those people have to answer to the people in Northern Ireland for what they have done in the past and what they continue to do.

What we need to do now is what the people elected us to do: take the tough decisions. There are tough decisions ahead, but they can be grasped or grappled with if we show responsible leadership.

Over the past number of weeks, I have been surprised by the findings of some research done by the Consumer Council into the reactions of people to the Budget process. That research has unveiled a new vulnerable group, and it does not comprise the people that one would expect. The people most worried about the future in Northern Ireland are not the elderly or the middle-aged, who may have experienced recession before and be worried about their job or their family; it is the generation of people aged 25 to 34. Thirty-two per cent of that grouping fear for the future and are having difficulty paying their finances.

That generation that should have been full of hope and least impacted by the Troubles. They should have had most potential to grasp hold of peace and prosperity, but instead they fear for the future in Northern Ireland. It is easy to understand why. Many of them are mortgaged to the hilt, some are in negative equity, and some of them cannot find a mortgage at all. They tend to have young families, so there may only be one income coming into the house.

They are also, by and large, very well educated, but there is a dearth of graduate jobs. Many of them are shackled with student debt. Those people and others should be at the forefront of our minds as we grapple with the difficult decisions ahead of us, and so, too, should the businesses across Northern Ireland, which need certainty about their contracts and the business that they want to do, and the community and voluntary groups that work with the vulnerable right across Northern Ireland. We should think of them and their need to have certainty about their work going forward.

There is a need for even more reality to dawn on some Members and other people outside the House. People in this country are ahead of their politicians. They understand that the cuts are coming and realise that we have tough times ahead. Many of them have gone through tough times in their life because of the loss of a job or their inability to get on to the property ladder. Like us, they are annoyed and upset. They are unsure about the future that is ahead of them. They do not want us to bicker, fight and row;

they want us to knuckle down and do the job that they elected us to do. They do not want us to grandstand or defend our ideology or dogma.

Mr Campbell: On the point about knuckling down, does the Member agree that not only do we need to see the Executive acting in a co-ordinated fashion but, once we analyse the extent of the problem with which we are faced, we need the First Minister and deputy First Minister to go to their Welsh and Scottish counterparts to take the argument to Downing Street and Westminster, which is where the battle will be won or lost?

Mr Speaker: The Member has an extra minute in which to speak.

Mr Hamilton: Thank you. I will not use it all, Mr Speaker, because I know that you are under time pressure.

I agree with the Member. People do not want us to raise false hope. They want us to talk in real terms, spell out exactly what will happen and knuckle down to the business ahead. They want all of us in the House — not just the Finance Minister — to get down to work, defend front line services as best we can and ask difficult questions about how those services should be delivered in future and by whom. It is by that responsible, positive political leadership that we will make the best of what is a very bad deal — not, as the Secretary of State said, a great deal.

The Minister of Finance and Personnel

(Mr S Wilson): I welcome the debate and the fact that the Assembly collectively deemed this to be an important enough issue to come back in recess to debate it and demand collective action. That is what has been singularly missing up to now.

We are in a difficult situation. Whether we like it or not, 90% of our funding comes from Westminster, and 10% is generated by activities that we deal with. We have now received an allocation of spending. It is very much what I predicted around June or July anyhow, but we have an allocation of spending from Westminster, which is the headline figure against which we will have to operate. I know that there are those who say that we should not roll over and accept it but should resist it. I do not know what we do in the meantime. We have had those calls even this morning in the debate. Nobody has specified what they mean by resistance — *[Interruption.]* Sorry. *[Laughter.]*

That is the first person to get knocked on the head. There will be a few more before the debate is over. Just stay clear, because it could get worse.

I am still not too sure about what people mean by resistance. The one thing that I do know is that, even if there is an opportunity to negotiate some changes with Westminster, they will be around the periphery. The First Minister outlined some of those this morning: the commitment to the £18 billion and the money that was committed to policing and justice. Of course we should talk to the Government about those issues: promises were made and should be honoured. Nevertheless, the core of our Budget has been determined by a formula that we did not negotiate and for which the Secretary of State had no responsibility. Once other Departments had their spending set, that formula fed a certain sum of money to Northern Ireland.

12.00 noon

If anyone really thinks that the whole of the United Kingdom's spending is going to be looked at again by the Chancellor, who said that he made his announcement last week to calm the money markets and to make sure that we do not get into the same situation as Greece and Ireland, he or she is living in cloud cuckoo land. The Chancellor will not do that; he will not even hint at doing it, because that would send the money markets, which he has been trying to calm, into a flurry. For that reason, we have to live with reality.

What is the reality of the situation? Some Members asked about figures, a lot of which have been bandied around. The Secretary of State gave one set of figures, and the Department of Finance and Personnel (DFP) gave another, so let me explain them. First, if we were to deliver every year for the next four years the services, capital spending, and so on, that we have delivered this year, how much money would we need, allowing for the fact that over those four years there will also be inflation? According to our calculations — and these are rough figures, which will add up to about £60 million short of £4 billion, because, off the top of my head, I do not have exact figures — next year, we would need about £580 million more. The year after, we would need £850 million more. The following year, we would need £1,100 million more. In the final year, we would need £1,400 million more.

That adds up to about £4 billion. So, the cumulative impact of the reductions, taking account of how much extra we would need every year to deliver the same services as we delivered this year, will be £4 billion. The cut in the final year will be £1.4 billion.

Where, then, is the discrepancy between the Secretary of State's figure that current spending has fallen by 6.8% and my figure of 8%? It arises from the fact that the baseline from which we are working, which I assume is from where the Secretary of State took his figure, has already been reduced as result of the cuts that we took in June. In addition, there were technical adjustments for non-recurring items of expenditure. The discrepancy in reduced current spending arises, therefore, because the baseline figure that we used was different from the one that the Secretary of State used.

The same applies to capital spending, which, as many Members pointed out, will be a worse problem for us, because, over the next four years, capital spend will be 40% below what we anticipated being able to do. We believed that the £18 billion settlement was agreed by the Government that were in power when devolution happened and that it would be honoured and available to us throughout a 10-year period. That money was to be used to build up infrastructure and for the Executive's plan to rebalance the economy by placing greater emphasis on the private sector. Those are the figures, and no doubt the Committee for Finance and Personnel will want to talk to me and my officials to drill down into them and to explain exact figures. That is where we are.

Although the First Minister and deputy First Minister need to talk to the Prime Minister about the commitments that even the existing Government gave, especially around policing and justice and our access to end-year flexibility and the contingency reserve fund, we must, nevertheless, get on with settling on a Budget. A number of Members said that the cuts are not fair, because the banks, not us, are responsible. In fact, that is not quite true, because, of course, the deficit is not only due to the banking crisis; it is due to the fact that, over the past 10 years, the Labour Government spent more than they brought in, so the deficit increased significantly. Of course, the Assembly and the people of Northern Ireland benefited from that borrowing, because, for years, we had an increase of

around 6% or 7% in the Budget. Now, however, we have to look at how it is paid for.

Members have, quite rightly, been critical about the Government's approach. I sat, as did some other Members, in the House of Commons last week, when the Chancellor was making his statement. I am totally aware of the impact that the decisions that we are going to have to make will have on the lives of ordinary people. That is why this matter should be a burden on all here today. People fear for their jobs or whether they will have access to doctors and to operations that they need. They fear that they will lose their houses. These are serious matters, but whether the scenes that were witnessed in the House of Commons last week were necessary is not an issue for this House. We have to simply accept what has been handed down to us. However, one thing that was not necessary was the kind of triumphal waving that signified, somehow or other, that what had been done was a great deed. It is a serious matter that we have had to deal with.

Mr McDevitt: Given the charade that was passed off in the House of Commons last week, does the Minister agree that we should lead by showing a better and a different way, and that it is now time for an imaginative social partnership to emerge from this region that is capable of showing that this place does things differently and that we can get trade unionists, employers and politicians around the table and agree on a contract for renewal?

The Minister of Finance and Personnel: That is one of the reasons why I have been saying that we ought to be behaving in a responsible way towards this matter. We owe that to the people, as Members have already said. I will talk about the implications of not dealing with the situation collectively and quickly in a moment or two.

The Assembly must use the hand that has been dealt to it in the best possible way that it can. I have listened to some Members, and, perhaps, some of what they had to say was well intentioned. There have been some specific proposals, which I will come to in a moment. However, we are still talking in clichés, such as, "Now is not the time for conventional thinking" or, "Support the home team." What do those mean? I do not know. Others say, "There is another or a better way" or, "We have to consider the options and consider things that we have not considered before".

That is great, but I want to know specifically what Members of the Assembly and Executive Ministers are prepared to support. That is what people want to know. They want to know what impact those decisions will have on their lives. They want to know what we are prepared to walk through the Lobbies for when it comes to the Budget. The one thing that I want is to be able to present the Budget to the Assembly for consideration as quickly as possible. I have tried to inform myself since June. I have spoken to as many and as wide a range of people as possible outside the Assembly and, sometimes rather futilely, to some Ministers, about what we may do about the way forward.

Let me deal, then, with some of the points that have been made. I noticed that Sinn Féin put up its economic guru, Mr Adams the Member for West Belfast, as its first contributor. He is well known for his economic prowess. I loved his start: he said that they will have no truck with British Government involvement in Northern Ireland affairs. That is, apart from the £7,500 million that comes in this direction from Westminster. *[Interruption.]*

Mr Speaker: Order.

The Minister of Finance and Personnel: He then went on to say that Sinn Féin had presented costed proposals that would bring in £1.8 billion over the four-year period. I took the time over the weekend, sad person that I am, to have a look at some of those proposals.

Let us look at the proposals. The document says that £400 million could be saved if Edwin Poots introduced the review of public administration (RPA). Actually, £400 million might be saved over 25 years, but that will not help us too much over the next four years, and it will cost £128 million initially. Another proposal is for a phone-mast tax, which would generate £160 million over the next four years. Apart from the fact that we do not have the power to do that, the Sinn Féin document says that such a tax would be an incentive for phone companies to share masts to benefit environmental and public health. What is that tax meant to do?

Mr O'Dowd: Will the Minister give way?

The Minister of Finance and Personnel: I will give way in a minute or two; let me finish the point, for goodness' sake. Is that tax to raise money or to reduce the number of masts?

If we reduce the number of masts, I have to inform Sinn Féin that we will get less money. Therefore, what is the point? Given that the impact will be unequal, I am sure that the Minister of Education, who loves equality impact assessments, has asked for one to be done on that proposal. She must have asked for an equality impact assessment on how it will affect children, because, after all, children and young people are the most frequent users of mobile phones. Does anyone for a moment think that the telephone companies would not pass that £160 million tax on to the consumer?

Mr O'Dowd: Today's debate is on a very serious matter. Does the Finance Minister seriously believe that his performance over the past five minutes will enable consensus around the Executive table on how we, as a society — *[Interruption.]*

Mr Speaker: Order.

Mr O'Dowd: — deal with the financial crisis that faces us? His behaviour over the past five minutes towards the second largest party in the Assembly has been disgraceful.

The Minister of Finance and Personnel: I thought that the intervention would be a substantial point. I thought that the whole idea — *[Interruption.]*

Mr Speaker: Order.

The Minister of Finance and Personnel: I thought that the debate was to consider realistic ways forward. I found another proposal that I loved in the document and which Mr Adams mentioned in his speech.

Ms J McCann: Will the Minister give way?

The Minister of Finance and Personnel: I will not. If the intervention is as relevant as the previous one, it is hardly worth my while.

Mr Adams said that we should set aside an investment fund for tourism. I am sure that that will come as a great idea to the Minister of Enterprise, Trade and Investment who, up to now, has spent £300 million on tourism infrastructure. It is as if the Executive have done nothing. How about this proposal for originality: we should have greater sharing of services across Departments, including in financial accounting and HR. I do not know whether Sinn Féin has ever heard of HR Connect — its members ask me plenty of questions about it.

That is exactly what it does: shares services so that we do not have an HR department —

Ms J McCann: Will the Minister give way?

The Minister of Finance and Personnel: No; I will not give way. And so the document goes on. If we make suggestions about better ways, we have at least to make sure that they are realistic; we should not fall back on platitudes or introduce ideas that will not be of benefit.

A number of Members said that we must deal with the issue collectively. That is important, as is addressing the matter quickly and seriously. Mr McNarry said that we should not blame others. We cannot get away from that, and there is no point in going back over old ground. I just hope that that message gets through to the Health Minister, who seems very keen to blame others and to don the cloth cap in public protests.

Mr McNarry: Will the Minister give way?

The Minister of Finance and Personnel: No; I want to get through this.

Mr McNarry: Did you hear our leader give that commitment?

The Minister of Finance and Personnel: I did and was pleased by it. The leader of the SDLP introduced a note of realism in her speech and recognised that, whether her party likes it or not — it attends the House of Commons where it can give its views on those issues — we have to recognise that we can deal with this only around the periphery. The representative from the Alliance Party made similar remarks, even though that party has denied any family connection with the Liberal Democrats.

It is a fairly dysfunctional family that Mr Lyttle belongs to. It is a sister party in the good times, but does not really want to know it in the bad times. Nevertheless, he made a number of points on what could be done. In the past, Mr Farry has been upfront in indicating that there is a need for us to consider revenue-raising proposals, and, indeed, the Alliance Party has been specific on those issues and taken a responsible attitude to them.

12.15 pm

Mr McLaughlin talked about opposing the cuts, and he also asked me to withdraw criticism of those who protested at the weekend. I did

not criticise those who protested. In fact, in all of my interviews, I said that one of the great things about a democracy is that we can protest and that people can express their anger and their opposition to various things. I questioned whether protesting in that way and sending a message to the Assembly to resist the cuts was a constructive way forward. I do not believe that it is, and I do not believe that that approach will deliver.

We have a grave responsibility. The one thing that I have found as I have gone around speaking to people who work in the social sector and the voluntary sector and to businessmen, heads of trusts and boards of governors is that people want to know what will happen to their budget next year. That is why we need to have a Budget in place, debated and through the Assembly by January at the latest. That means that the Executive have to agree a Budget in the next couple of weeks, get it through the statutory process of consultation and get it here on the Floor of the Assembly for debate and decision. If we do not do that, we will be failing in our duty. It is good that we get ideas from people, and that they are quickly put into —

Mr Speaker: The Minister must draw his remarks to a close.

The Minister of Finance and Personnel: The first stab at the Budget might not be the one that is accepted, but let us get it out into the public so that we can meet the deadline and give those who will be affected by the reductions good warning for the next financial year.

Mr Kennedy: I am grateful for the opportunity to speak to the Ulster Unionist Party amendment, and I am also glad to hear the indications of widespread political support following this important debate. It is clear that the eyes of Northern Ireland are upon us, and we hope that that is the case, given recent disclosures about public attitudes to the Assembly. It is important that the Assembly reasserts itself as a proper Assembly and Executive working for and on behalf of the people here. People are looking to the Assembly for leadership, and we must not fail them in that. The comprehensive spending review presents us with not only possibly the greatest economic challenge that we will face but an opportunity to demonstrate how devolved government can work collectively, energetically, effectively and imaginatively to meet that

challenge. That challenge is a make or break challenge for the Assembly.

I want to register my concerns and those of my party about the impacts that the potential cuts could have on the people of Northern Ireland, particularly on those who find themselves in challenging economic circumstances. The debate is no substitute for action, but it is important for us to show solidarity with the people who feel threatened and concerned by the scale of what is happening. However, there needs to be more than simply an expression of concern. Therefore, we need to focus on action and how that action can be enabled so that we can confront the situation effectively.

In my view, that process is as important as the outcome. The crisis will test the capability of our devolved Administration and this form of government; it should also force us to explore and build new ways of doing things as we face those problems together.

I come now to some of the contributions. In many ways, the opening statement by the mover of the motion, Mr Adams, gave a mixed message, and there have been mixed messages coming from Sinn Féin on these matters. That was rightly highlighted by the Minister. Mr Adams advocated working together, having objected to the British taxpayer funding his political activity for many years, and launched a broadside at the banks. It appears that the banks will be raided again. *[Laughter.]* There also appears to be an indication that some Sinn Féin Members want to operate street politics — we heard a “man the barricades” speech from Jennifer McCann. Sinn Féin had better make up its mind whether it wants to be part of a collective, responsible Government playing its part in dealing with the issues or whether it wants to live in a simple, different world.

I agree with the First Minister that all parties in the Executive agree on some issues and that we should return those to the Treasury. However, we need to avoid grandstanding; we need to get on with the business in hand.

Some of the contributions from DUP Members in particular concentrated more on criticism of the new coalition Government rather than on the previous Labour Government, which spent its way into this crisis. Of course, there were occasions when that Labour Government was propped up by the DUP. Likewise, the Alliance Party cannot escape criticism. We need to work

together, concentrate and develop a common approach. The eyes of the people of Northern Ireland are upon us, and we must not be seen to fail.

Mr McCausland: I welcome this important debate. I also welcome the fact that the proposer has accepted the amendments. For several days, most Members have been extremely angry about the announcement that was made at Westminster, and that anger is shared by most people in Northern Ireland. People in the Chamber and across the Province have a right to be angry.

Peter Robinson, in proposing our amendment, rightly highlighted the breach of commitments that were made by the Labour Government, which was previously headed by Gordon Brown, and which were endorsed by the Tories and by David Cameron. The Tory/Liberal coalition has now reneged on those commitments, particularly in relation to the £18 billion for capital over 12 years.

We need to engage with Westminster. I am sure that those who are involved in that engagement will be robust, but we need to be realistic. There is no contradiction in those two things. We need to be robust in putting our case, but, at the same time, we need to be realistic in what we hope to achieve. We would do ourselves a disservice by raising unrealistic hopes and expectations.

David McNarry acknowledged that there would be tough times ahead. Margaret Ritchie said that we would be delusional to imagine that there would be no cuts. Moreover, Edwin Poots highlighted the impact of cuts in Scotland on buildings firms in Northern Ireland. Therefore, we need to take the twin-track approach that was identified by Peter Robinson and put our case on a range of issues. They may be peripheral; nevertheless, they are important as regards what can be achieved.

However, that alone will not suffice. At present, Northern Ireland needs what Peter Robinson identified as collective and effective decision making. Edwin Poots commented, quite rightly, on the motion's putting responsibility solely on the shoulders of the Minister of Finance and Personnel. The issue must be addressed collectively by the entire Executive and Assembly. That is why I welcome the proposers accepting the two amendments.

Ms Purvis: I thank the Member for giving way. Much has been made of the Executive's collective responsibility. Does he agree that if there is unwillingness to work collectively, the First Minister and the deputy First Minister or, indeed, the Minister of Finance, should consider proposing to the House a statutory duty on all members of the Executive to co-operate?

Mr Speaker: The Member will have an extra minute added to his time.

Mr McCausland: I hope — and I emphasise the word “hope” — that, on what I have heard in the debate, people are willing to act collectively. It is always unwise to jump the gun on such matters; it is much better to put the onus on people to behave collectively to address issues.

David McNarry said that there must be no sulks nor solo runs. I certainly agree. I did not understand totally the point that Chris Lyttle made when, although he acknowledged that a challenge exists, he said that cutting spending does not mean cutting services. Yes, we will be able to economise in certain areas; in some areas, we can do better. However, it is unwise to suggest to people that there will not be some reduction in services, because that is what is being imposed.

Robin Newton, quite rightly, expressed anger and disgust at the behaviour of some in the Westminster Parliament. The Tories, in effect, cheered the cuts. It was not simply the fact that they did so, but that they thoroughly enjoyed it. I believe that most people here found that utterly appalling.

Northern Ireland is a society in transition; it is emerging from 40-odd years of terrorism; it is on the periphery of the United Kingdom; and it is slower to emerge from recession. Therefore, the Assembly needs to be careful. Westminster needs to show considerable sympathy towards Northern Ireland.

Tom Elliott spoke of the need for maturity in the Executive. I welcome that. Declan O'Loan said that DFP has a key role. It has. However, all Departments and Ministers have a role to play as the Assembly seeks to build the economy. Sammy Wilson spoke about the impact of the cuts; he said that there is a need to address them collectively, and every Member in the debate said that Ministers cannot ignore that. It is incumbent on every Minister, not just on some, to play his or her full part.

Although it was probably not picked up by the rest of the House, Lord Morrow, who is sitting beside me, said that some of the Sinn Féin proposals are the stuff of 'Alice in Wonderland'. It is important that all Northern Ireland's representatives be at Westminster to argue its case.

Dr McDonnell: I am extremely pleased to make the winding-up speech on the motion. I am happy that the Assembly has managed — probably for the first and, hopefully, not the last time — to achieve broad agreement on the cuts. The amendments will be integrated into the substantive motion.

I thank all colleagues who spoke in the debate and those who wanted to but who did not get the chance. The debate has been substantial and mature, and consensus was reached on many issues. I thank those Members because people on the streets and byways of Northern Ireland want guidance; they want help, leadership and clarity. They look to the Assembly for those things. They will not thank us if we use the crisis as a political football or a cudgel with which to beat one another over the head.

12.30 pm

People worry about whether they will be able to celebrate this Christmas or whether they will be able to afford another one; they worry that they will be unable to provide adequately for their children. The cuts' savage attack on welfare is unjustified and unacceptable; it must be opposed today, tomorrow and next year. We can make clear our opposition without losing touch with reality.

The Tory Party of the rich and the millionaires is not too worried about those on the margins — particularly in Northern Ireland — the deprived or the poor. I share the anger of the First Minister and the deputy First Minister that the £18 billion of commitments made at St Andrews may be reneged on. We are all deeply unhappy at the severity of the cuts, and that has been reflected in the debate. We are all deeply disturbed and angered at the savagery of the cuts and particularly that aspects of welfare and social security have been selected for particular attention. We are equally unhappy at the savagery of the capital spend cut of some 37.5% or 38%. It will permanently damage the construction industry, which has been the backbone of much employment here for generations. A generation of people, not just

hands-on skilled construction workers, but those in the supporting industries of engineering and architecture, will be affected. I spoke to someone over the weekend who told me that not only are there no jobs for graduates, but there are no placements for undergraduates in engineering, architecture and associated sectors. We are losing, and we cannot allow it to happen. We must do all in our power to be creative.

Another worrying aspect to the cuts is that the thrust of much of the spending review is to further marginalise women, part-time and low-paid workers. That is coming through loud and clear. Despite our differing views, which are legitimate and healthy up to a point, we must as far as possible attempt to establish maximum agreement in the Assembly and consensus across the parties. That has emerged, and the public watching this afternoon will be pleased that we have achieved that. However, we need consensus not just in the Chamber; we need the widest possible partnership and consensus to tackle the challenge. We need a united front that is much wider than the political parties in the Assembly. We need a full social partnership to include employers, trades unions, voluntary sector workers and civic society. We need to bring everyone on board to create a united front,

"All for one, and one for all",

Otherwise damage will be done.

The SDLP has views on how those challenges should be tackled, and we put them on the table in a document some 18 months ago. We are happy to look at them again, retune and streamline them for today's situations. We will look with others at improving the efficiency and effectiveness of the public service, create better value for money, confront waste, improve performance, generate savings, and create jobs.

Mr McGlone: I thank the Member for giving way. Does he agree that part of that will include how the senior management of the Civil Service performs? We have a performance and efficiency delivery unit. Does he agree that that unit must be efficiency-tested? We need to know what it has been doing, what efficiencies have been realised and where they were allocated.

Dr McDonnell: I thank the Member for his intervention. I agree fully with him. The problem is that, all too often when we discuss efficiencies, we look to those at the bottom of the employment

pyramid in the Civil Service. Quite honestly, we must start looking at those who are providing leadership and ensure that they are providing the leadership that they get paid for. All too often, people at the bottom of the pile who feel very vulnerable feel that they are being attacked and got at and that the key people on the large salaries are not called to account.

To get back to my point: although we can disagree on party political points, today's argument is between all of us in the Chamber and the Government and the line that they have taken. We should unite behind the Executive and the First Minister and deputy First Minister in any negotiations that they have with the Prime Minister and the Chancellor. They should demand that we get what was agreed and get fair play.

It is clear that the Government have reneged on solemn commitments. We cannot and should not roll over meekly. We must ensure that all our potential is realised. However, we must create alternatives by investing in and building a new economy. It is not enough just to resist and be angry about the cuts. Even with those cuts and the difficulties that they create, we must ensure that we invest for the future.

I want to return to the cuts in capital investment, because they are particularly damaging. They will absolutely flatten the construction industry. That industry, which was the backbone of our employment, has already lost in excess of 40% of its employees. I believe that, if capital spend is cut as radically as has been suggested, the construction industry will be decimated. We need capital spend on construction and infrastructure.

There has never been a greater need for leadership in this community and in this Assembly. We need that leadership to create a much bigger and better form of consensus and the social partnership that I mentioned. However, we also need that to extend into and to create sanity around, for example, the review of public administration and the establishment of the Education and Skills Authority. Those are the sort of challenges that the public believe that we are failing them on and not moving on. People are sceptical.

I believe that, and I know that others agree with me, there is a need for a special committee of the Assembly to monitor our capital spend and to interrogate every Department about their

failures to invest in infrastructure. We need that because we do not have joined-up government with the various Departments. Some are making efforts and others are not. We also need to stimulate the economy and take advantage of the opportunities that are out there. We need to plan for the recovery, and, in doing that, we need to upskill our workforce and put greater focus on renewable energy, for example, where we have an opportunity to grow, develop and generate economic wealth. We need to find resources to stimulate tourism and the other aspects of our economy that will rise as a result.

I am pleased and privileged to make the winding-up speech, and I fully support the motion and amendments.

Mr Speaker: Order. Before I put the question on amendment No 1, I advise Members that, regardless of whether it is made, the question on amendment No 2 can still be put.

Question, That amendment No 1 be made, put and agreed to.

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

Main Question, as amended, put and agreed to.

Resolved:

That this Assembly has serious concerns about the impact of the British Government's comprehensive spending review proposals; and calls on the Northern Ireland Executive to collectively address these concerns, in consultation with the First Minister and deputy First Minister and all other Executive colleagues, to bring forward appropriate and agreed Budget proposals for approval by this Assembly which will address these concerns and protect key front-line services.

Mr Speaker: In accordance with Standing Order 11(3), the business to be transacted today having been disposed of, the Assembly will stand adjourned until Monday 1 November 2010.

Adjourned at 12.39 pm.

Northern Ireland Assembly

Monday 1 November 2010

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

Members observed two minutes' silence.

Assembly Business

Ministerial Appointment: Minister for Employment and Learning

Mr Speaker: I have been notified that Sir Reg Empey has tendered his resignation as Minister for Employment and Learning to the First Minister and deputy First Minister in accordance with section 18(9)(a) of the Northern Ireland Act 1998. The resignation was effective from 27 October 2010.

In accordance with section 18(10) of the Act, the nominating officer of the Ulster Unionist Party, Mr Tom Elliott, has nominated Mr Danny Kennedy to hold the office of Minister for Employment and Learning. Mr Kennedy affirmed the terms of the Pledge of Office, as set out in schedule 4 to the Act, in the presence of the Deputy Speaker, Mr Francie Molloy, and the Director of Clerking and Reporting on 27 October. I therefore confirm that Mr Kennedy has taken up office as Minister for Employment and Learning.

Committee for the Office of the First Minister and deputy First Minister

Mr Speaker: I have received the resignation of Mr Danny Kennedy as Chairperson of the Committee for the Office of the First Minister and deputy First Minister. The resignation took effect from 27 October 2010. The party's nominating officer, Mr Tom Elliott, has nominated himself as Chairperson of the Committee for the Office of the First Minister and deputy First Minister, also with effect from 27 October, and has taken up the appointment. I am satisfied that the requirements of Standing Orders have been met, and I confirm Mr Tom Elliott as Chairperson of the Committee for the Office of the First Minister and deputy First Minister with effect from 27 October.

Public Petition: Student Loans

Mr Speaker: Mr Pat Ramsey has sought leave to present a public petition in accordance with Standing Order 22.

Mr P Ramsey: Mr Speaker, I thank you and the Business Committee for allowing me to present the petition.

On 14 May 2010, the Russell Group presented proposals for student loans across Britain. A campaign was launched at that time in opposition to those proposals, particularly the one that stated that graduates should be asked to start repaying their student loan earlier and at a much higher interest rate. I want to present this petition to you.

Mr Ramsey moved forward and laid the petition on the Table.

Mr Speaker: I will forward the petition to the Minister for Employment and Learning and send a copy to the Chairperson of the Committee for Employment and Learning.

Ministerial Statements

Ministerial Visit to USA

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

The First Minister (Mr P Robinson): With your permission, Mr Speaker, I will make a statement on the United States/Northern Ireland economic conference that took place in Washington DC on Tuesday 19 October.

I attended the event with the deputy First Minister, Minister Foster, former Minister Empey and the Chairperson of the Committee for Enterprise, Trade and Investment, Alban Maginness. I join others in thanking Sir Reg Empey for the role that he performed as Minister for Employment and Learning. He always acted enthusiastically and in the best interests of the community as a whole. I wish him well in the future. Privately, we have already congratulated and welcomed the new Minister for Employment and Learning, Mr Danny Kennedy, and we look forward to working with him.

As Members are aware, the Executive have placed growing the economy and tackling disadvantage firmly at the centre of our Programme for Government. Our goal is to grow a dynamic, innovative economy, and we are investing to further that ambition. The increased globalisation of economies and the current economic downturn are creating enormous challenges for all Administrations. If Northern Ireland is to be competitive, we must respond positively to those challenges by exploiting our strengths and capitalising on all new opportunities. It is equally important that we maximise the opportunities for international collaboration, particularly in crucial markets such as the United States of America.

North America is the second largest market for our manufacturers. Annually, over \$1.8 billion of goods are exported to North America, which equates to 20% of all our exports. We have sought to deepen our important economic relationship with the United States where inward investment, trade and tourism are concerned. The appointment of Declan Kelly as the US economic envoy to Northern Ireland has helped to fast-forward that engagement.

In furthering our economic agenda, the deputy First Minister and I travelled to Washington DC to participate in a series of high-profile business events focusing on encouraging trade, investment and collaboration in research. The purpose of our visit was to participate in the US/NI economic conference, hosted by Secretary of State Hillary Clinton and in other business and research and development-related events that Invest Northern Ireland and the Northern Ireland Bureau organised.

Prior to the conference, the deputy First Minister and I participated in a joint meeting of the US and Northern Ireland working groups that support Declan Kelly's mission, whose members include representatives from the private sector, the universities and commercial organisations. We acknowledged the important role that both groups played in raising awareness and in helping to increase trade and investment between the US and Northern Ireland. Their ongoing support is crucial, and we are grateful for the time and energy that those groups gave and still give to supporting our work.

We were delighted that the economic conference was hosted by Secretary of State Clinton at the United States Department of State. Business leaders representing some of the largest international companies already operating in Northern Ireland, including Allstate, NYSE Euronext, Liberty Mutual, Caterpillar, Citi, Tyco International Ltd, Coca-Cola, Terex Corporation, Seagate and many others were in attendance. The calibre of attendees from potential investors was also exceptional and included several Fortune 500 companies, almost all of which were represented by global heads, chief executives or board chairpersons. Several of the companies represented are multibillion-dollar corporations, and it was estimated that, in total, over \$1 trillion of commercial power was represented at the conference.

Secretary of State Clinton delivered the opening remarks and spoke with great conviction about Northern Ireland and its potential for US investors. She expressed her strong personal commitment and that of the President to encouraging investment and reiterated the Administration's support for our goal of promoting prosperity and opportunity in Northern Ireland.

At the conference proceedings, Maria Bartiromo, the leading financial commentator with CNBC, moderated two round-table sessions, which gave

existing investors the opportunity to comment on their experience of doing business in Northern Ireland and their rationale for choosing Northern Ireland as an investment location. All the company executives spoke positively about their experiences, and their testimonies were most compelling in highlighting why investing in Northern Ireland makes sound commercial sense. A key element in their decision to invest and to expand their businesses centred on the people of Northern Ireland, the young, well-educated workforce and their loyalty to the companies that employ them. The business leaders also spoke about the quality of the education system, the important role played by our universities and Invest Northern Ireland and the reasons why Northern Ireland was a business-friendly environment. We were particularly heartened to hear investors speak in glowing terms about their relationship with Invest Northern Ireland.

The conference also featured sector-specific breakout sessions. Those were co-chaired by members of the US and Northern Ireland working groups and focused on financial services, global services and technology and creative media. The discussions proved fruitful in identifying issues that could help to make Northern Ireland more attractive and competitive. It also assessed the benefits that Northern Ireland can offer to US companies in addressing the challenges that many corporations are facing during these difficult economic times.

We were delighted to be able to make two investment announcements during the conference. First, the Dow Chemical Company, one of the largest chemical companies in the world, with annual sales of \$45 billion and 52,000 employees across the globe, will establish a design and modify supply chain centre in Belfast. That will create 25 new high-quality jobs, which will generate almost £1 million in salaries annually. Secondly, the Terex Corporation will create 35 new high-skilled jobs in County Tyrone through a £1.7 million investment. That investment involves Terex locating its European global business centre in Northern Ireland and is an acknowledgment of the value placed on our local capabilities and the support that Invest Northern Ireland can offer.

It is worth noting that those job announcements were agreed before the conference began and were not as a result of it. The deputy First

Minister and I held initial discussions with senior executives from the Dow Chemical Company about investing here as recently as June this year. The investment announcement at the conference, which came a mere five months later, sends out a positive message to investors that the Executive are very much pro-business, proactive and can turn around an investment in a short time.

The deputy First Minister, Sir Reg Empey and I also hosted a joint working breakfast with the Governments of the United States and the Republic of Ireland to acknowledge the success of the US-Ireland research and development partnership. The partnership, which was established after the 2002 US-Ireland business summit, aims to increase the amount of collaborative research and development among researchers and industry across the three jurisdictions. The partnership is playing an important role in advancing research in the fields of diabetes, cystic fibrosis, nanotechnology and sensor technology. We were delighted to use the occasion to announce funding of almost \$7 million for a new research project on cystic fibrosis, which is of great importance for healthcare globally. That is the seventh project funded to date under the partnership, which now represents a total investment by the three Administrations of some \$19 million, all focused on issues of genuine socio-economic priority.

We were also delighted to announce a new agreement involving the US National Science Foundation, which will allow the partnership to extend into two new research areas: telecommunications and energy/sustainability. That ongoing commitment to research collaboration is a strong reflection of the close relationship between leading academics across the jurisdictions and the strategic importance of our relationship with the United States. It also underscores the importance that the Executive attach to research, development and innovation.

I am confident that the activity supported under the partnership will lead to real economic benefits through the creation and exploitation of new products and to further vital improvements for society in disease prevention and healthcare.

12.15 pm

While in Washington, we were also able to lend our support to the local aerospace industry. As Members are aware, the Executive are committed to that sector. We have given our

support to help secure the design, development and manufacture of the composite wing for Bombardier's new CSeries aircraft for Belfast. The sector is vitally important to the Northern Ireland economy; it already employs more than 8,000 people and accounts for some 11% of our manufactured exports.

In a bid to increase business between Northern Ireland and the US in the aerospace sector, we facilitated a business seminar at which nine local aerospace companies met major US aerospace companies. That provided the opportunity for our companies to meet buyers from four major US aerospace firms. Those one-on-one meetings proved very successful in enabling our companies to showcase their world-class expertise in a bid to gain new business and to increase trade partnerships with the US.

In the political sphere, we used our visit to further build on our important relationship with the American Administration. We had a very positive and constructive private meeting with Secretary of State Clinton, followed by a joint press conference. We updated Secretary Clinton on developments in Northern Ireland and discussed how we could best progress our economic and social agenda and further our links with the US. The Secretary fully endorsed our condemnation of the recent violence by dissidents, and she underlined the US Administration's support for the rule of law here.

I would like to take this opportunity to extend our deepest sympathy to the family of our official photographer on the US visit, the late John Harrison MBE. John was well known and highly respected by many here today, both as a great photographer and as an exceptional human being. He will be sadly missed.

In summary, our visit to the US enabled us to participate in an important series of high-profile events to promote Northern Ireland as an international location for investment and for collaboration on research and development. The conference was an outstanding success in giving us an unprecedented opportunity to showcase Northern Ireland and to promote our business model to a select, highly targeted group of senior executives from some of America's most successful and best-known companies. Senior business leaders spoke in glowing terms about the strengths of the Northern Ireland workforce; the competitive

cost base, such as the competitive cost of office space; the robust infrastructure; the business-friendly environment; and the world-class reputation of our universities and research institutions.

The conference would not have been possible without Secretary of State Clinton's personal commitment. We are grateful for the amount of time that the Secretary devoted on the day. Her ongoing involvement and interest demonstrates very clearly the importance that she personally and the US Administration at the highest level place on Northern Ireland. I would like to acknowledge the role of the economic envoy, Declan Kelly, and to express our thanks to him and his team for the outstanding enthusiasm and commitment that they have shown. I would also like to express our appreciation to the US consul general in Northern Ireland and her colleagues in the State Department for their invaluable assistance. I also want to put on record our appreciation to Norman Houston and his staff at the Northern Ireland Bureau for all their work and the enthusiasm that they bring to the task.

The conference has laid an important foundation for future investment opportunities. Invest Northern Ireland has developed a strategic follow-up plan to maximise the opportunity that has been created by the conference. Investment arising as a direct result of the conference could take up to three years to come to fruition. We are confident that other positive news will emerge as the result of our visit, and we will keep the Assembly informed.

Mr Spratt: I thank the First Minister for the update on the American economic conference. I welcome the announcement of two investments during the conference. Does the First Minister expect that the conference will ultimately lead to further announcements of jobs in Northern Ireland?

The First Minister: I can say with some certainty that it will. There have been follow-up activities already. We have had very positive conversations. Clearly, not all can be turned around with the speed that we turned around the Dow Chemical Company jobs. That should not be underestimated. Sometimes, I listen to the naysayers and doom-mongers that we have on television from time to time, who say: "You know, 25 or 35 jobs, well that's not much, is it?". The one thing that we found is that, if

we can get American companies into Northern Ireland, not only do they stay in Northern Ireland, they reinvest in Northern Ireland. Seventy per cent of the companies that we have brought here have reinvested, and that is a marvellous statistic to convince people to come to Northern Ireland. It shows that people, having tasted what is here in Northern Ireland, want more.

We have that initial investment from the Dow Chemical Company, and I have every expectation that there will be further investment once they see the quality of the workforce that we have here. So, aside from the announcements that were made at the conference, I expect that there will be further announcements within weeks and months.

Mr P Maskey: Go raibh maith agat, a Cheann Comhairle agus a Aire. It is important to keep up the work of building ties with our business partners throughout the world, especially in America because of the investment opportunities that we have there. Will that work continue? Do we know how many jobs that could realise over the next number of years?

The First Minister said in the latter part of his speech that it could take up to three years, but do we know how much investment money in total that could bring to the North? That is a very important issue, and it is important that we continue to do that work. I would appreciate the Minister's views on that.

The First Minister: My colleagues the Minister of Enterprise, Trade and Investment and the Minister for Employment and Learning are not present, so I can speak with more freedom. The one thing that came out of the various meetings that we had in Washington, especially from the US investors who are already here, was that the major selling point for them was the relationship between the universities and companies and the backup support they got from Invest Northern Ireland.

Our Departments very often do not get the credit that they deserve. Officials are beavering away all the time in encouraging those jobs to come in. The work will continue. There is that good relationship between Invest Northern Ireland and those companies. I know that it was the experience of the deputy First Minister as well that, if you were permitted to be proud, you could not have sat through the sessions of that economic conference without a sense of pride about the people of Northern Ireland and how

highly they were regarded by the investors who were there.

It is the first time, I think, that we have had a conference of that type. On previous occasions, we had an Ideal Home Exhibition-type of conference, where you open the doors, showcase things, encourage people to come in and hope that somebody somewhere will see something and decide to come back. That is very much a hit-and-miss affair. This conference had a much more targeted approach. We looked at big companies worldwide that could make a difference and which we knew would be investing over the next number of years in the sort of areas that we have been trying to attract to Northern Ireland. We got the global senior players there, and that was down to the Administration, particularly the President, the Secretary of State and Declan Kelly using their influence to ensure that the top people were there. I understand that the airport was filled with the business jets of dozens of companies whose CEOs and board chairmen were at the gathering. Therefore, we were talking to high-quality personnel, and I have no doubt that having such high-grade decision-takers there will bear fruit. I look forward to being part of the announcements that will be made in the weeks and months ahead.

Mrs D Kelly: I thank the Minister for his statement. He referred on three or four occasions to the quality of education and research at our universities. If our brightest and best are to continue to play their role in drawing in investors, what does the Minister feel about the university fees situation on the day that is in it? We should continue to have ability to learn rather than ability to pay.

Are there plans to have similar conferences or links with other, evolving world powers, such as China and India?

The First Minister: I will not get embroiled in the issue of university fees, but I will emphasise the importance of third-level education. In winding up the session, I made the point that our US investors emphasised the importance of universities, the links that they have with them and, even more so, the positive nature and willingness of the universities to collaborate with them. It seems that the relationship that we have between government, companies and the universities is unique to Northern Ireland, and that was attractive to them. I made the

comment there, so I am not being forced to make it now: when the Executive start to look at their Budget and areas in which they have to look for cuts, they should use only a light touch — if they touch the Department for Employment and Learning at all — particularly in this area of expenditure, because it pays back dividends.

The Member mentioned emerging countries, such as China and India. Whether we will have links by way of conferences in those countries is an issue, but I know that the Minister of Enterprise, Trade and Investment has been in both those countries, encouraging investment in Northern Ireland, and we have seen some fruit from those visits.

Dr Farry: I thank the First Minister for his statement and recognise the political leadership of the Obama Administration, including Secretary of State Clinton and Declan Kelly. I am sure that the First Minister picked up from his visit that the outsourcing of jobs is a major issue in the current US midterm elections. To what extent was that issue raised by the companies concerned? In a similar vein, did the companies raise the issue of a lower rate of corporation tax in Northern Ireland as something that would further encourage them to invest here? In light of the problem of potential double taxation that US companies face, would a lower rate of corporation tax here mitigate that problem for them?

The First Minister: I will take the latter question first. The issue was raised at a session by way of a question from one of our colleagues. The answer given was that the rate of corporation tax would not make any difference. However, the person who answered the question was someone who takes their product back to the United States, and, therefore, it would not have made any difference to them. When the committee looked at those issues, one of the work groups came back very quickly with the opposite view. The overwhelming view was that a reduction in corporation tax would be an added attraction. I think that that was probably the more settled view of the conference.

I have forgotten the first part of the Member's question.

Dr Farry: I asked about the outsourcing of jobs.

The First Minister: Outsourcing is an issue in which government is going to be more interested than companies. Companies look at

their bottom line and at where it is most cost-competitive to be. If it is cheaper for them to get a product elsewhere, they will get it elsewhere. The only factor that we have to build in is whether there are any regulations or constraints imposed on them. It is a two-way process. I recall going with the deputy First Minister to visit a major company in Northern Ireland that was taking 1,000 jobs to the USA. A Northern Ireland company was starting jobs in the USA. That is what a relationship and partnership is about: it benefits both sides of the partnership.

Mr G Robinson: I thank the First Minister for his statement. Following the recent US conference, will the First Minister consider the East Londonderry constituency to be a priority for US inward investment due to the devastating job losses in recent weeks and months? I am not being parochial, but we have suffered a big blow.

The First Minister: I think that each Member will make a case for their own constituency. Our job is to encourage investment in Northern Ireland and, where there is mobile investment, to try to encourage people to take that investment to the areas where it is most needed. I assure the Member that East Londonderry is never out of my mind, and I trust that there will be such a spread of jobs.

12.30 pm

Let us be clear: from one end of Northern Ireland to the other is a very small distance, especially in American terms. If jobs are created in one place, they are freed up in another. Jobs are mobile. They can be moved. I will not do a Lord Tebbit and tell people in East Londonderry to get on their bikes. However, I will say that there is nowhere in Northern Ireland that could not comfortably be reached in a day's journey. I recall the Member for Mid Ulster telling me about all the civil servants from Cookstown and so forth who come down to Belfast for their jobs. If we can get jobs into Northern Ireland, that is advantageous to all its people. Clearly, if they are not specific-location-based jobs, we can take them to where there is greatest need. Ultimately, however, when investment is sought, it is investors who will decide, for their own peculiar reasons, where their businesses will be best placed.

Mr McKay: Go raibh maith agat, a Cheann Comhairle. The First Minister said that the working groups identified issues that could make the North more attractive and competitive,

and that the issue of corporation tax was raised regularly by a number of companies. Can he elaborate on what the other key issues were?

The First Minister: I talked about how the conference differed from previous conferences. The difference was that it was a much more focused event. We looked for individuals and brought them in, rather than simply casting our net widely.

The other great difference with the conference was that we brought with us leading companies that have already come to Northern Ireland from the United States. We allowed them to speak and to describe their experiences to their US colleagues. The deputy First Minister and I could have spoken day after day about the benefits of Northern Ireland, which is what everyone there would have expected us to do. We would say that, would we not? Therefore, it is much more convincing for people whom they know, whose businesses they respect and who have gone to Northern Ireland, to give details of the messages that they bring back. Overwhelmingly, those messages are about Northern Ireland's young, well-educated and highly skilled population and low churn rate. One businessman gave the example of a business that he had set up in India: it had had a 44% churn rate. That means new people had to be trained into those jobs, with the additional costs and disruption that that caused. In his business in Northern Ireland, the churn rate is less than 5%. That loyalty factor is a major contribution.

In telecommunications, we have very good links and broadband compatibility, and we are now going for the next generation of broadband. Project Kelvin and the data transfer rates that we can get between here and North America are particularly important for companies in the finance sector.

Perhaps the chief point is the fact that the Government are business-friendly and it is easy to do business with them. From an investor's point of view, that is important. Many businesspeople do not have direct access to Government. In Northern Ireland, they have that direct link. Because it is a small country, the Government can afford to do that. Northern Ireland's "six Cs" are often mentioned by Invest Northern Ireland: first, it is cost-competitive; secondly, it is culturally compatible; and, thirdly, it is close to the customer. Northern Ireland is a base that gets people close to Europe and to

any European customers that they might have. Regardless of the issue of corporation tax, Northern Ireland has a good product to sell.

Mr Humphrey: With regard to the ongoing Budget review, how many areas are being considered for potential inclusion in the cuts scheme?

The First Minister: The Programme for Government's commitment to economic growth still stands. As I said this morning — in a party context, but it is just as relevant in this context — for people to get fixated, as we look at the Budget, simply on looking at where to make cuts will do nothing for our strategy to move society forward and to stimulate the economy. We have to recognise that we are having cuts imposed on us, and we have to deal with the new set of circumstances that we face, although we will still fight in some areas where we believe it is right to do so.

At our awayday at Greenmount College, the Executive took two factors into consideration. First, we recognised that we need to continue with a policy that will grow our economy and, secondly, we recognised that, where there is a downturn or a recession, predictably, the people who suffer most are those who are already suffering, who are in poverty, who are experiencing deprivation or who live in areas of disadvantage. We need to have programmes to deal with those issues so that the lot of those people does not get more difficult to bear.

The Executive have not reached agreement on the Budget but they have agreed the timetable that they have to commit to. The Executive's policy review group is looking at what the steps should be, and I expect that, within the next couple of weeks, I will be in a better place to answer the kind of question that the Member has asked. However, when it comes to growing our economy, I do not believe that we should slice the knife too deeply, because that will cause real damage to Northern Ireland's future ability to grow the economy and to stimulate the private sector.

Mr McCallister: When the First Minister spoke about the aerospace industry, I hope that he was including what could be looked at for Kilkeel, given the important reliance that we in South Down have on the industry.

The First Minister said that the conference was a targeted one. What follow-up does he see as

being vital to building on the networks that have been made? Will he build corporation tax into a strategy to develop and to get the most out of the conference and the obvious interest that the US still has in investing in Northern Ireland?

The First Minister: I take the Member's point about Kilkeel entirely. We have a very good example in the South Down area of a company that is based in — he will forgive me for saying this — a remote location yet is a leader in the work that it does in the aerospace industry, taking around one third of the sector that it is involved in. It does not matter how rural a business may be, there are still opportunities if there are people with the drive, enthusiasm and ability to take it forward. Those people are an example. Indeed, I think that they were present at the event that we hosted in Washington.

I have long been a supporter of having a lower level of corporation tax. Our economy is out of kilter and needs to be rebalanced. The public sector is far too dominant. We need to encourage the private sector. That is also recognised by Her Majesty's Government. The Secretary of State consistently talks about the fact that we need to rebalance our economy in Northern Ireland. However, the one way not to rebalance the economy in Northern Ireland is to take 40% of capital spend out of the Budget, because it is that, more than anything else, that will stimulate the economy, as the infrastructure investment programme is vital to doing so. I believe that we should have a lower rate of corporation tax.

We have not seen the detail, and very often we find, particularly with the Treasury, that the devil is in the detail. If it is going to give us the power to reduce corporation tax, does that mean that all the benefit will go to the Treasury when the tax take increases? Does it mean that we will have a reduction in our block grant in order to offset state aid from the EU? We do not know the answers to those questions. Another question that we still do not know the answer to is whether the Secretary of State has more influence than the Treasury in that matter. We know that the Secretary of State is for it and the Treasury is against it.

Dr McDonnell: I thank the First Minister for his statement, and I also thank the deputy First Minister, Minister Arlene Foster, Minister Reg Empey and my colleague Alban Maginness for their efforts in the US. We should all be

justifiably proud of that effort and hope that the fruits of it come home.

If I may, Mr Speaker, I would also like briefly to take the opportunity to thank Reg Empey for his efforts over the years as Minister for Employment and Learning, and I echo the sentiments of the First Minister in that respect.

I come to my question. The First Minister mentioned how the US-Ireland Research and Development Partnership advances research and spoke of a project on cystic fibrosis. Will any of that research be locally based? Will the First Minister give us his assessment of the economic potential that lies in life and health science? We have a massive health sector in our universities and hospitals, and I would like to see a lot more commercialisation in it. What are the First Minister's views on that? Does he feel that, after this conference, we can squeeze more job prospects and wealth creation out of the vast health resources that we have?

The First Minister: That is not just the case in relation to health. It was interesting to be present at that breakfast event and to hear the professor who was making the presentation indicate the steps that are being taken. There is very considerable room for further work and development in that area.

One thing that Northern Ireland has been good at is innovation. Throughout the years, quality, innovative products have come from Northern Ireland. We have led the world in many different areas. This is a good base for research and development. It is interesting that some of the newcomers are basing their R&D in Northern Ireland. That speaks highly of the people who are coming out of our university system.

I am glad that the Member referred to the overall work of the team, because it was very much a team. I suspect that, if someone at that conference did not know the individuals involved, they would not have known of any party difference between us. All of us acted as a team working for Northern Ireland. I thought that the whole team made a very powerful presentation during the visit, which shows that, working together, we can make a difference, and we will see rewards coming from that.

Mr Hamilton: I welcome the First Minister's report on a successful journey to the United States, the benefits of which we are all starting to see.

I am sure that the First Minister has heard, as I have, criticism here of the role and the job performed by Invest Northern Ireland. Will he tell the Assembly what he has found on this journey, and on previous visits to the United States, as to the view that is taken of Invest Northern Ireland by investors who are already spending their money in Northern Ireland and those who are looking to come here?

The First Minister: In relation to foreign direct investment, those who spoke during the conference — to a man and woman — praised Invest Northern Ireland. They spoke of Invest Northern Ireland as giving a better performance than other agencies that had been in touch with them. Over the past couple of years, the deputy First Minister and I have seen at first hand that there has been a massive improvement. I have to admit that, a lot of years ago, I was very critical of Invest Northern Ireland. I saw opportunities being squandered and lost. However, that is not the case now. Invest Northern Ireland has a very good reputation. With financial support, it can do even more than it does at present. In their contributions, every US investor based in Northern Ireland spoke about the education system, the relationship with Government and the first-class job being done by Invest Northern Ireland.

Mr Moutray: Will the First Minister indicate what he believes to be the strongest selling points for Northern Ireland in relation to international investment at present?

The First Minister: I leave aside the ministerial presence on these issues. It is not any one factor, but the fact that we have a package that performs better than anybody else's and puts us in the lead. I have talked about the high quality of education. Northern Ireland's pass rates at GCSE are 10% higher than those of England, Scotland, Wales or the Republic of Ireland. We have Queen's University, which is part of the Russell Group, the Ivy League of universities. The University of Ulster walks away with top prizes and various awards. We have a workforce that is loyal, stays in employment and has a low churn rate. Another point that came over during the conference was that our workforce can be trained more quickly than those in other areas in which people had invested.

12.45 pm

Employers who are looking to countries to complete their product may find that some are

attractive because labour costs are low, but that is only the start of the story. Such countries may have massive churn rates or there may be difficulties with communication. We have a linguistic and a cultural compatibility with North America, which is very good. There is also a good standard of living for people coming to Northern Ireland. There are many good points.

We have a very strong telecommunications base when it comes to financial, business and ICT services. We have 100% compatibility in broadband as we have now moved on to the next generation, and we have Project Kelvin. So, we are in a good place. We can offer a competitive deal with which to encourage people to come, and we can give assistance through financial support.

Review of Youth Justice

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

The Minister of Justice (Mr Ford): Thank you, Mr Speaker. I wish to make a statement on the review of the youth justice system. As the House is aware, the Hillsborough Castle Agreement included a commitment to undertake a:

“Review of how children and young people are processed at all stages of the criminal justice system, including detention, to ensure compliance with international obligations and best practice”.

That action is reflected in my Department’s addendum to the Programme for Government, and I wish to provide Members with information on the processes and personnel involved in delivering that review. In doing so, I thank members of the Justice Committee for the advice that they gave when my officials brought them our initial thoughts. I have given careful consideration to the matters raised, and have been pleased to take account of those thoughtful observations in structuring the review.

To put the review in context, the youth justice system in Northern Ireland has seen much change for the better over the past 10 years, following the criminal justice review. We have much to be proud of in what has been achieved. However, it is important to stand back and to take a critical look at where we are and what we need to do in order to further refine and improve our approaches to addressing youth offending.

We do that in the new context of fully devolved arrangements for justice and policing, now firmly embedded in the Northern Ireland Administration, and a financially challenging future, as well as in the context of the challenge that I have already set of reshaping and rebalancing the justice system to see less offending, fewer victims and safer, more confident communities.

To that end, I am commissioning a review of youth justice, the terms of reference for which will cover: existing processes, partnerships, interventions, structures and strategic linkages; legislation relating to the various statutory interventions; the balance of emphasis among prevention, effective intervention and reintegration and the associated systemic and cross-cutting issues; good practice in Northern Ireland and beyond; and information sharing and

management arrangements between agencies and the measurement of outcomes.

The review will give particular regard to the statutory aims of the youth justice system, international obligations in that area, best practice in Northern Ireland and beyond and the effective use of available resources. It will be expert-led, wide-ranging, consultative and comprehensive, and will cover all aspects of the youth justice system from the age of criminal responsibility through to more effective measures to prevent or to address offending among young people.

Outline terms of reference for the review have been considered by the Justice Committee and have been made available to Members together with a transcript of my statement. The terms of reference are described as “outline” because I see them as a necessary framework to support the review process while remaining sufficiently flexible to incorporate any changes that make sense as we open up the debate.

In considering how the review should be taken forward and by whom, I consider it vital that we achieve an appropriate balance between independent experts and those who know the current youth justice system in Northern Ireland, its history and development. I am, therefore, establishing a three-person review team for this purpose. In doing so, I have listened to the clear advice of members of the Justice Committee.

The review will be led by John Graham, who is the director of the Police Foundation for England and Wales. John’s long and distinguished career includes research and policy posts with the Home Office and the social exclusion unit. As associate director of the Audit Commission for England and Wales, he was responsible for developing a criminal justice strategy and for leading a national assessment of the impact of the Government’s youth justice reforms. He has worked as a consultant to the United Nations, and he was a trustee of the charity Communities that Care UK. He is also a visiting professor at the centre for crime and social change at the University of Bedfordshire.

Joining John on the review team will be Paula Jack and Dr Stella Perrott. Paula, as the newly appointed chief executive of the Youth Justice Agency in Northern Ireland, will bring fresh perspectives on the functioning of the youth justice system, together with a forensic understanding of the process, from her

background as a senior lawyer in the Public Prosecution Service (PPS). As an assistant director, she led the busy PPS northern region of the service before joining the Youth Justice Agency in September 2010. She is a member of the Criminal Justice Board, and she now chairs the inter-agency group on tackling delay in youth cases. She has lectured at the University of Ulster in criminology and criminal justice.

Dr Stella Perrott is a former head of the care and justice division of the Scottish Government. She held responsibility for youth justice policy, the development and implementation of the reform programme for children's services and the Scottish children's hearings system. Prior to that, she was the deputy chief inspector of the Scottish Social Work Services Inspectorate with responsibility for children's services. Stella has led or participated in several major Scottish reviews, including those covering youth justice, child protection, sex offenders and women offenders. She brings an intimate understanding of the issues that are likely to emerge during the review, coupled with a proven track record in providing strategic leadership in the fields of youth justice, children's welfare and social services.

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

To support the review team and to provide access to other sources of advice, I am establishing an independent reference group that will comprise individuals who are drawn from a range of backgrounds and from across jurisdictions. That group of key individuals will include academics, senior policymakers and experienced practitioners from areas such as children's rights, social policy, criminology, youth justice, prison studies and criminal justice inspection. The reference group will also be a resource to support other key strands of the Department of Justice's work, and its membership will reflect that. I will also invite the review team to consider whether there are additional experts that it believes should be added to the reference group to bring wider expertise to its work.

The review team will commence work immediately, and, guided by the outline terms of reference, it will develop the review programme. I envisage that the programme will include commissioning research on relevant issues; inviting written evidence; reviewing best practice in Northern Ireland and beyond; and consulting key

stakeholders, including children, young people and their families. As part of that process, I will establish a broadly based stakeholders' group to allow us to hear as wide a range of views as possible. My aim is to ensure an inclusive, open and transparent process through which we can bring forward recommendations that will deliver real improvements. I have written separately to ministerial colleagues to advise them of the initiation of the review and to seek their active support in addressing some of the complex cross-cutting issues that are associated with offending on the part of young people.

Although we can do much to address youth offending in the justice system, it is critical that we also tackle the issues that are associated with such offending and that we provide opportunities that will rehabilitate and redirect youths away from crime. As the Committee for Justice also stressed, a joined-up approach across Government will be crucial if we are to make real progress in reducing youth offending. The review team is tasked with preparing a report that is to be issued for public consultation by March 2011. That is a challenging timetable, but it will concentrate minds and ensure that the matter will be taken forward with energy and purpose.

Our youth justice system has benefited from a period of significant change and improvement over the past 10 years. Our levels of youth crime and the number of young people who are held in custody are relatively low in comparison with other UK jurisdictions and, indeed, many other parts of the world. I believe that we have developed a proportionate, progressive and restorative approach to youth justice. Our reputation for innovation and effective practice in some areas of work, such as our youth conferencing service and the Woodlands Juvenile Justice Centre, is rightly recognised nationally and internationally. However, there is more to be done. We cannot, and will not, be complacent. The inclusion of this review in the Hillsborough Castle Agreement provides us with the opportunity to reassess, reshape and further develop our systems. In so doing, we will take particular account of emerging best practice elsewhere and of our need to comply with international obligations and children's rights.

The Chairperson of the Committee for Justice (Lord Morrow): I thank the Minister for his statement and I welcome the fact that he has taken account of issues that Committee

members and some key stakeholders raised about the composition and perceived independence of the team tasked with carrying out the review of the youth justice system in Northern Ireland. He has changed the make-up of the team accordingly, which we readily acknowledge.

What time commitment will each of the three independent members of the team give to the review, particularly the new chief executive of the Youth Justice Agency, who, I assume, already has to contend with a full-time job? Will each member work on the review part-time or full-time? Will the Minister also outline the reasons for the timescale of March 2011 for the review team to report? Given the importance, scale and cross-cutting nature of the review, the timescale in which to undertake an appropriate level of consultation and debate and to ensure that a comprehensive approach is taken appears very short. If the review team indicates that more time is required, will the Minister commit to being flexible about the end date?

Does the Minister also accept that, as the Justice Committee pointed out, March 2011, which coincides with the end of the present Assembly's mandate, is not the most appropriate time to undertake a consultation exercise on the findings of such a major review?

Finally, will the Minister outline what budget and resources will be available for the review team's work?

The Minister of Justice: I thank Lord Morrow for his comments. The point of Committees in this place is to advise and to assist Ministers, and I welcome the constructive engagement that my officials had with the Committee as we refined the terms of the review.

I understand that the time commitment for the three members of the review team will be in the region of around 20 days over the period. Therefore, their commitment is part-time rather than full-time, although they will be supported by a full-time secretariat drawn from the Department, who will ensure that the work proceeds between meetings of the three team members.

I entirely accept the Chairperson's point that March 2011 is a challenging timescale. However, the youth justice position is very different from, for example, that of prisons, in that we have a youth justice system that is functioning well and to which we seek to make

refinements in order to improve rather than to change fundamentally. I am also conscious of the fact that the issue was very much included in the Hillsborough Castle Agreement of February last. In that context, there is an expectation of us to seek to produce a response in time to inform the deliberations of the next Assembly and its Justice Committee. However, in line with his comments, if the review team were to feel that an extension is necessary to ensure that the job is done properly, I will certainly listen to any points that it makes.

I cannot give precise details of the budget allocated, but I assure the Chairperson that an adequate secretariat is provided in the Department and that there will be access to necessary research findings. That, I believe, will be adequate to carry out the required tasks.

Mr McCartney: Go raibh maith agat, a LeasCheann Comhairle. Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom a fhiafraí den Aire a n-aontaíonn sé liom go bhfuil sé thar a bheith tábhachtach do chainteoirí teangan go mbeadh rogha leathan leabhar agus áiseanna foghlama ar fáil sna leabharlanna i dTuaisceart Éireann?

I thank the Minister for his statement, which I welcome. I also welcome the fact that he has established the review team. I echo the Chairperson's comments, who welcomed the Minister's acceptance and recognition of the need for the balance of the team to be shifted towards independence in the way that he has. I further welcome the fact that the Minister has accepted that the terms of reference are in outline form, which, in itself, will build in a welcome degree of flexibility. I particularly note that he has written to his Executive colleagues. Does the Minister intend to table a paper at the Executive? The Committee asked for a joined-up approach to be taken and for a particular emphasis to be placed on health and education in input to the review.

The Minister of Justice: I thank Mr McCartney, the Deputy Chairperson of the Committee, for adding his welcome to that of the Chairperson.

It is important that a body that is set up to advise is seen to be fully independent. As the Member pointed out, the terms of reference are regarded as being outline terms, and I will listen to any suggestions from the review team that they should be extended.

1.00 pm

On the subject of presenting a paper to the Executive, as we finalise the reference group, I will seek to ensure that education and health interests are represented fully and that they inform the Department's work, not only on the review but on wider issues in which the reference group will have a role. I imagine that the logical point at which to take the matter to the Executive for full discussions on cross-cutting issues will be when the review team's findings emerge in its final report. As the team carries out its work, I hope that there will be full input from, in particular, Health and Education but possibly also from other Departments.

Mr McNarry: I welcome the Minister's statement and thank him for it. Will the review team explore the role that restorative justice might play in the youth justice system? Furthermore, I will pick up on Mr McCartney's question about the Ministers and ask the Minister of Justice whether he has heard anything from the Ministers. Finally, has the Minister discussed the review with Include Youth?

The Minister of Justice: I note that Mr McNarry carefully managed to get in three questions. The answer to his first question is that restorative justice and any other issue relating to youth justice are open subjects. If Mr McNarry and others look at the review's terms of reference, they will see that they are already extremely wide-ranging and extendable. I have not been in direct discussions with Ministers about the reference group; however, in seeking to finalise the membership of the reference group, my officials and officials from relevant Departments have been in contact to ensure the fullest possible representation of other interests. My officials discussed the matter with Include Youth, and, indeed, I met representatives of Include Youth last Thursday afternoon, and the review featured strongly in discussions.

Mr A Maginness: Along with colleagues on the Committee for Justice, I welcome the Minister's statement, which was most helpful. Does the Minister agree that particular emphasis should be placed on preventing offending and subsequent reoffending? A more detailed strategy to deal with that aspect of the youth justice system is needed: without it, the review will not be successful. Nevertheless, I wish it well, and I welcome the Minister's statement

and hope that there will be a positive result in March next year.

The Minister of Justice: I thank Mr Maginness and his Committee colleagues for their welcome of the review. He talked about the need for a strategy aimed at preventing offending and reoffending, and he is absolutely right. The point of the review is not to see how the Committee for Justice, the review team or the Department produce suggestions to deal with offending; it is about prevention and the rehabilitation of offenders to prevent a cycle of reoffending. That is an issue on which, in recent years, we have seen strong and positive moves in Northern Ireland through some of the work of the Youth Justice Agency, which is why we have low levels of offending and of young people in custody. Nonetheless, it is an area that we clearly need to develop, because, as I said, the greatest protection for society is to reduce offending and reoffending, so I hope that that will feature strongly in the review team's work.

Dr Farry: I also thank the Minister for his statement, and I recognise the way in which the review has been developed in conjunction with key stakeholders and the efficiency with which the Minister is delivering on commitments from the Hillsborough agreement, although, of course, it is a good thing to do in its own right. To what extent would the Minister encourage the review team to explore the interface between youth justice and the speed at which justice tackles avoidable delays? Given young people's rapid development, speedy justice is important to establish a clear link between offending and the timescale in which outcomes are seen to happen.

The Minister of Justice: I thank my colleague for making it five in a row to give a general welcome to the review. As he highlighted, the Hillsborough Castle Agreement contained a significant number of commitments, on which the Department of Justice is engaging with as much speed as is possible in order to ensure that matters are handled efficiently and properly. That also relates to the issue that he raised about the interplay between reoffending, in particular, and the speed of justice. There is absolutely no doubt in my mind that, when young people are not made amenable for crimes that they have committed within a reasonably short timescale, they can frequently end up not knowing what it is they are in court for at some later date. Indeed, in many cases, they

will either have gone further into a spiral of reoffending or will have started to rehabilitate themselves before delayed court hearings happen. That is work to which Paula Jack, given her previous experience with the PPS, brings particular expertise. I certainly hope that there will be a strong recognition of the necessity of ensuring speedy justice to ensure an end to the reoffending cycle, not just among young people but among older offenders.

Mr Givan: We will look at the outcome of the review in March before deciding whether to welcome it. The Minister will know that the review comes at a time when some young people have absolutely no respect for law and order and no fear of the consequences of their criminal activity. Does he believe that the review team has the necessary skills to bring back the fear and respect that our young people should have for the forces of law and order to help prevent them from ever wanting to commit a particular type of crime? Will he give an assurance that the age of criminal responsibility will not be raised as a result of the review?

The Minister of Justice: I will deal with the final point first. There would not be much point in setting up a review to look at all kinds of issues, including the age of criminal responsibility, only to give a predetermined statement today on what the outcome of that part of the review will be. I will give no such guarantees. I will await the results and see what the review team has to say.

Mr Givan is correct to highlight the fact that we have problems with a small number of people. However, let us not exaggerate that or demonise young people in general. Let us recognise that, when we are talking about offending, we are talking about a small minority of young people. Mr Givan talks about ensuring that young people fear and respect the forces of law and order. I certainly want everyone in society to respect the forces of law and order, but I do not want people to fear them.

Mr O'Dowd: Go raibh maith agat, a LeasCheann Comhairle. I welcome the Minister's acknowledgement that we are dealing with a small minority of young people and his contention that we should not demonise everyone under 21, 16 or whatever age. A small number again of that minority of young people end up incarcerated as punishment for their crimes against individual citizens. Will the Minister assure the House

that, as part of the review, the review team will look at custody requirements for young people? I am hearing reports that some young people are being locked up for 23 hours a day and that, as part of their punishment, some are not being allowed to phone home to their parents. *[Interruption.]* I heard someone across the Chamber say, "Good". What sort of society do we want to be running here? Is the Minister aware that there is a concern — *[Interruption.]*

Mr Deputy Speaker: Please take your seat, Mr O'Dowd. I again remind Members not to shout across the Chamber. I need to hear what is said.

Mr O'Dowd: Thank you, a LeasCheann Comhairle. Is the Minister aware that concerns exist following reports by the Prisoner Ombudsman to the Committee for Justice that young people are dissuaded from making complaints about their treatment while being held in custody?

The Minister of Justice: I hear the points that Mr O'Dowd makes. I am not aware of anyone in custody having been persuaded not to make complaints to the Prisoner Ombudsman. If that is the case, that will cause me concern. He also talked about custody requirements. There are a small number of people for whom custody is appropriate. In recent months, the Department has sought to ensure that the most appropriate place for custody is found for young people, and that has meant an enhanced use of Woodlands Juvenile Justice Centre, a reduced number of people being sent to Hydebank Wood young offenders centre, and the use of some of the professional skills from Woodlands at Hydebank Wood. Efforts are already being made, and it will be a matter for the review team to make recommendations on whether it has further expectations in that area.

Lord Browne: I very much welcome the Minister's statement. Given the Home Secretary's commitment to abolish ASBOs in England and Wales and the consistent condemnation of them by human rights bodies, will the youth justice review examine the use of ASBOs? Can the Minister give a commitment that a priority of the review will be to reverse the over-representation of children from care backgrounds in the criminal justice system?

The Minister of Justice: I thank Lord Browne for his comments. At the moment, there is no direct initiative on the abolition of ASBOs in Northern Ireland in parallel to what is happening in England and Wales. ASBOs have been used

much more sparingly in Northern Ireland than in England and Wales, and it appears to me that they have been used much more effectively. However, the review team can comment on that. We should remember that not all ASBOs are awarded to young people, and it may be more appropriate to address that issue in the context of the review of community safety.

I entirely take Lord Browne's point about the over-representation of children in care in the criminal justice system. Given my professional background in social work, that has concerned me for years, and we need to pay close attention to it. That is one reason why I want to ensure that there is strong representation from the health and social care sector on the reference group. That will enable a joined-up approach to be taken to those issues.

Mr F McCann: Go raibh maith agat, a LeasCheann Comhairle. I also welcome the Minister's announcement. Will he assure us that the review will not be office-based but will tap into the innovative approaches that have been used in many areas to tackle serious crime?

The Minister of Justice: I thank Mr McCann for that question and assure him that, as far as I am concerned, the team has been asked to be wide-ranging. It has wide-ranging terms of reference and has been encouraged to not simply carry out an office-based review. There is little point in simply reviewing the literature, and it is important to draw on all the available expertise. I trust that the review team will do so in Northern Ireland and further afield.

Mr Buchanan: I note that the independent reference group appears to exclude people from the health and education sectors. Why is that? Furthermore, what assurances can the Minister give the House that the review's findings will be fully implemented and that it will not simply become another paper exercise?

The Minister of Justice: I thank Mr Buchanan for his points. The reference group specifically does not include representatives from the health and education sectors. As we finalise the reference group, I will seek to ensure that there is representation from those sectors to enable the joined-up government that is necessary to deal with the matter.

Mr Buchanan asked for a guarantee that the findings will be implemented. If he could persuade his colleague the Finance Minister to

guarantee all the funding that might be required, I might be in a position to give such a guarantee. *[Interruption.]*

Mr Deputy Speaker: I have already reminded Members not to shout across the Chamber.

Mr Bell: Although it is appropriate to take independent advice, we do not want to walk over diamonds to look for another dime. There are many examples of excellent good practice, such as the work of Dorothy McGrath and Mike Smyth in the Towers Project in Newtownards and Phelim Breen's work in the Abbey Project in Bangor. Those groups have reduced reoffending among young people and have a proven track record. Can we ensure that the existing good practice, which has helped young people by giving them a hand out of the criminal justice system, is continued and implemented in the review? People sometimes say that using consultants is like having a watch and asking someone else to tell you the time.

The Minister of Justice: I assure Mr Bell that I will not pay anybody vast sums of money to tell me the time on my own watch. I will repeat the point that I made to Mr McCann: we are looking for examples of best practice in Northern Ireland and beyond, and I am fully aware of some of the issues that he talked about. There is a good story to be told in Northern Ireland, and we should not suggest that the review is under way because there are major problems. The issue is about learning the lessons that exist and applying them as widely as possible.

1.15 pm

Ms Lo: I welcome the Minister's statement, and I support the review. Prevention must be the major plank in addressing youth offending, and the Department of Justice cannot do that alone. Will the Minister actively involve the Department of Health, Social Services and Public Safety, the Department of Education and the Department for Social Development?

The Minister of Justice: Yes, I assure my colleague that we will seek to achieve the widest possible co-operation, initially through the reference group and, ultimately, through other areas. For example, some of the work on disaffected young people involves strong co-operation between the Department of Justice and the Department for Social Development. I am fully aware that the Department of Health, Social Services and Public Safety, the Department of Education

and the Department for Social Development have much larger areas of responsibility for the early stages of prevention than the Department of Justice. Therefore, it is vital that all Departments co-operate so that there is a fully joined-up strategy that, ultimately, will benefit not only young people but all our people.

Mr McDevitt: Mr Deputy Speaker, I apologise to you and to the Minister for missing the beginning of the statement. Like many colleagues, I welcome the fact that the review has eventually become a lot more independent than what was proposed initially. Will the Minister take the opportunity to say, here and now and specifically regarding the terms of reference, that it is not his desire that the review team recommend that we continue to imprison young men under 18 in this part of Ireland?

The Minister of Justice: The simple point has been made a number of times in the Chamber that the great majority of us wish to see fewer young people locked up. However, we also recognise that it is necessary, unfortunately, that some young people are locked up at times. The Member talked specifically about imprisonment, and I have already highlighted the balance between the use of Woodlands Juvenile Justice Centre and Hydebank Wood young offenders centre. I fully support fully the work to date and what seems to be the thrust of his question, which is that we should seek to reduce the number of young people in custody. That has to be done on the basis of prevention at various stages, through restorative work when offences are committed early and by ensuring that we use all the community-based alternatives to enable young people to become better citizens without requiring any form of incarceration.

Executive Committee Business

Debt Relief Bill: Further Consideration Stage

Mr Deputy Speaker: I call on the Minister of Enterprise, Trade and Investment to move the Further Consideration Stage of the Debt Relief Bill.

Moved. — [The Minister of Enterprise, Trade and Investment (Mrs Foster).]

Mr Deputy Speaker: As no amendments have been selected, there is no opportunity to discuss the Debt Relief Bill today. Members will, of course, be able to have a full debate at Final Stage. Further Consideration Stage is, therefore, concluded. The Bill stands referred to the Speaker.

Unsolicited Services (Trade and Business Directories) Bill: Further Consideration Stage

Mr Deputy Speaker: I call on the Minister of Enterprise, Trade and Investment to move the Further Consideration Stage of the Unsolicited Services (Trade and Business Directories) Bill.

Moved. — [The Minister of Enterprise, Trade and Investment (Mrs Foster).]

Mr Deputy Speaker: As no amendments have been selected, there is no opportunity to discuss the Unsolicited Services (Trade and Business Directories) Bill today. Members will, of course, be able to have a full debate at Final Stage. Further Consideration Stage is, therefore, concluded. The Bill stands referred to the Speaker.

Committee Business

Statutory Committee Membership

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

Resolved:

That Mr George Savage replace Mr Roy Beggs as a member of the Committee for the Environment; that Mr Billy Armstrong replace Mr Danny Kinahan as a member of the Committee for Regional Development; and that Mr John McCallister replace Mr Billy Armstrong as a member of the Committee for Social Development. — [Mr Armstrong.]

Standing Committee Membership

Mr Deputy Speaker: The next motion relates to Standing Committee membership. As with similar motions, it will be treated as a business motion. Therefore, there will be no debate.

Resolved:

That Mr Billy Armstrong replace Mr George Savage as a member of the Committee on Standards and Privileges. — [Mr Armstrong.]

Private Members' Business

External Consultants

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 P Maskey: I beg to move

That this Assembly calls on the Executive to review the use and cost of external consultants; to develop further in-house consultancy resources; and to identify the necessary skills within the Civil Service to undertake more consultancy work.

Go raibh maith agat, a LeasCheann Comhairle. I thank the Business Committee for selecting this motion for debate today.

We are living in one of the most financially trying times. However, that is not our fault; rather, it is mostly the fault of successive British Governments and Governments around the world, because of the way in which they have run their finances and have treated us: the taxpayers and legislators. The Government and bankers have left us with a deficit that we have to address, and that is one reason why Sinn Féin put forward an economic paper a number of weeks ago. We hope that it can address the gap in finances and challenge the cuts that the Tory Government have imposed on us all. I welcome the paper that was put forward by the DUP today. I am sure that there will be a discussion about it and other papers in the next number of weeks.

If our motion is supported by all parties and taken on board by the Executive, it will hopefully go some way towards helping us to reduce costs and save money on payments to consultants. I hope that that money can then be used to secure front line services. The motion simply calls on the Executive and, therefore, all Departments to review the use and cost of external consultants and to develop further in-house consultancy resources. We want to see civil servants get the skills necessary to enable them to undertake more consultancy work for themselves.

In a three-year period, the 11 Departments spent £50 million of taxpayers' money on consultancy costs. Since 2005, over £1 million

has been spent on external private companies. In some cases, retired civil servants on Civil Service pensions were paid hundreds of thousands of pounds to carry out that work. In some instances, Departments need specific expertise from consultancy firms. However, it is too easy for senior civil servants and Departments to pay for that work to be carried out for them instead of by them. I recognise that there has been a reduction in the use of external consultants by some Departments in recent times, and I hope that that trend continues. However, the amount of money that Departments spend on the use of external consultants is still far too high.

In 2007, the Public Accounts Committee (PAC) published a report on the use of consultants. Some of the report's findings were startling, and I imagine that a lot of the problems identified were down to bad management and the ignorance of direct rule Ministers, who flew in from England a couple of times every month and did not care about the amount that they spent on consultants. They should have insisted on better management and on more of the work being carried out internally. What was allowed to happen was shameful, and it set a bad example for the Civil Service. I hope that the Executive can start to wean the Civil Service off that bad practice.

The report stated that the Civil Service here is in danger of becoming dependent on consultants and is at risk of losing the ability to be an intelligent client and to purchase services efficiently. The first recommendation in the report was for DFP to work with Departments and produce a formal strategy to reduce their dependency on external consulting. It will be interesting to hear from the Minister today about how that is progressing in his Department and the other Departments and how they are dealing with that matter.

I am sure that people in the Departments have the skills, and I imagine that, when individuals are recruited for senior posts in the Civil Service, they must demonstrate what skills they have to enable them to carry out consultancy work as part of their remit. If that is not the case, how can some of them suddenly find the necessary skills and charge the Departments thousands of pounds for consultancy work and the provision of advice as soon as they leave their post through retirement or move on to bigger and better things in the private sector? I

imagine that Ministers must be scratching their head when a senior member of their staff who was promoting the use of external consultants to the Department takes a career break and starts their own consultancy firm or gets employed by one of the consultancy firms that have carried out work for the Department. That is quite interesting, and checking out the levels of that would make for a great piece of research work. It would be intriguing were one of the consultancy firms to do that work free of charge.

It is clear that, if the expertise does not exist in Departments, they must upskill their employees to a level that enables them to carry out their responsibilities and duties on consultancy matters. I urge the Minister to start a trawl of the Departments' employees to find out whether they have the necessary skills for consultancy work. That could be done by a simple survey through an e-mail to staff. It would also be interesting to check senior civil servants' job application forms to see how many of them included that skill in those forms and their CVs.

External consultants should be engaged by Departments only when absolutely necessary and on the basis of a sound business case having been made that ensures value for money. Such expenditure in Departments should require ministerial approval, and I am aware that some Departments, including the Sinn Féin Departments, have begun that process. The target should be not to use external consultants unless it is justified by exceptional circumstances. That can be achieved by considering individual business cases and approving only those that are absolutely necessary.

The Executive need to look ahead. The Programme for Government sets out the majority of work for Departments for several years. Senior management should identify the consultancy needs, look for the skills in-house and implement a strategy to meet those needs and demands. It is vital that we get value for money, no matter what we are spending it on. However, in some cases, Departments have set a bad example of not ensuring that value for money is obtained by failing to prepare business cases, even though the cost exceeded the £75,000 threshold. They did not obtain ministerial or DFP approval but sought retrospective approval for that bad practice. That type of approach must stop, as it sets bad precedents and will not deliver value for money.

In West Belfast, the area that I represent — I am sure that it is the same in many other constituencies — millions of pounds have been spent on consultancies and on strategies. Many of our community organisations have offices filled with the results of consultancy work, yet it seems impossible to get delivery. In some cases, it is easier for Departments to put a project on the long finger or for senior civil servants to deliberately stall projects by simply saying that they will get a firm of consultants in to talk to the community and to produce a document and that the Department will take it from there. I assure all here that I have seen that happening in West Belfast on many occasions at a cost of millions of pounds, but there has been very little action taken by the Departments to deliver the strategies that stem from the consultancy work that has been carried out.

The Executive need to spend more time and effort on delivery to make every penny count. There are many vulnerable and disadvantaged people in our communities, and we need to look after them. If we continue to pay out millions of pounds every year — in some cases to very wealthy consultancy firms — and to neglect our disadvantaged communities, we have failed. I urge all Members to support the motion and let us make a difference to the way that the Executive operate on consultancy work.

Some of the main points that, I hope, I got across today include the need to stop the routine practice of officials using consultants for a range of services, especially business cases, and the need to look at all the facilities and skills in the Civil Service and what upskilling needs to take place to allow a greater number of consultancies to be carried out in-house rather than externally.

1.30 pm

Mr Hamilton: I welcome today's debate and the opportunity to concentrate on one area of public expenditure, that of consultants and their use.

Over the past number of years, particularly since the return of devolution, consultants were viewed as a bit of an easy option when it came to cutting costs. Looking at the matter objectively, I can see that that is attractive. Statistics show that £50 million was spent on consultants over a three-year period, and expenditure on consultants rose from around £10 million in 1998-99 to £32 million in 2007-08, but fell to £25 million in 2008-09.

The success that there has been in reducing expenditure on consultants to that level should be noted and acknowledged. However, some would argue that the figure is still too high. Therefore, it is attractive to target consultants and their fees as an area in which savings could be made.

Another point that needs to be stressed, and which the Member who proposed the motion did not make, is that, over the same three-year period, local government in Northern Ireland, which is much smaller in size and scale than central government, spent £23 million on consultancy. We can rightly criticise excessive expenditure in central government. However, we should also be mindful of what is going on in local government, where there is, proportionately, a much higher spend on consultancy.

At constituency level, individually, collectively or in our Committee work, it is grating to see former public servants dispensing the work that they used to do — often having been trained to do so at the expense of the public purse — as consultants. Perhaps that is a contribution to rebalancing the economy. However, it grates on me, and on a number of Members, to see that that is happening all too frequently.

Although attractive, the orthodoxy that everything to do with consultants is big and bad is not that easy to pull off. There is an old saying that using a consultant is similar to giving someone your watch and asking them to tell you the time. There is another joke about a farmer and a consultant, which I do not have time to go into. However, the point is that consultants are much derided for what they do and for the fact that, sometimes, they are seen to be doing things that organisations could do themselves. That is where in-house training and in-house consultancy work really comes in, and there is a need to grow those areas.

I find it rich being lectured, as we frequently are, by representatives from major consulting firms in Northern Ireland on the size of government and the need to rebalance our economy and to grow the private sector, given that many of those firms are very much dependent on public sector work for income. Some major consulting firms have done very well out of public sector work and have made massive profits from that.

Notwithstanding that, consultancy is not all bad. Our figures are not as bad as those in

the Republic of Ireland, where, in the past year, around €1 million a week was spent on consultancy. We could do better in comparison with some of the other devolved regions in the United Kingdom. However, there are jurisdictions that are performing much worse than we are.

Sometimes, there is a need to inject independence into the assessment of what is done by government. That cannot always be provided by what might be considered vested interests in the Civil Service and, therefore, may be better provided by outside eyes that are fresh to the situation. However it has developed, we have to accept that the Civil Service has a gaping lack of expertise and experience in certain areas. That must be corrected. Take the example of infrastructure projects. If we want to carry out a construction project and invest in our infrastructure, but do not have the relevant in-house experience in the Civil Service, that expertise will have to be brought in from outside. Sometimes, some of the work on such projects is done by architects. Are we saying that we should start to employ vast numbers of architects at high fees?

It is not as though the £50 million that was spent over three years can be suddenly reduced. If all consultancy work were carried out in-house, it would still be at a cost to the public purse. Therefore, this is about reducing expenditure rather than wiping it out. Sometimes, consultants can save the public purse money, if they make sound and solid recommendations that are implemented. If we put our hands up and be honest, we can all say that we have seen how consultants and their work are used, sometimes, as convenient cover for making tough decisions; whereby recommendations on difficult subjects are made, which would not have been the case if politicians or public servants had been involved.

Mr Deputy Speaker: Bring your remarks to a close.

Mr Hamilton: The DUP position, particularly in the context of the cuts, is that there should be more reticence to call in consultants and that there should be targets for reducing their use. The party also feels that there should be a need for increased ministerial approval for the use of consultants.

Mr Deputy Speaker: Your time is up.

Mr Hamilton: There should also be a 25% cut in expenditure for the use of consultants over the spending review period.

Mr Beggs: I also support the motion and thank the Members who tabled it. It is particularly pertinent, and the comprehensive spending review means that it is even more important for us to ensure value for money in everything that we do.

Over the years, some Departments seem to have become almost dependent on external consultants, and one must question the degree to which they have been used. We must acknowledge that there are specialist areas in which consultants can play an important role in key initiatives and there are areas that are so specialist that the specialised and up-to-date industrial knowledge, for example of the IT sector, may not be present in the public sector. We must improve how money is spent, reduce the amount of money that is spent on external consultants and look at the quality of our staff and their ability to handle such projects. However, we must also recognise that there are specialist skills that can be used to benefit the public sector, and it is important that we are balanced in what we do. Staff should be trained and the amount of money spent on consultants reduced, but we should not rule out the use of expertise from outside the public sector.

Given the salaries of some of the upper echelons of the Northern Ireland Civil Service, I must question why many of them are so reliant on external consultants. What are they doing to earn those large salaries? Do they have the right skills? If they cannot make basic decisions, something is missing in the skill mix in the public sector. Departments must strengthen those skills so that senior civil servants do not rely on the crutch of someone else taking their decisions for them. There will be occasions when they have to do that, but there are others when they should take decisions.

However, civil servants cannot be blamed for all the expenditure on consultants, because politics has also wasted money. Millions of pounds were spent on the redevelopment of the Maze and on the RPA. The political system did not secure value for money and those funds were wasted.

Some Departments need to avail themselves of consultancy firms more than others. However, if the figures are correct, the Department of Health, Social Services and Public Safety (DHSSPS)

spent £763,000 on consultants in 2009-2010, while the Department for Regional Development (DRD) spent more than £4.2 million in the same period. Northern Ireland Water (NIW) was a major contributor to external consultancy fees, with £30 million spent over a five-year period and £10 million spent in 2006-07 alone. There must be a way of regulating the use of that money.

One of the difficulties is single-tender consultancy projects, which have been used by OFMDFM among others. There must be rigorous regulation and control of the award of such contracts to ensure value for money. Departments seem to be dishing out millions of pounds every year to external consultants when staff, who should be equally competent, are available in-house, and, with extra training, should be more than capable of taking decisions.

A Public Accounts Committee report of 10 January 2008 highlighted that consultancy had doubled over a five-year period and that there was a need to reduce dependency on it. It also highlighted the need to develop an in-house consultancy service, and I look forward to hearing an update on that.

A compliance report by DFP in June 2009 considered whether the awarding of 195 single-tender actions was really about achieving value for money. Indeed, only 93 of those actions had accounting officer approval.

Mr Deputy Speaker: Bring your remarks to a close.

Mr Beggs: The report also showed that in two out of 22 single-tender actions, there was inadequate justification of the business case. We must be more careful about how we spend our money so that we can benefit the public.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle; thank you, Mr Deputy Speaker. When speaking on this topical issue today, we have to be conscious that taxpayers' money is paramount. I am sure that the Minister will tell us that. However, many of us who have sat on various Assembly Committees do not feel that taxpayers' money is being spent either prudently or wisely. In fact, in a series of Assembly questions, not including those from this year, I unearthed that £116 million was spent on a variety of consultants over a five-year period. I was absolutely shocked at those figures. I recognise that Departments need to deliver to the highest standards — I will touch on that point later — and that that means bringing in

expert opinion on occasions, but I am worried that the high level of consultant spending is not providing value for money.

There is an impression that high-ranking civil servants bring in outside consultants to certain projects to cover their backs if things go wrong and so that they can hide behind those consultants' opinions when they come before the Public Accounts Committee, of which you, Mr Deputy Speaker, and I are members. That means that we need more value for money, not only in consultancy spend, but in the wages that are paid to civil servants already. We could be forgiven for thinking that some senior civil servant management posts have been privatised in all but name, such is the extensive use of consultancy throughout the Civil Service.

The public are rightly very concerned about where tax pounds end up. My constituency office has been inundated with constituents who are annoyed about that high spending when their children cannot get jobs when they come out of school or university. They believe that, in many instances, the money could have been much better spent on front line services in health and education, on roads and, particularly at this time, on job creation. People feel that those at the top need to take a lead on these matters.

Many of us who have asked for detailed information on spending on consultants have been provided with inconsistent information. Indeed, about eight months ago, the Minister's party colleague Mr Craig and I discovered that a number of Departments provided inconsistent and, indeed, grossly inaccurate facts and figures on many occasions. Those Departments did not even know how much was being spent and could not provide either of us with accurate figures in response to the same question. That provides me with a lot of concern.

The motion outlines the need for more in-house work. Courtesy of the Minister, I have been provided with rates from the Central Procurement Directorate (CPD) for the construction-related services that it provides. Early rates vary from £72.11 for a principal professional technical officer to £40.44 for a professional technical officer. The Central Procurement Directorate needs to look carefully at what it is doing and the amounts that are being paid to other Departments. That is the same Central Procurement Directorate that,

coincidentally, gave PricewaterhouseCoopers (PWC) £30,000 to tell the world that Northern Ireland Water, which, also coincidentally, is one of its biggest customers, was a centre of procurement excellence. The Minister for Regional Development later decried that by saying that there were single-tender actions totalling £28.4 million, including one to PWC, which was the very same company that was propagating the idea of Northern Ireland Water as a centre of procurement excellence. The same company, again at the behest of CPD, twice awarded Translink the status of a centre of procurement excellence. However, that organisation cannot even find any record of a tender process for solicitors that is estimated to have cost £480,000.

I venture to say that the aims and objectives of the motion are laudable in that the public purse needs to be looked after scrupulously at this time, and moneys that could be spent excessively or, in fact, wrongly elsewhere need to be spent properly. However, if that is to be done in the public sector, the Civil Service and the Central Procurement Directorate, we have to be satisfied that the Central Procurement Directorate is up to the task.

1.45 pm

Mr Lunn: The Alliance Party also supports the motion. I notice that two of the proposers and several Members who made contributions are, like me, members of the Public Accounts Committee. The wording of the motion links easily to the recommendations of the 2007 PAC report.

That report stated that the cost of external consultancy had doubled in five years and looked like it was “out of control”. It recommended the development of in-house consultancy services, in particular that the Northern Ireland Civil Service should identify ongoing large-scale consultancy work and provide the skills necessary to deal with that type of work in the service. The report also commented strongly on post-project evaluations or, indeed, the lack of them in 88% of cases. It commented that those evaluations should have the potential to result in fees being recovered from consultants who had not performed and, perhaps, to remove consultants from framework agreements.

During the evidence session on that PAC report, the then permanent secretary in the Department of Finance and Personnel confirmed that, at

that time, he could not give an example of a consultant having been “fired” — that was my word, not his. In response to a question from me about recovery fees paid, another witness acknowledged that it was unsatisfactory that, if a contract was terminated, the Department should waive its rights of recovery of fees where appropriate. However, that is exactly what happened in the case of the Belfast to Bangor railway line, which cost the public purse a fortune.

There has also been a history of contract extension without proper validation of single non-tendered contracts in excess of prescribed limits. It is hard to escape the view that, for years, the relationship between companies performing those services and the Departments has been a bit too cosy and not businesslike enough. It has been too easy for the Departments to take the easy route; Mr McGlone mentioned that issue. Therefore, it is hardly surprising that, in those circumstances, costs escalated.

I look forward to hearing the Minister’s response to the debate. He has a difficult enough job at present to balance the books, and he should, therefore, welcome the suggestions in the motion, which mirror the PAC report recommendations.

Surely it is simply a question of sensible business practice. A good start would be to insist on an appropriate business case, a proper tender process for all but the most minor expenditure and the necessary COPE and framework processes for bigger contracts, followed by a post-project evaluation that has teeth. If we have to use consultants on larger projects, we should learn from the experience and develop the required in-house skills for the next occasion.

That is all predicated on the absolute necessity for the work in the first place and the inability to do some, if not all, of it in house. Given the size of, and experience in, the Civil Service, I am sure that work could be done in that area. Perhaps it is a matter of confidence or, as Mr McGlone said, failure to take responsibility, not wanting to incur a liability or even to face the wrath of the Public Accounts Committee.

I have no problem with using outside expertise or receiving advice, solicited or unsolicited. If we are paying for it, however, it really has to be the only option. I support the motion and

hope that the Minister can update us on all the improvements that he has made since 2007.

Mr McQuillan: Millions of pounds of taxpayers' money have been poured into external consultancy over the years. It is expensive, and we must clamp down on it, given the difficult economic circumstances in which we find ourselves.

There are many well-qualified people in the Civil Service who are capable of carrying out such tasks. Spending that sort of money is scandalous. A Department of Finance and Personnel report in response to the findings of the PAC report found that the Departments in Northern Ireland had spent £31 million on external consultants in 2007-08. Out of a total of 896 projects, 137 required DFP approval because it was estimated that they would cost over £75,000. Those 137 projects cost the taxpayer £28.5 million. That is 91% of the total expenditure for that financial year covering only 15% of the projects for that year. Some £11.25 million of that total cost came from the use of external consultants by arm's-length bodies or quangos. The primary purpose of employing external consultants for 2007-08 was for management consultancy work. I find that to be ridiculous. What do we employ people in human resources for? Furthermore, only 79% of the total consultancy cases were put through a tender process using the Central Procurement Directorate. The tender process is there for a number of reasons, primarily to prevent corruption, as well as to introduce competition into the equation in order to reduce expenditure.

A report compiled by the Northern Ireland Audit Office and published in 2004 identified external consultancy costs on the increase, with costs rising by 75% from 1997-98 to 2002-03. The report focused on value for money and the need for Departments to implement procedures to make use of guidelines with regard to the use of external consultants. Furthermore, the Audit Office found that there was little appraisal of the business cases for employing external consultants. In fact, very few Departments were found to have a business case. Few contracts for consultancies were found to have been tendered, with only two thirds being put through tender.

It is my belief that the Assembly should ensure that the majority of consultancy work is carried out within the Civil Service. During these difficult economic times, it is important that we save as

much money as possible for the Government to put into front line services, which, ultimately, because of the comprehensive spending review will be hard hit for cash. We should and could be using the money more wisely to benefit the people whom we represent. I support the motion and commend it to the House.

Mr McLaughlin: Go raibh maith agat, a LeasCheann Comhairle. I support the motion. I am speaking as a member of the Public Accounts Committee. Given the current economic climate and the challenges that are facing the Assembly, achieving value for money in the use of consultants is absolutely essential, particularly in securing public confidence. This is not the first time that the topic has come under scrutiny. The Public Accounts Committee held an evidence session on a report that was produced by the Comptroller and Auditor General's office in February 2008. The use of consultants has featured recently in the context of the CSR findings and the pressures that are on the Executive funding programmes. The public expects that the issue will be addressed seriously by the Assembly.

The February 2008 report highlighted concerns about the way in which consultancy expenditure was planned, managed and monitored by the Civil Service. It identified key issues and outlined recommendations — I think that there were 17 recommendations in all. It showed that the cost of external consultancy to Departments had almost doubled in a five-year period, and it looked like it was out of control. Spending on consultants amounted to £42 million in 2006-07 alone — I think that the figure was something like £116 million over the five-year period, and that included the £42 million. There may be some evidence that the figure is beginning to decline.

I welcome the presence of the Minister. I am sure that he will address these issues in his usual robust style. There may be some progress, and it is important to take note of that. Among the failings that we as a Committee were addressing was when consultancy projects were not being effectively designed to ensure that skills were transferred from the external consultants to in-house staff. There was no strategic focus on building up capacity. In the absence of a strategy to plug medium to long-term skills gaps, there was a danger of the Departments becoming ever more dependent on

external consultants. Some may feel that that threshold has already been crossed.

The statistics on consultancy expenditure are unsurprising, given that the Comptroller and Auditor General had reported that Departments had, to a large extent, been ignoring DFP's guidance on the use of consultants. It is not as though no efforts were made to provide guidance and support; it appears that that guidance was disregarded. Again, I suspect that the Minister will want to address that.

The Comptroller and Auditor General's report highlighted a significant number of cases where Departments did not undertake economic appraisals, tender competitively or conduct post-project evaluations. In almost three quarters of the cases that were examined, no business case was completed. More than 10% of consultancy contracts were not competitively tendered at all. In 88% of contracts, no post-project evaluation had been completed. Therefore, no attempt had been made to learn lessons and to feed them into the Assembly's institutional memory.

The Committee was amazed to find that 45% of contracts that were examined by the Comptroller and Auditor General had actually been awarded extensions or experienced cost overruns. The Committee's view is that extending contracts in that manner sends out a clear signal to consultancy providers that any attempts to generate additional and, perhaps, unnecessary work could well meet a positive response from Departments — positive, that is, from their perspective. It would hardly be a positive response from the point of view of those who are concerned about value for money.

With regard to management information, the report also highlighted concerns that Departments were unable to provide comprehensive and consistent information on consultancy expenditure in response to Assembly questions. Departments seemed to experience much confusion in distinguishing between external consultancy expenditure and other similar types of expenditure, including contracted services and staff substitution.

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

Mr McLaughlin: The DFP guidance deals with those topics. I urge Members to support the motion and I urge DFP to begin to examine how

it can enforce those guidelines and make them happen.

Mr Frew: I welcome the debate and the motion. I hope that the Assembly supports it.

This is something that needs to be looked at. It is essential that we do so and that there are checks, balances and openness. With openness comes responsibility in the wider public and in media circles not to grab headlines with how much consultants cost without looking at the entire picture. Money that is spent on consultants is only a small part of that picture. More importantly, the question that needs to be asked is whether we are getting value for money. Are we getting expert advice that is much more valuable than simple pounds and pence? Can we expect people in the public sector and the Civil Service to be experts at everything? Of course, the answer is no. However, each Department should continually monitor its use of consultants in order to ensure that it engages with them only when absolutely necessary and when they can provide value for money.

I agree with my colleague about the amount of money that has been spent on consultants by local government. However, if we look deeper, there are sound reasons why that is the case. For example, if a major build or project is undertaken in any council area, in order for them to do things properly, they will have to engage consultants. If they want to glean, attract or draw down money from outside bodies, or even from Europe, they have to do the thing right and get the business case right.

Another thing that muddies the waters is the use of civil engineering consultants. They are absolutely essential to the implementation of policies or major projects and builds. No major building can be built without input from architects and electrical and mechanical consultants. The use of civil engineering consultants, therefore, muddies the waters in that regard. When they see the headlines, people do not realise that all that has to be taken out. When one looks at the amount of money that is gleaned in grants, particularly by local government, and how much has been spent on consultants in order to get proper business cases and to get major projects off the ground and in service, one gets a much fuller picture.

Departments will be no different in that regard. I hope that, in his response, the Minister will tell the House whether he is satisfied that all

Departments are using proper business cases to implement their policies and projects. That would be an interesting line to hear from the Minister.

2.00 pm

Are we spending money wisely? I do not think so, given that there are 12 Departments, with each Department seeking out its own consultants for its own advice. We need to move to a position where we can reduce the number of Departments, but, again, we would probably need consultants for that also. We have to make sure that we do things right, spend money wisely and achieve value for money, but we are not experts at everything; any politician who tells people that he is is certainly not telling the truth. It is the same for the heads of the Civil Service; they are not experts at everything, nor should they be. It is right and proper at times that they engage consultants. It is a case of value for money.

Mr Elliott: The use of consultants is a big issue, particularly in these times of huge financial constraint. Consultants can actually help to save money at times, but often we see the opposite. I listened to Mr Frew on that point. What really concerns me is that consultants are sometimes used by government — local government or regional government — as a reason to do nothing. Officials bring in the consultants to draw up a report so that they do not have to take a decision. That is the wrong way to look at it.

We should ensure that each individual case is value for money, because often — I hope it is not widespread — people accuse consultants of just doing what the chief executive or permanent secretary wants them to do. The consultant's report will bring out what was initially supposed to be the officials' report, and they will use it as a tool to stop progress. What frustrates me and many in the private sector is that they will use a report just to slow down or stop progress. It is quite normal for a civil servant to blow the dust off a report that is maybe a few years old and tell the Minister that there is a paragraph in it that states that he or she cannot do something. That is what really frustrates the private sector.

We need to look at how we recruit civil servants into the higher echelons of that service. The private sector is not recognised well enough in that. A lot of the people who draw up those reports or those within the Civil Service do not

recognise how the private sector works and operates. In some instances the consultants can help in that regard, but in many other instances they fail to help the private sector to progress and build the economy. We in government rely on them to build the economy, and there is huge frustration in the community.

I do not think that anyone is calling — I certainly am not — for an immediate cessation of the use of all external consultants; that would be unwise. We need to look pragmatically at how we can deliver a better system for delivering the required reports and gain the required expertise within government. It is about shifting the balance. We have heard about shifting the balance in the economy, but we also have to shift the balance between how consultants are used and how much is done in-house. Sometimes there is a lack of initiative in government. Maybe that is a lack of confidence in ourselves or in our system for tackling those issues.

I know the amount of money that is being spent on consultants in the A5 road project that is currently being developed. Some of it may be necessary, but I am not so sure that it all is. I note the response to a freedom of information enquiry, which shows the very large amount that is paid monthly to one consultancy firm. There are questions to be asked about how that money is being utilised and whether it is being utilised in the best way.

It is a credit to the Ulster Unionist Party Ministers that their Departments have consistently spent some of the lowest sums on consultancy, even though their budgets are the largest. Last year, the Health Department's spending on consultants was £700,000, and DEL's expenditure was just £9,920. The Ulster Unionist Party supports the motion. Clearly, this issue needs to be addressed through a strategy.

Mr O'Loan: I support the motion. The use of consultants remains an area of concern. As mentioned in the motion, a review of that use and a shift from the use of external consultancy are desirable objectives.

The core test of any consultancy exercise or proposed exercise is whether the work can be carried out internally without the use of consultants. The specialist skills and know-how may not be available internally, or an independent view may be required. I will return to that point. There is no great confidence that that test is applied rigorously. There is a feeling

that much of the money spent on consultancy is wasted. I once heard of a large company that had a large advertising and marketing budget. It believed that half of its budget was wasted. The trouble was that it did not know which half. The story is much the same in relation to consultancy. Many of us share a gut feeling that all is not well in the consultancy environment. It is hard to distinguish between what represents value for money and is sound and necessary and what is wasted. Most certainly it is not all wasted, as other Members have said. Some of that consultancy and expertise is necessary, and the task is to identify which is which.

The rules and regulations that we might expect around this matter are, to a significant degree, already in place. At least, they are there in words. There is DFP advice that:

"Before deciding to engage external consultants, departments must be sure that the benefits...will outweigh the cost and that all in-house alternatives have been fully explored".

Those are exactly the words that we would want to be there. Business cases and approvals have to be in place for consultancy contracts over £10,000. Nonetheless, there is widespread dissatisfaction.

The debate we are having today is not a new one. There has been a plethora of investigations and reports in the consultancy arena over the past number of years. The Assembly's Public Accounts Committee issued a report on the matter in 2008 and, since then, the Department has reintroduced an annual compliance report. That is where we should be looking to get the up-to-date state of procurement of consultancy, but I do not think that we find it there. I found the report of 2007-08 rather disappointing; it was written at the level of generality. Nonetheless, even it manages to describe overall departmental performance as "generally acceptable". When it uses that language, we can be fairly sure that the situation is probably worse than that. I see it as damning with faint praise. The report goes on to say that:

"in some instances, departments have failed to provide evidence of robust procurement of consultancy."

I found a more direct commentary on the real state of the procurement environment in a National Audit Office report issued last month on central government's use of consultants

and interims. I will not go into the interims. The findings are that there has been:

"Limited and inconsistent progress...against recommendations made in previous...reports."

They tell us that Departments are not smart customers of consultants, that they do not adequately define the outputs and benefits that they want to achieve, that they do not assess the benefits delivered, that suppliers are not held to account through contracts and that Departments have not done enough to identify and plug core skill gaps by using more cost-effective alternatives to consultants, a point also referred to in the motion. That report is Westminster-based, but many of us may agree that the same would apply here.

The basic test for any proposed consultancy exercise is whether we need it at all. The process to approve projects in our Executive structure is too long and complicated, with too much of a belt-and-braces approach being taken. Insiders would quote that, and they would be accurate in so doing. It is often said, with a degree of veracity, that civil servants can be risk-averse and thus use consultants as protection against future criticism. In my experience, a significant amount of consultancy is wasted on projects that do not go ahead. I could cite as examples the Maze stadium and the decentralisation of public sector jobs in the Minister's Department, on which significant money was spent.

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

Mr O'Loan: That was about a lack of clear political direction.

Mr Deputy Speaker: Your time is up.

Mr O'Loan: Our civil servants are not responsible for that.

Mr Girvan: Many of the points that have been made are common sense, and we should be looking to take such an approach.

We cannot throw the baby out with the bath water. Many Members would wish to do so, but there are occasions when it is important and necessary to employ consultants to give advice to those who are spending money in order to back up their decisions. Unfortunately, a number of senior civil servants use that as cover for not

making a decision. I see a necessity for major savings to be made in local government.

To say that there has been no improvement would be wrong. In 2006-07, the cost of consultancy was £42 million, which was reduced to £31.8 million in 2007-08. Spending on consultants is now down to £25 million. That must be welcomed.

It is important that a proper business case be made when consultants are called in. Unfortunately, that is not being done on occasion, and a small, select list of consultants is being put forward to tender for work. Many of those are from consultancy firms that have seen a niche market set up that is nice and handy and easy to jump into. People retire from the Civil Service, get their pension and end up working as consultants, telling people what they already know in many cases.

(Mr Speaker in the Chair)

I know that the Minister will look into the matter, but it is important that all Departments make proper business cases. It is not just one Department; it is happening throughout the Civil Service. It is endemic in public spending. The people who make the decisions feel that it is not their money and so can spend it however they want. The days of willy-nilly spending without accountability are over. Spending has to be measured and must stack up.

Mr Frew said that we have 12 Departments. If we wish to reduce that number, we will probably need consultants to tell us so. Dear knows how much that would cost: probably more than it costs to run the Departments. However, it is important to welcome the fact that that reduction has taken place. A further reduction of 25% would not be out of order. I feel that that percentage reduction is achievable and would still allow us to be covered. I support the motion and welcome the fact that Members across the Chamber are taking a similar stance.

2.15 pm

Mr Spratt: I welcome the opportunity to speak in today's debate, although I do not want to cover again matters that have already been discussed in the Chamber. Consultants have their place in many areas, and, as someone said, we should not throw the baby out with the bath water. I have particular concern about arm's-length public bodies, which are spending

substantial amounts of public money. The Northern Ireland Policing Board's budget is almost £10 million a year. Government and the Department need to look closely at how money is spent in those bodies because there has been a tendency for people in those organisations to use consultants more or less as an insurance policy whenever decisions about major issues have to be made. Over the past five years, the Policing Board has spent some £700,000 on human rights legal advice from one lawyer. The Department needs to look critically at that area.

Another area that causes me considerable concern is single-tender actions. They, as with the awarding of any contract, could be open to exploitation. The Department needs to keep a close eye on arm's-length bodies and their spend. Single-tender actions were used on 195 occasions in the financial year 2007-08, but accounting officer approval was obtained for only 95. The Department has since issued guidelines to remove some of the confusion around those areas, but I am not sure about the checks that are in place for single-tender actions. The Department needs to delve into the single-tender actions of arm's-length bodies, given the considerable funding that some of them receive from the public purse. There are far too many single-tender actions, and they need to be checked regularly. I urge the Minister to address single-tender actions in his response and to assure the House that they will be examined very closely by the Department in future.

Mr McDevitt: Like many colleagues who have spoken, I welcome the opportunity to debate the issue. I declare a past interest: I made my money selling consultancy services to the Executive and others over the past decade. I may be able to bring an insight to the debate that we may not have had to date.

There is no question that there is a place in government for expert advice; however, there is a cultural deficit in consultancy and government in this region. We have become all too accustomed to outsourcing decisions at certain times and at certain layers in our bureaucracy. We find it all too easy to outsource decisions to individuals who can be contracted to assist with providing a system, Department or agency with an option on which to progress that the permanent system may not be willing to suggest. I guess that most people will say that

that is fair enough, but is it necessary? Is that the point of consultancy in the first instance?

There is a broader cultural issue, which relates to some of the points that Mitchel McLaughlin and other colleagues made about whether the consultancy and expert advice that is brought into a system, bureaucracy or private enterprise is, in fact, brought in to build up the capacity of that organisation to do what it has asked the consultancy to do. In other words, it is about providing a learning opportunity for that organisation. If that is so, that is great, but, of course, that is not the point of most consultancies, and it is certainly not how government contracts with consultants. In my experience, it is rare to be asked to provide advice and training. Consultants are generally asked to provide advice, which they give and then step back to let the system continue as it was.

In the aftermath of the debate, it will be important to explore those issues. If there has been a decade of managerialism in our public service and the priority has been to pursue a particular type of measurement in government — a target-centred type of government — and if it has been all about trying to define performance in certain ways and to measure different aspects of government output in ways that they have not been measured before, maybe there would have been or might have been a skills deficit in establishing such processes. However, there cannot be a perpetual skills deficit in working that type of system. So, what has gone wrong that has led to us continuing to need to employ so-called expert advice to meet a particular type of management structure in the Civil Service?

It has not stopped there. It has pervaded down. If we look at the community and voluntary sector, we can see that the culture that has emerged there is one of seeking external advice in order to be able to tender for future grants, develop business plans and build capacity to move into a new business or service area. That is the big issue in how government relates to its external advisers. Does it relate to them as external advisers who come in to offer advice and leave or should it relate to them as individuals and organisations capable of adding some degree of institutional knowledge and expertise that government retains, so that, a year or six months later, it does not need to go and buy the same service again?

The debate that we may want to have in the next couple of years is whether to invest wisely but invest once, so that we do not need to continue to ask the same people again and again and again to do the same type of work again and again and again. It is my sad experience that I was asked all too often to do the same job over and over and over again, when probably, in all honesty, if the advice had been absorbed once, it would have been enough.

Mr Speaker: As Question Time commences at 2.30 pm, I suggest that the House takes its ease until that time. The debate will continue after Question Time, when the Minister will respond.

The debate stood suspended.

(Mr Speaker in the Chair)

2.30 pm

Oral Answers to Questions

Office of the First Minister and deputy First Minister

Mr Speaker: Questions 2, 4, 5 and 6 have been withdrawn.

Children's Services

1. **Mrs McGill** asked the First Minister and deputy First Minister what consideration the Executive have given to carrying out a strategic review of services affecting vulnerable children as part of planning for the next Programme for Government. (AQO 367/11)

The First Minister (Mr P Robinson): With your permission, Mr Speaker, I will ask junior Minister Mr Newton to respond.

The junior Minister (Office of the First Minister and deputy First Minister) (Mr Newton): I thank the Member for her question. I understand the concerns of many Members about this issue. It is a matter of great concern for the Office of the First Minister and deputy First Minister (OFMDFM). Following the Budget announcement on Wednesday 20 October, Department of Finance and Personnel (DFP) officials have been finalising the implications of the Budget settlement for the Northern Ireland block and will bring forward recommendations to Executive colleagues. I am sure that the Member will understand the need for all Ministers to engage with the Finance Minister on departmental budgets.

A major element of the discussions on the Budget, the Programme for Government and the investment strategy will be about how the Executive can address issues affecting the most vulnerable, especially those at risk of poverty and social exclusion, including, of course, vulnerable children. The Executive subcommittee on poverty and social inclusion, of which the Member will be aware, has asked officials to undertake work with colleagues from other Departments to progress priority actions

that will benefit those individuals and groups in greatest objective need.

We are also developing a child poverty strategy, which 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. For example, childcare has been identified as a major barrier to people joining or rejoining the workforce. Work on that initiative will, we hope, benefit vulnerable groups, such as lone parents and low-income families and will contribute to efforts to reduce child poverty, which is a matter of concern to us all.

Mrs McGill: Go raibh maith agat, a Cheann Comhairle. I thank junior Minister Mr Newton for his response. Given the criticism by the UN Committee on the Rights of the Child, can the Minister assure the Assembly that a consistent process will be put in place to allow for the identification of expenditure on vulnerable young people?

The junior Minister (Mr Newton): I assure the Member that that will be the case. In fact, the Executive's commitment to tackling child poverty is clearly outlined in public service agreement (PSA) 7 in the Programme for Government document, which includes commitments, not just to work towards the elimination of child poverty by 2020 and to reduce child poverty by 50% by 2010, but to work towards the elimination of severe child poverty by 2012. The proposed method of measuring severe child poverty will, hopefully, be submitted shortly to the Executive for consideration. It is based on a mix of income plus a material deprivation definition that will produce a headline figure that can be monitored over time. All Departments will also have to consider how best to target the most vulnerable groups. Once agreed by the Executive, the method will be used to measure and monitor, and, hopefully, we will see the eradication of child poverty.

Mr Speaker: Question 8 has been withdrawn.

Mr Elliott: Mr Newton mentioned the child poverty strategy. Given that the Executive are not meeting their Programme for Government target on child poverty issues, what mechanisms do the Department and the Ministers hope to put in place to meet those targets? What cognisance will be given to the Committee for the Office of the First Minister and deputy First Minister's report on child poverty?

The junior Minister (Mr Newton): If my information is correct, we may appear before the Member. I understand that he will chair the OFMDFM Committee. Is that right?

The First Minister: Yes; it was announced this morning.

The junior Minister (Mr Newton): The ministerial subcommittee on children and young people, which is chaired by both junior Ministers, identified childcare as a priority and, indeed, tasked members of its cross-departmental subgroup on child poverty to undertake an exercise to consider the issues. A preliminary report was completed in June, and the ministerial subcommittee agreed that a policy and economic appraisal should be carried out on a range of strategic options. The consultancy company FGS McClure Watters was appointed to carry that out and has now completed its policy and economic appraisal.

A paper on the report, which outlines the appraisal's key findings, has been prepared for the Executive. When the Executive have considered it, the next phase of the work on the development of the childcare strategy will begin. That will require consultation, and the work will be carried out in a cross-departmental way, with an identified lead Department. The Member will be aware of the Child Poverty Act 2010 and will know that it became law in the UK on 25 March 2010. It provides a statutory basis for the Government's commitment in 1999 to eradicate child poverty by 2020. Its stated purpose is to give impetus to the Government's commitment and to drive action across all Departments and the devolved Administrations.

Miss McIlveen: The junior Minister mentioned childcare in a number of answers. Will he explain in more detail the impact that childcare can have on poverty and, perhaps, give a timescale for the publication of the childcare strategy?

The junior Minister (Mr Newton): I thank the Member for that important question; I know that she has a great interest in that area.

As I said in response to the original question, that subject goes to the very heart of the problems for many individuals and families throughout Northern Ireland. We firmly believe that the best way out of poverty is through a job with a reasonable wage. The lack of affordable childcare has been identified in a range of reports and research as a significant barrier to

employment, and the promoting social inclusion report on lone parents identified a lack of access to affordable care as a key contributing factor to poverty. That was enhanced by the lack of sharing of parenting responsibilities. That is why OFMDFM has stepped in to prevent the closure of the PlayBoard schemes, which deliver affordable quality provision in areas of highest disadvantage. However, we are also aware that a lack of affordable childcare has a significant impact on working couples, and research indicates that it increases pressure on a parent to find affordable care and to move into employment.

Mrs M Bradley: What discussions have taken place with the Executive about the next Programme for Government?

The junior Minister (Mr Newton): I thank the Member for her question. The first meeting of the ministerial-led group on poverty and social exclusion and, indeed, the stakeholder forum took place in June 2010 and was co-chaired by the two junior Ministers. The original sectoral membership, namely across the Departments, was retained. At that meeting, there was, quite rightly, a lobby to allow an additional two members to join the group, one from Gingerbread and one from Barnardo's. They were subsequently permitted to join the group.

That was the right decision. At that meeting, it was agreed to amend the terms of reference for the forum to reflect the introduction of the child poverty strategy, which I referred to in my reply to Mr Elliott. It is planned to hold the next meeting of the forum in a few days' time to tie in with the next Executive subcommittee meeting on poverty and social exclusion.

Mr Speaker: Question 2 has been withdrawn.

Public Expenditure: Vulnerable People

3. **Mr Humphrey** asked the First Minister and deputy First Minister what work the Executive are currently undertaking to ensure that the most vulnerable people are protected in the context of budget cuts. (AQO 369/11)

The First Minister: There are often withdrawals from horse races when it is raining and the going is soft, and we have certainly suffered from that today.

The Assembly will be well aware of the ongoing efforts that the deputy First Minister and I are

making to ensure that the Budget settlement for the people of Northern Ireland is fair, that it protects our Programme for Government commitments and that, at the same time, it reflects the austere financial environment in which we find ourselves. As part of the spending review process, we bid for specific funding to target some of our most disadvantaged areas. Our aim is to address deprivation, sectarianism and poverty in a strategic way and to enable families, including lone-parent families, through a pilot programme, to increase the amount of money that they are able to earn through part-time work without affecting their income support. Subsequent to that bid, the outcome of the comprehensive spending review was announced on 20 October, and officials in Departments are now working through the detailed implications of the Budget settlement.

Mr Humphrey: I thank the First Minister for his response. Will he provide an update on the progress in developing the proposed community renewal scheme?

The First Minister: The deputy First Minister and I have had many discussions about that programme, which we are both committed to. We have not finalised the details, but such was the timing of bids being required for the Budget that we made a bid for £30 million for revenue and £30 million for capital.

The principle behind the proposal is that we will look at areas of deprivation and which have been impacted by the conflict. We will look to see where there is educational underachievement and where there are people who are unemployed, particularly areas where there are many long-term unemployed people. We will look at the barriers to employment, the physical infrastructure of an area and the facilities and the provisions that are available. We will look in a holistic way to see how we might be able to give support. We will want to do that in partnership with local communities, and, hopefully, we will have the scheme at a stage where we will be able to bring it to our Executive colleagues, get support for it and get funding through the Budget process.

Mr McElduff: Go raibh maith agat, a Cheann Comhairle. Tá ceist agam don Chéad Aire.

Will the First Minister outline any additional revenue-raising initiatives that are being explored or examined by the Executive?

The First Minister: I would not dare, because, as soon as I was to mention them, they would become proposals. We are considering a significant number of revenue-raising initiatives, some of which will be hair-raising as well as revenue-raising. I do not wish to start panic in the community, because the likelihood is that many of them will be rejected. It is right that, in these circumstances, the Executive look at all the possibilities. We will have to look at reducing costs, increasing revenue and trying to get more done for the same amount of money or less. Those are the options that are open to the Executive and, clearly, the obvious areas are those such as the regional rate. I can tell the Member that there is no consensus for raising revenue through water charges.

Ms Lo: A lot of the services that help the most vulnerable people are delivered by the voluntary and community sector. Will the Minister assure us that those services will not be cut disproportionately?

2.45 pm

The First Minister: I assure the Member that I am a strong supporter of the community and voluntary sector. It does tremendous work and does so at a much lower cost than the state ever could. Over the past few days, I have had the opportunity to go out to see some of the work in which it is involved. The extent to which the people involved give up their time voluntarily, and the fact that they do so enthusiastically, indicates that the sector should be expanding rather than contracting at this time of difficulty.

Mr Speaker: Questions 4, 5 and 6 have been withdrawn.

Disability Discrimination

7. **Mr Gardiner** asked the First Minister and deputy First Minister what assessment they have made of the effectiveness of the legislation in relation to disability discrimination. (AQO 373/11)

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

The junior Minister (Mr Newton): I thank the Member for his important question. The Member raises an extremely serious issue, which impacts on not just the individuals concerned but their wider family. For that reason, we are considering the options for legislative reform.

We continue to legislate in order to provide legal protection against discrimination and to promote equality of opportunity. Since the restoration of devolution, we have introduced legislation to strengthen and to improve the rights of individuals in a number of different areas.

The Equality Commission for Northern Ireland had a statutory duty to prepare and to publish a report on the effectiveness of the disability duties. It published a report on 23 December 2009 that provided an evaluation of the progress that public authorities and the Equality Commission for Northern Ireland had made to date in implementing the disability duties. The report also sets out the commission's recommendations from that evaluation. However, it is vital that all legislation, not just that relating directly to disabled people, take account of disabled people's needs. Departments must continue to lead by example through the comprehensive use of proofing and monitoring systems to ensure that legislation and policy reflect disabled people's interests.

Mr Gardiner: I thank the junior Minister for his in-depth response. Can he assure me that the Department will set aside a leg of its operations for investigating cases of disabled people being discriminated against who may not have the necessary powers and thus may have to take cases to court?

The junior Minister (Mr Newton): I can give the Member that assurance. The report provides an evaluation of the progress that public authorities and the Equality Commission for Northern Ireland have made to date in implementing the disability duties. The report also sets out the commission's recommendations in response to the evaluation. The Equality Commission should, therefore, seek to achieve change by bringing about more effective coherence of section 75 duties and the disability duties legislation. It should seek to make enforcement powers more robust through the process of legislative review.

Mr Easton: Will the junior Minister assure the House that legislation in that area has been updated and will be updated until the end of this mandate?

The junior Minister (Mr Newton): I thank the Member for his question. I know that he has a specific interest in the subject.

In answer to Mr Gardiner's question, I said that it is vital that all legislation, not just that relating

to disabled people, take account of disabled people's needs. We have introduced a number of changes to disability discrimination legislation to improve the lives of disabled people here. For example, we have amended the definition of "disability" so that people with progressive conditions are deemed to be disabled from the point of diagnosis. We have also made it unlawful to treat a disabled person less favourably than others, for a disability reason, in the disposal or management of residential, commercial and other premises. We have also imposed new duties on public authorities and private clubs to make reasonable adjustments for disabled people and have made it unlawful for transport operators to discriminate against a disabled person.

I get a sense of the Member's concern from his question, and I know that he has an interest in affordable childcare. We are continuing to look at areas to ensure that disabled people are not discriminated against by any Department. The legislation will ensure as best it can that the rights of those people are the same as those of any able-bodied person.

Mr P Ramsey: Will the junior Minister reassure me and the many throughout Northern Ireland whose family members have communication difficulties as the result of a stroke and who believe that they are being discriminated against as they cannot get the fundamental access to speech and language communication skills that that issue is being addressed?

The junior Minister (Mr Newton): I thank the Member for his question. Again, from experience, I know that he has an interest in that area.

At the risk of repeating what I said in response to Mr Gardiner and Mr Easton's questions, I reiterate that we are working towards ensuring that there is no discrimination against anyone, regardless of their impediment or disability. We believe that the rights of those who are deemed to be disabled should be equal to those who are able-bodied.

Mr Speaker: Question 8 has been withdrawn.

Child Abuse

9. **Mr A Maginness** asked the First Minister and deputy First Minister to outline their plans on a way forward in dealing with institutional child abuse. (AQO 375/11)

The First Minister: On Thursday 22 July of this year, the deputy First Minister and I met a group that represents victims of institutional abuse. A second group has since been in contact, and a meeting between advisers, officials and that group has also taken place. The group that we met wanted to discuss a range of issues, such as an apology on behalf of the state, establishing a public inquiry and getting an assurance that no child would be put in a similar situation today.

The Member will appreciate that some complex legal and relationship issues are involved with this matter. In light of that, and as a follow-up to the meeting of 22 July, we have asked our officials, pending an Executive decision, to urgently co-ordinate the taking forward of the issue with other relevant Departments.

Actual policy responsibility for such institutions here is split across what are now the Department of Health, Social Services and Public Safety, the Department of Education and the Department of Justice. Although mindful of the legal constraints that need to be identified, and given the age of some of the victims and the time that they have carried this suffering for, we are determined to move on the matter as quickly as possible. Consequently, the deputy First Minister and I have agreed that our Department will take the lead in progressing the matter and will form a working group with the Departments that have operational responsibility for the issue.

Pending the outcome of the working group, we have directed officials and advisers to arrange a meeting with the group to identify its needs and how some of those may be met in the short term; to examine ways to provide financial support to the group as it acts as a conduit for those who suffered institutional abuse; and, in conjunction with the group, to bring forward proposals about the shape and form of any inquiry and to engage with all concerned on its terms of reference. That work has 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.

Mr A Maginness: I thank the First Minister for his detailed response. I think that we all note the sensitivities and legal complexities that are involved in this situation. Will the First Minister reassure the House and the victims of institutional child abuse that efforts will be made to speedily bring about the proposals that

the First Minister talked about and that action will be taken sooner rather than later?

The First Minister: I give an absolute undertaking on that matter. The deputy First Minister and I found it difficult to listen to the experiences of the people we met. After the meeting, we were in no doubt that we needed to take action and that we could not hang around in doing so. I understand that, since then, a number of meetings have taken place between the group and our officials. I believe that there have also been interdepartmental meetings. Therefore, the work is ongoing.

As I said, a second group has expressed an interest in talking to us about those matters, and we will take on board the issues that it raises. I suspect that many will be similar to the issues raised by the group that we have already met. There will be no sweeping of the issue under the carpet; we intend to deal with it and to give those involved as much assistance as possible. All that will be done within the context of recognising how sensitive and hurtful an issue this is for many of those involved.

Mr Bell: Given the pain of child sexual abuse, does the First Minister agree that it is critical that procedures are in place today that allow those who have been victims of child sexual abuse to receive the healing therapies that they deserve, to ensure that they are never again subjected to any vows of silence, and to ensure that alleged perpetrators can be properly investigated rather than moved around so that they can abuse other children?

The First Minister: I appreciate the Member's experience from his previous employment in which he dealt with such issues; he knows the trauma that abuse causes. We saw that trauma first-hand when we met people who had lived their lives with the impact of abuse in their early years: it destroyed their lives. Therefore, it is vital that people know that help is available. If people have information about others being abused, the PSNI are ready to take that information and to act upon it.

Mr Speaker: Questions 10 and 12 have been withdrawn.

Supporting Life's Journeys

11. **Mr Campbell** asked the First Minister and deputy First Minister to outline how their recently launched programme Supporting Life's

Journeys will assist voluntary groups working with people in hard-to-reach communities to access education programmes which help them to find employment. (AQO 377/11)

The First Minister: I am glad that the Member came today. We are running out of questions and will be in trouble if we go much beyond this one.

Supporting Life's Journeys is a UK-wide campaign run by the Mentoring and Befriending Foundation and sponsored by the Department for Work and Pensions as part of 2010's European year for combating poverty and social exclusion. On 11 October 2010, at the invitation of the Mentoring and Befriending Foundation, junior Minister Newton and junior Minister Kelly launched the Northern Ireland campaign at an event in the Long Gallery in Parliament Buildings. The Supporting Life's Journeys campaign aims to raise awareness of the benefits of mentoring and befriending and to highlight the opportunities that that offers to support some of the most vulnerable people in the community. The campaign is seen as an excellent opportunity to promote volunteering and to provide a platform for volunteers and service users to explain how volunteering can change lives and communities for the better.

The Executive are keen to advance programmes or initiatives that target the most vulnerable, including the most disadvantaged communities. To that end, the Executive subcommittee on poverty and social inclusion is progressing work on priorities that address issues relating to the overall map of poverty and social exclusion here.

Mr Campbell: I thank the First Minister for his response. Will he ensure that liaison and discussion occurs between departmental officials in his Department and, for example, those in the Department for Employment and Learning (DEL)? Excellent work is being done by mentoring organisations, particularly by a group in my constituency. Those organisations particularly want to get hard-to-reach communities involved so that educational attainment and job prospects can improve. However, that can happen only if there is close co-ordination and liaison between Departments.

The First Minister: I am glad that the Member has identified that. The concept of joined-up government is not new. However, it is not best served by the territorial departmental splits that we have in Northern Ireland. Now that the

Member has drawn it to our attention, I will ensure that we have good co-operation between Departments on this issue.

Border Areas

13. **Mr McHugh** asked the First Minister and deputy First Minister what work the Executive are undertaking with the Irish Government to assist people living in economically disadvantaged border areas. (AQO 379/11)

The First Minister: He hopes that this is it.

Two EU programmes, Peace III and the INTERREG IVa cross-border co-operation programme, include Northern Ireland and the border region. Both programmes operate over the period 2007-2013.

Peace III has a budget of £302.6 million, or €332.3 million, and INTERREG IVa has a budget of £232.7 million, or €256 million. Those programmes include impact on poverty as a cross-cutting theme.

3.00pm

Programme implementation conforms to the principles outlined in the relevant anti-poverty strategies in each jurisdiction. The impact on poverty cross-cutting themes ensures the targeting of effort and resources towards people, groups and areas that are, objectively, shown to be the most socially disadvantaged. The theme is reflected in the project selection criteria for both programmes as agreed by the Northern Ireland Executive.

The Department of Agriculture and Rural Development and the Irish Government's Department of Community, Equality and Gaeltacht Affairs are taking forward, as co-accountable Departments, the rural development sub-theme of the EU INTERREG IVa programme. That sub-theme was developed to build on the success of the INTERREG IIIa rural development measure. It will, more specifically, support the economic regeneration of disadvantaged rural areas in the eligible programme areas of Northern Ireland and border counties of Ireland and western Scotland. Applications are under assessment.

Arising from discussions between Executive and Irish Government Ministers at the North/South Ministerial Council meeting, the joint-secretariat is taking forward work on a number of new and emerging cross-border mobility issues that impact on those in the border region. Those

include access to welfare benefits, taxation issues, the mutual recognition of vocational qualifications and access to vocational training programmes.

Culture, Arts and Leisure

Mr Speaker: Question 3 has been withdrawn.

Museums

1. **Mr Armstrong** asked the Minister of Culture, Arts and Leisure what plans his Department has to develop a local museums network.

(AQO 382/11)

The Minister of Culture, Arts and Leisure

(Mr McCausland): A number of networks exist across the local museums sector that allow the sharing of professional expertise, best practice and the general exchange of ideas. For example, through the Northern Ireland Museums Council (NIMC), local museums have links to various national and international networks. The Department of Culture, Arts and Leisure's (DCAL) draft museums policy also reinforces the need for good communication and networking across the whole museums sector.

I have requested that my officials undertake a review of all arm's-length bodies funded by my Department. That will include consideration of National Museums Northern Ireland (NMNI) and the Northern Ireland Museums Council, and the necessary mechanisms will be put in place to deliver any changes needed to ensure that, wherever possible, front line services are protected in the current difficult financial climate. Any improvements that can be initiated to the current networking processes as part of that review are most welcome.

Mr Armstrong: Does the Minister agree that one of the best ways to develop local tourism is to ensure that local historical finds are located in local museums and interpretive centres close to where they were found?

The Minister of Culture, Arts and Leisure:

There is no substitute for having artefacts in museums. That is what people go to museums to see, and they are what give museums added value and attraction. When artefacts are in a local place, they have particular importance and significance.

Mr Neeson: One of the best local museums in Northern Ireland is in Carrickfergus, and the Minister is very welcome to come to visit it.

Mr A Maginness: Are you sure? *[Laughter.]*

Mr Neeson: Will the Minister's Department include the development of maritime heritage as part of its museums strategy?

The Minister of Culture, Arts and Leisure: We have been working on the museums policy; we have had the consultation period and are now looking at the results. The intention was that there would be an overarching museums policy and that other sectors would be considered under that policy. One of those sectors is maritime heritage, which is very important.

Mr Leonard: Go raibh maith agat, a Cheann Comhairle. There is no doubt that the Minister will appreciate the contribution made by smaller, independent museums. Through the review process, and from his own perspective, has the Minister taken a view on the role of the Museums Council in developing those small, independent museums? Is he aware of any pitfalls that he wants to address on an ongoing basis?

The Minister of Culture, Arts and Leisure: I have a particular interest in the work of the Northern Ireland Museums Council. I indicated to the council's chairman in May 2010 that I am content to extend the organisation's funding until March 2015, subject to budget cover being provided by the Executive. That is discretionary rather than statutory funding. At the moment, the work of NIMC is part of the review of arm's-length bodies, which also involves the national museums. That review is absolutely essential.

Mr Burns: Will the Minister tell us what funding will be cut from the museums budget now that the comprehensive spending review has been completed?

The Minister of Culture, Arts and Leisure: It would be premature to give specific figures at this stage. Work on the CSR is ongoing. The process that will determine the amount of money and how it will be distributed in the Department is not yet complete.

Mr Humphrey: Does the Minister agree that, although the development of museums across Northern Ireland is important, it must be based on them being quality and attractive museums, bearing in mind the key issue of the running costs and sustainability of such museums?

The Minister of Culture, Arts and Leisure:

If museums are to have a future, they need to bring people in through their doors. That means that there must be high-quality exhibits and programmes that have a broad appeal. That is the way to get more people in. On a recent visit to America, we visited museums in several places. I was impressed by how much emphasis those museums place on meeting and addressing the needs of the community and making the museums as popular as possible.

Libraries: Irish Language

2. **Mr Molloy** asked the Minister of Culture, Arts and Leisure to outline the policy for the provision of Irish language books and materials in public libraries and the review procedures in place to address any inadequate provision.
(AQO 383/11)

The Minister of Culture, Arts and Leisure: I

thank the Member for his question. Libraries NI is responsible for the provision of all public libraries stock and has had a stock policy in place since April 2009. As Minister, I wish to ensure that our libraries contain relevant, appropriate and sufficient stock levels, as that is an essential component in the maintenance of successful and vibrant libraries. Libraries NI takes its responsibility to provide appropriate stock for our community very seriously. Its stock policy is overarching in nature rather than specific to an individual language, whether that be Irish, Polish, Portuguese or Ulster Scots. A key stock policy objective is the promotion, through stock provision, of cultural awareness and varied cultural expressions of the arts, scientific achievement and innovation. I would be pleased for my officials to forward a copy of the Libraries NI stock policy to the Member for his information.

Mr Molloy: I thank the Minister for his answer. Does the Library Authority have any plans to mark Irish language week, which will occur in March 2011? What are those plans?

The Minister of Culture, Arts and Leisure:

Libraries NI facilitates a number of activities to provide services for Irish language speakers. Among those activities is the celebration of Irish language week. Falls Road library hosts annual Christmas concerts and plays that are performed in Irish by an Irish language school in the area. There are also performances by Irish-speaking theatre companies, and so on.

Mr Buchanan: What percentage of library issues are Irish language materials? Given the current economic climate and the fact that Irish is a minority language, does the Minister not agree that we need to be careful about what we spend money on?

The Minister of Culture, Arts and Leisure: The Library Service's Irish language collections are based in locations where there is an identifiable community need — for example, where there is a Bunscoil, a Gaelscoil or a known Irish-speaking community. Our libraries have 11,684 items of Irish language stock, which represents 0.004% of the total library stock.

The significant figure is that there were 2,352 issues, as against total library issues of 4.7 million. That works out at 0.0005%, which is below what might be expected on the basis of library stock. There is certainly a need to be careful with budget expenditure, but it is modest, and the uptake has not been as great as might have been expected.

Mr Beggs: Will the Minister agree that, given the economic conditions, his Department ought to be concentrating on using its resources to benefit the entire community and to show value for money? Will he also advise on what is stopping the Irish language bodies from investing some of their funding in events or books?

The Minister of Culture, Arts and Leisure: As I indicated in an earlier answer, there is not a specific policy for the Irish language. What we have is a policy for languages, developed by Libraries NI. If we were to go down the road of saying that a particular language should pay for its books, we would have to apply that across the board, and I am sure that the Member would not want to see us extend that to the various ethnic minority communities in Northern Ireland. However, there is a recognition that we need to be careful in the expenditure of money, and I am sure that Libraries NI will be careful in that way. It is a modest provision, and the uptake has been very modest.

Mr D Bradley: Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom a fhiafraí den Aire a n-aontaíonn sé liom go bhfuil sé thar a bheith tábhachtach do chainteoirí teangan go mbeadh rogha leathan leabhar agus áiseanna foghlama ar fáil sna leabharlanna i dTuaisceart Éireann?

Does the Minister agree that it is extremely important for speakers and learners of languages,

including the Irish language, that libraries in Northern Ireland have an up-to-date and wide stock of teaching and learning materials available to the general public?

The Minister of Culture, Arts and Leisure: As I indicated, a policy developed by Libraries NI is in place, and Irish-language collections are located in areas with a community need. As I indicated, however, the uptake has not been as great as might have been expected.

Mr Speaker: As indicated earlier, question 3 has been withdrawn.

Angling

4. **Mr A Maginness** asked the Minister of Culture, Arts and Leisure for an update on the proposed audit of the angling estate. (AQO 385/11)

The Minister of Culture, Arts and Leisure: I understand that the Culture, Arts and Leisure Committee report on its inquiry into inland fisheries in Northern Ireland, carried out in 2000, recommended an audit of the DCAL public angling estate. Since then, my Department has regularly reviewed the condition of all waters in the public angling estate, with particular regard to access, facilities and fish stocks. The exercise plays an important role in informing and prioritising the annual work programme for the maintenance, improvement and development of the public angling offering.

DCAL inland fisheries staff make regular inspections of all public angling estate waters, and those are vital to identifying matters that require urgent attention and those that need longer-term enhancement. There is also regular liaison with individuals and angling clubs, which is invaluable in gathering the views of the angling fraternity on how it feels the public angling estate should be improved and developed.

In particular, significant strides have been made in providing facilities for disabled anglers, and my Department is grateful for the input from that group in developing those. DCAL inland fisheries staff have a detailed work programme for the public angling estate, which delivers the maximum benefit despite increased pressures on resources. That programme ensures that all works are completed to the required standard and within agreed time frames. In that way, the DCAL inland fisheries group strives to provide a public angling estate that is affordable and

accessible and offers a range of high-quality angling experiences.

Mr A Maginness: I thank the Minister for his response. Angling is a very popular pastime in Northern Ireland and an attraction for tourists.

I was not quite certain whether the audit that I referred to in the question was continuous. Is the information that is gleaned from that audit made available on a widespread basis, or is it simply something that the Department gathers and holds to its own? I think that it is important that that information is given widespread publicity.

3.15 pm

The Minister of Culture, Arts and Leisure: The Department has a total of 63 individual fisheries in the public angling estate (PAE). Those include loughs, rivers and canals. As I indicated in my initial answer, the estate is reviewed regularly. I can come back to the Member with further information about how frequently that happens, the availability of the information and its circulation. The information is vital in informing the Department's work programme.

Mr McElduff: Go raibh maith agat, a Cheann Comhairle. Tá ceist agam don Aire fosta.

Will the Minister provide some clarity on the role and remit or interest of The Honourable The Irish Society in either increasing or decreasing access for anglers?

The Minister of Culture, Arts and Leisure: There are certain waters in which the society has a particular interest. Again, I will come back to the Member with further information on that; I do not have it to hand.

Miss McIlveen: How much does the public angling estate cost the Department?

The Minister of Culture, Arts and Leisure: A certain cost is involved, but, as I indicated, there is a range of reasons why it is important that we have the public angling estate. Some of those reasons have been identified. In 2010-11, the DCAL inland fisheries group has allocated £283,000 on PAE costs. That includes £126,000 direct spend on the public angling estate; £52,000 on rents and leases; and £115,000 on Movanager fish farm. Those figures do not include staff costs, which are estimated at around £600,000 for 2009-2010, or administrative overheads, which are estimated to be approximately £140,000 per

annum. In 2009, DCAL received a net income of £270,000 from the sale of permits.

Mr Gardiner: How much damage has been caused to the angling estate in the past 10 years by pollution incidents? To what extent has their impact been reversed?

The Minister of Culture, Arts and Leisure: It may be slightly optimistic on the Member's part to expect me to be able to produce figures for the past 10 years. That is the sort of information that is more suitable for the Library. However, pollution incidents pose a serious risk to fish stocks in PAE waters. DCAL staff work closely with the Northern Ireland Environment Agency, which is the lead agency on those matters, to investigate potential pollution incidents and to gather evidence to take prosecutions. Confirmed pollution incidents resulting in fish kills in PAE waters are, thankfully, rare. There have been only two such instances in recent years, but there were several instances of fish deaths that were due to environmental stress, which can be caused by a number of factors, including weather conditions, the temperature of the water and the levels of oxygen in the water.

Mr McCarthy: The Minister acknowledged the tourism potential that the angling estate has throughout Northern Ireland. Does he agree that, in this age of electronic communication, it is disappointing that it is still not possible for anglers, wherever they come from, to secure their fishing permits through an online provision?

The Minister of Culture, Arts and Leisure: I take note of the Member's suggestion.

2012 Olympics: Athlete Training

5. **Mr W Clarke** asked the Minister of Culture, Arts and Leisure what his Department is doing to attract athletes to local training facilities in advance of the 2012 Olympics. (AQO 386/11)

The Minister of Culture, Arts and Leisure: A pre-games training camp subgroup chaired by Sport NI has been established. It has representation from DCAL, the Northern Ireland Tourist Board (NITB), Invest NI, Disability Sport Northern Ireland and local government. Although a number of national Olympic committees and national Paralympic committees are considering Northern Ireland as a destination for their 2012 pre-games training camps, it is important to be realistic about the sorts of countries and sports

that we are likely to attract and the benefits that are associated with them.

In any case, it is unlikely that final decisions will be made earlier than spring 2011. The subgroup is working closely with sports' governing bodies, local authorities and key contacts to ensure that Northern Ireland's facilities are promoted appropriately. In the current financial climate, I will consider the need for all expenditure in my Department carefully.

Mr W Clarke: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his response. Does he accept that his Department has been more than slack in exploiting the potential of the 2012 Olympics, particularly with regard to the low uptake of training facilities' potential and the opportunity to showcase the North for activity tourism?

The Minister of Culture, Arts and Leisure: No. I do not agree. I want to make two points in response to the Member's question. First, it has to be accepted that some people may have had unrealistic expectations about what could be achieved. Secondly, although my staff have been working hard with Sport NI in that regard, it is unrealistic to expect very great returns, particularly as, at present, it is difficult to say what the final outcome will be. As I said in my answer to the Member's initial question, it will be spring 2011 before we know the final number of teams that will come here. We have worked with some countries, such as Jordan, and it tends to be that type of country that considers Northern Ireland. The top Olympic countries will look at venues close to London and close to the main locations in England.

Mr O'Loan: I understand what the Minister is saying. However, concerns have been raised, which I share, about the effectiveness, efficiency and timetabling of the elite facilities programme. Will he address those concerns and present a more optimistic picture than he has presented in earlier answers on that issue?

The Minister of Culture, Arts and Leisure: In fact, I have not answered any questions on the elite facilities programme. Therefore, I do not know how the Member can draw conclusions from earlier answers. The Member should realise that I answered questions on pre-games training camps, which is different from the elite facilities programme. Work is ongoing on the latter, and a number of venues are being considered. Business cases are being looked at.

As regards pre-games training camps, a number of venues exist in Northern Ireland and featured in the brochure that was sent out. Those venues are available. We do not have to wait for additional elite facilities to draw teams here. Northern Ireland has 26 sports facilities in the pre-games training camps guide. Eight facilities were included in the pre-games training camps guide for the Paralympic Games.

Mr Cree: I thank the Minister for his answers so far. What plans does he have to develop sports provision through public interest in the Olympic Games?

The Minister of Culture, Arts and Leisure: The answer is to continue to implement our Sport Matters strategy, which was launched earlier this year. That is the mechanism by which to take that development forward in a comprehensive, cross-departmental way. Undoubtedly, events such as the Commonwealth Games, the Olympic Games and the World Police and Fire Games result in increased participation in sport. Some time ago, I visited a gymnastics club in Bangor. It reported an increase in the number of young people who came along simply because a gymnastics team had won 'Britain's Got Talent'.

Commonwealth Games

6. **Mrs M Bradley** asked the Minister of Culture, Arts and Leisure how his Department intends to celebrate the success of the Northern Ireland team at the Commonwealth Games. (AQO 387/11)

The Minister of Culture, Arts and Leisure: Before I answer the Member's question, it is appropriate that I mention the tragic and untimely death of Liam McGuinness. Liam was a talented young boxer who, at only 19 years of age, had already won a number of titles at Ulster and international level. I am sure that all Members will join me in expressing our condolences to Liam's family at this difficult time.

I personally met the team on their return from Delhi to welcome them home after their great success in winning 10 medals and reaching number 13 in the medal success rankings at the games. Members will also be aware that I hosted a reception in the Great Hall in Parliament Buildings on Wednesday 20 October to celebrate the outstanding achievements of Northern Ireland's athletes at the 2010 games in Delhi. Having attended the games myself, I witnessed first-hand the hard work

and determination that went into the team's performances by athletes and officials.

It is worth remembering that the Commonwealth has a population of 2.1 billion, and with 71 teams taking part, comprising 4,000 athletes, we can be justifiably proud that Northern Ireland did so well. I, therefore, take this opportunity to once again convey my warmest congratulations to every member of the Northern Ireland team on their participation in Delhi.

Mrs M Bradley: We would all like to be associated with the remarks made about the young boxer Liam McGuinness to his family.

Does the Minister agree with me that the success of our athletes, particularly the boxers, can be attributed to their heroics rather than anything else? Does he agree that the Government would need to provide much better infrastructure and a lot more financial assistance to local amateur athletics in order for them to advance at the Olympics and at other future major competitions?

The Minister of Culture, Arts and Leisure: Again, I do not agree with the Member. I believe that the success at the Commonwealth Games was down to a number of factors. First, to the dedication, determination and skill of the athletes; secondly, to the hard work throughout the year by coaches and trainers, many of whom work on a voluntary basis — volunteering is very important. The third big element was the way in which we have already improved the infrastructure to support our top-class athletes. We need to increase participation — that is essential — but one of the other elements of Sport Matters is an emphasis on performance and improving the performance of our top athletes. The Commonwealth Games result was an indication that that is really starting to pay off.

Mr I McCrea: Will the Minister outline to the House what he feels to be the significance of the success of the Northern Ireland team at the Delhi Commonwealth Games? Does he agree with me that seeing medals being won — whether bronze, silver or gold — gives a lot of hope to young people, and that people such as Wendy Houvenaghel, who is from my constituency, give that hope to prospective cyclists for the future?

The Minister of Culture, Arts and Leisure: The success in Delhi was very significant. It is important to recognise that Northern Ireland has

a stand-alone team and that it achieved major success in an international sports competition. Secondly, the results need to be set against the performance at the Commonwealth Games in 2006, when we won our lowest number of medals since 1962. In the space of four years, our Commonwealth athletes have managed to turn that around to achieve our best performance at the Commonwealth Games in 16 years.

Furthermore, medal success at the Commonwealth Games in Delhi was a specific target in my sports strategy, Sport Matters, which set that as one of its key requirements. It required Northern Ireland to win at least five medals at the Delhi games, which was considered to be extremely challenging in light of the result in Melbourne. Our athletes have managed to achieve 10 medals, alongside a number of personal bests, top-10 finishes and season's bests. Again, I congratulate all the Northern Ireland athletes, the team coaches, support staff, governing bodies, the Sports Institute, which was one of the important elements in improving the top athletes' success, Sport NI and the Northern Ireland Commonwealth Games Council. It is an achievement of which everyone can be justifiably proud.

Mr A Maskey: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his compassionate remarks in regard to young Liam McGuinness and his family, and I associate my colleagues with those remarks.

This is obviously a proud opportunity to be able to give praise and to pay tribute to all the sportspeople who made such remarkable achievements, particularly in boxing, my own field of interest. Will the Minister further elaborate on what wider support he may be able to give to the boxing fraternity in the time ahead, given that boxing is resurgent and is one of our most successful sports?

3.30 pm

The Minister of Culture, Arts and Leisure: The success of the boxers in the Commonwealth Games was very encouraging. It shows that we have considerable potential. I want to take that forward in the context of 'Sport Matters', because that is our overarching strategy for all sports. Obviously, where there is really strong latent talent, there is much to be gained through that.

Arts and Creative Industries: Employment

7. **Ms Ritchie** asked the Minister of Culture, Arts and Leisure what plans he has to stimulate economic growth and to create jobs through investment in the arts and creative industries.
(AQO 388/11)

The Minister of Culture, Arts and Leisure:

Investment in the arts and creative industries directly strengthens the Northern Ireland economy through the emergence of creative people, services and enterprises. There has been significant investment in the arts in recent years, particularly in arts infrastructure. That investment will continue into 2010-11, with both the Metropolitan Arts Centre and the Cultúrlann projects. Those projects, while continuing to stimulate growth in the arts sector, will also continue to provide employment in the construction industry. They will result in first-class cultural venues, enabling organisations to maximise the benefits from the growth in cultural tourism.

Approximately 36,000 people are employed in the creative industries or in creative occupations in Northern Ireland. That is around 4-6% of the workforce. The creative industries and, in particular, the digital content sector can boost job creation and help to lead economic recovery in Northern Ireland. Significant success has been achieved in attracting major film and television productions to Northern Ireland, and my Department will work closely with other government and industry stakeholders to encourage creativity and innovation and increase the sector's ability to compete and succeed on the world stage.

Question for Urgent Oral Answer

Flooding: East Belfast

Mr Speaker: I received notice of a question for urgent oral answer under Standing Order 20 to the Minister for Regional Development from Mr Chris Lyttle.

I advise the House that, generally, when dealing with questions for urgent oral answer, only the Member who tabled the question and the Chairperson or Deputy Chairperson of the relevant Committee are called. However, given the issue, I have agreed that party representatives with a constituency interest will be given an opportunity to ask a supplementary question.

Mr Lyttle asked the Minister for Regional Development what actions his Department is taking to prevent future flooding in east Belfast following the floods on 29 October.

The Minister for Regional Development

(Mr Murphy): Go raibh maith agat, a Cheann Comhairle. Early on Friday 29 October, Roads Service, NIW and Rivers Agency responded to forecasts of heavy rain by checking key infrastructure. Roads Service arranged for areas that are prone to flooding to be checked and gully gratings cleared, specifically in areas where leaf fall had taken place. Additional gully crews were put in place to deal with reports of flooding, and additional staff assisted in the supervision and operation of our normal and after-hours telephone system.

For Rivers Agency, routine maintenance on high-risk grilles in east Belfast had been carried out that morning in advance of any potential heavy rainfall. Additionally, Rivers Agency teams attended those areas affected and utilised contractors to check that high-risk grilles in east Belfast remained clear. Rivers Agency continues to carry out regular maintenance on grilles and designated water ports in east Belfast to ensure free flow.

The flooding was not caused by any failure to maintain the operational effectiveness of storm-water gullies or the road drainage system; the road drainage infrastructure was overwhelmed by the deluge of rain that fell during a relatively short time. In addition, I have been advised by NIW that it does not believe

that the surface flooding experienced in parts of east Belfast was a direct failure of its assets. NIW will continue to maintain its assets in east Belfast, including through inspection of wastewater pumping stations and combined storm overflows. It has staff and contractors available on a 24/7 basis to respond to any incident of flooding reported by customers through either the water line or the flooding incident line.

For the future, the Rivers Agency's east Belfast flood alleviation scheme, in partnership with the Connswater Community Greenway Project, will provide east Belfast with an integrated environmental improvement scheme incorporating flood alleviation works. Although those flood alleviation works will help to provide a level of flood protection from rivers and the sea that meets national standards, there will still be risks of flooding from extreme flood events that exceed the design standards of the new works and from surface water. An announcement on the tendering process will be made later this week.

The broad preventative strategy lies in the implementation of the Water Environment (Water Framework Directive) Regulations 2003, which place obligations on government to identify areas of potential and significant flood risk by undertaking preliminary flood risk assessment of all river basins and coastal zones by December 2011 and producing flood risk management plans by December 2015. The plans will focus on prevention, protection and preparedness and will detail objectives and measures to reduce significant risk in those areas. The Rivers Agency will take the lead in implementing the directive in the North. That directive represents a shift to a more integrated, proactive and holistic approach to reducing flood risk, and it places an emphasis on sustainable flood management.

Mr Lyttle: I sincerely thank the Minister for attending to the question. Will he give an update on the major flood alleviation schedule for the Montgomery Road and Ladas Drive area of east Belfast, which has a recurring flood problem? Will he also clarify the best way that elected representatives can help residents in such emergencies? Will the Minister clear up, in particular, whether Roads Service can make sandbags available for homeowners in emergencies?

The Minister for Regional Development: I am not sure that I have specific details on

that project, but every reported incidence of flooding since 2008 has been investigated. Remedial measures have been introduced in many locations, and investigatory work is continuing in others. For example, since 2008, Roads Service has carried out flood alleviation schemes in Orangefield Lane, Merok Crescent and Tudor Drive; new gullies have been installed in Sandhill Park and Earlswood Road; and replacement gullies have been installed in the lower Ravenhill area. I am not sure whether that addresses the Member's point; if it does not, I will respond to him in writing.

One element of preparedness and assistance is the flood hotline, to which more than 120 calls were made on Friday. Just under 50 of those responded to were from east Belfast. A Met Office warning was made to Roads Service and other agencies early on Friday morning. It responded by sending out teams before the rain started to ensure that some of the hot spots and places that had flooded previously were checked. In most cases on Friday, flooding occurred in areas that had not flooded previously. Areas with a history of flooding were checked, as were gullies, since, at this time of year, they are prone to collecting leaves. Grilles in rivers in east Belfast were checked by DARD.

A great deal of preparatory work was done as soon as the severe weather warning was given. Roads Service, the Rivers Agency and NIW, through the flooding hotline, are available to help people with sandbags and other assistance. Fortunately, on this occasion, there were no reports of damage to property because of the flooding.

Lord Browne: I thank the Minister for his statement and acknowledge that some progress has been made in the programme to alleviate flooding in east Belfast. However, serious flooding occurred in the Clonduff estate on 12 June 2007, and that problem has not been solved to date. Will the Minister assure me that this will be addressed urgently, as householders there live in fear every time heavy rain is forecast? Will he also confirm whether progress has been made in implementing the sustainable drainage strategy?

The Minister for Regional Development:

Again, I will have to respond to the Member in writing about the Clonduff area in order to tell him exactly what is happening there. The name is familiar to me, and inspections were

done on Friday in areas where there had been flooding previously to ensure that there was no recurrence. People were aware that there are issues there and were on top of it; they are keeping an eye on those areas to make sure that flooding did not recur. Fortunately, there were no reports of flooding in those areas on Friday.

Several agencies are involved in this very complicated matter. I have had many meetings with elected representatives from east Belfast and have looked at the issue in depth. A very complicated drainage system operates in, around and underneath east Belfast, and a number of agencies are involved in that. There are plans afoot, as I said, such as the Connswater project, but there are also areas that both Rivers Agency and Roads Service are looking at improving. If the Member wants answers on a specific area, he should forward the details to me. Alternatively, I will review Hansard and give him specific responses.

Ms Purvis: Given that 40% of our capital investment budget has been misplaced by the Tory coalition, will the Minister tell us how that may impact on his Department's commitment to implement the east Belfast drainage area plan?

The Minister for Regional Development:

I do not accept that that is the case. The First Minister and deputy First Minister intend to engage with the British Government about that issue, specifically around the commitments that were given on the capital budget. That affects other Departments as well as mine, but it has a substantial effect on my Department. There is not an acceptance that that will automatically be the case.

The plans that are afoot to deal with flood alleviation issues in east Belfast will go ahead. There are directives from Europe that push us in that direction anyway, so there is a requirement to go ahead with examining flood alleviation measures and to bring in appropriate responses where possible. However, people should bear it in mind that the infrastructure that we build, even when working at full capacity, will, on occasions, not be able to cope with the deluge of rain. Should we wish to create an infrastructure to cope with such conditions, it would probably use up all our capital budgets for many years to come.

Mr Newton: I know that the Minister appreciates how difficult a problem this is to solve in east Belfast. He made reference to the Connswater Greenway project and the flood alleviation scheme.

Will he confirm that an agreement between himself and the Minister of Agriculture and Rural Development was reached to implement fully that flood alleviation scheme? If it is introduced at the point at which the project commences, it would save something like £5 million to £7 million against its implementation at a later stage.

The Minister for Regional Development: DARD is taking the lead on that scheme, and we are very happy to co-operate with it. My information is that the combined project is programmed to commence in the autumn of this year, with completion during the 2013-14 business year.

Private Members' Business

External Consultants

Debate resumed on motion:

That this Assembly calls on the Executive to review the use and cost of external consultants; to develop further in-house consultancy resources; and to identify the necessary skills within the Civil Service to undertake more consultancy work. — [Mr P Maskey.]

The Minister of Finance and Personnel

(Mr S Wilson): I thank all the Members who took part in the debate. It was very timely. Members' contributions were very balanced and raised a number of issues. I welcome the fact that we have had the debate because the briefing raised issues that were new to me. They caused some alarm, which Members expressed, and they need to be addressed.

Members pointed out that it is not a case of having or not having consultants, and not all consultancy and all spending on consultancy is bad and wasteful. Mr Hamilton, Mr Beggs, Mr Lunn and Mr O'Loan recognised that there will be occasions when it is necessary to engage with consultants because independent scrutiny is needed of decisions and actions that Departments wish to pursue. Sometimes, there will be a lack of skills in the Departments, and investing in those skills would not be worthwhile for what may be a one-off piece of work. Therefore, external consultants will be brought in to do the work. However, given the scale and the drift that there appeared to be — many Members mentioned it — towards what is almost a default position of bringing in consultants, we had to move away from that culture. Members have been very helpful in suggesting some things that could be done.

3.45 pm

I am not trying to wash my hands of the matter, but this is not purely an issue for DFP. Paul Maskey made that point in his opening comments. Of course, we issue the guidance on consultancy, procurement and everything else, but this is an issue for all Ministers right across the Executive. The leader of the Ulster Unionist Party did not do himself a great deal of good when he tried to indicate that his party's hands were clean, that his two Ministers spent very little on consultancy, that everything was, therefore, OK in the Ulster Unionist household

and that all the rest of us have to deal with this. It is an issue right across the board, and, of course, some Departments will, naturally, spend more on consultancy because of the very nature of the work that they do and the kind of projects that they undertake. Therefore, it is an issue right across the Executive.

A number of Members, including Paul Maskey at the start of his speech, asked about the scale of spending on consultancy. That spend has been falling quite significantly. Between 2007-08 and 2008-09, there was a reduction of 17%. The fact that we were able to reduce the spend by 17% probably indicates that a lot of the consultancy work undertaken could, perhaps, have been done in a different way. Some areas have seen a bigger fall than others. Management consultancy was reduced by 18% and financial service consultancy by 44%. I have asked my Department's accounting officer to focus on ensuring that new consultancy commissions are kept to a minimum, and, if necessary, all proposals will be considered by the accounting officer and the senior management team prior to approval. I hope that is what all other Ministers will do in their Department, and I will certainly encourage them to do so.

As well as asking about the scale of the problem, Members asked what is being done to proactively reduce our dependency on consultants. As a result of the PAC report, DFP undertook a comprehensive development programme, which included the enhancement of services that are provided internally through the business consultancy service. Through the permanent secretaries' group, we have also undertaken work to assess the potential demand for internal consultancy services across the range of professional skills areas. In many cases, it may well be that there is not sufficient demand in one Department. However, were we to consider the demand across all Departments, we might find that expertise could be moved and shared between Departments as the occasion arises. We also want to consider improving the use of skills in such areas of the Northern Ireland Civil Service.

Departments have been given guidance — Mr McDevitt talked about this — on building up capacity. Perhaps when we bring in consultants, we should also look at the training element. I noticed what Mr McDevitt said; I wrote down his words. He said that, when he was on the

other side of the fence, before coming to the Assembly, he was asked to do the same job:

“over and over and over again”.

I bet that he charged over and over and over again as well, mind you. It may be that we should be scrutinising some of the jobs that he was involved in and looking for a return of the money, since he was just doing the same old job time and time again. However, he and other Members made an important point: why bring someone in to do a job but not leave any skills behind? The guidance encourages Departments, when making contracts, to look at what transfer of skills there might be.

Of course, the business consultancy service can make help available to Departments, as can the Departmental Solicitor's Office, which can save people going out to look for legal consultants when a lot of that expertise is in-house. As well as that, NISRA makes its statisticians available to Departments, which, again, helps to provide information. Therefore, when it comes to gateway reviews, professionals can be released to undertake them, and the increased skills can be used across Departments.

People ask us what standards are laid down to determine when it is appropriate to engage external consultants. Again, the Department's guidance is that services should be commissioned only when the required expertise is not available in-house, value-for-money expenditure is demonstrated or consultants can provide benefits to Departments by bringing specialist skills and knowledge, an independent perspective and innovative thinking. That brings me to another issue that Members raised: the question of how we assess whether consultants are required and, when they have completed it, whether their work has been worthwhile. It is the one area that caused me a degree of concern. As the PAC report highlighted, when it comes to procurement, it is evident that guidance on evaluating business cases has not been followed. The response to Mr Frew's question is that some Departments are more guilty of that than others. He asked me whether I would name those Departments: I am more than happy to do so, and I probably will as I go through the report.

First, when a proposal exceeds the threshold, Departments need to present a business case to DFP. For two projects that required a business case — involving DHSSPS and, I think,

OFMDFM — no business case was presented to DFP, so we have written to the Comptroller and Auditor General to confirm that expenditure on those projects was irregular. I hope that the fact that we give that assurance indicates that Departments that do not follow the rules cannot simply pass under the radar but will be dealt with and will need to explain why they took certain decisions. In other situations, when expenditure is below the delegated limit, DFP does not require a business case to be submitted. However, that does not mean that a business case should not be provided internally; it is only by providing one that it can be determined whether work is necessary and will give value for money.

When we drilled down into 90 cases in which expenditure on consultancy was below the delegated limit, we were somewhat disappointed, because no business case could be provided for 11% of them. The answer to Mr Frew is that the chief Department at fault was OFMDFM, which could not provide a business case in nine out of 10 projects involving expenditure below the delegated limit.

The second issue concerns tendering. I love the term “single-tender action”. We find all sorts of words to obscure what is meant. In plain and simple language, “single-tender action” means that a job is given out without there being any competition. “Single-tender action” sounds very nice, but let us spell out what it actually means. A number of Members, such as Mr Beggs, pointed out the difficulty that we could not be sure whether we were getting value for money and that other people may feel that they are excluded from the process.

Mrs D Kelly: Will the Minister take up that point with his colleague Minister Poots in relation to local government? Despite the fact that it is recommended in many councils that legal services be tendered for, in many instances such services are not tendered for across the 26 councils in the North.

The Minister of Finance and Personnel: The same principle should apply to councils. There are occasions when it is not appropriate; in some cases, perhaps, the amount of money concerned is very small, the work has to be done quickly, or similar work has already been done by a consultancy firm. However, I was surprised that, in 44 projects for which there was single-tender action or no competitive

tendering, the relevant departmental accounting officer's approval was not even sought. The contracts for those 44 projects amounted to a large value, and the same Departments — DCAL, the Department of Education, the Health Department and OFMDFM — appear regularly. It is important that Ministers get on top of that.

The Westminster Government are looking at whether contracts above a certain level — even though they may be below the delegated level — should be subject to ministerial approval. That is something that, perhaps, the Assembly may find worth investigating. I want to talk to Executive colleagues about that. At least we would have a point of accountability where the Minister has to decide whether to go ahead with a contract.

The other concern that Members mentioned is the evaluation of contracts once they have been given. It is important that evaluations take place. I am pursuing with DRD the evaluation of two contracts that, together, are worth about £9 million. They have not yet been evaluated, and the Minister for Regional Development needs to look at that.

The debate has been useful. I trust that what I have said today shows that DFP is taking the matter seriously. We want to get the bill down and make sure that money is spent effectively; that we get the best value for a contract; and that a contract, once it is in place, builds capacity in the system so that we become less reliant on consultancy services in future.

Mr Boylan: Go raibh maith agat, a Cheann Comhairle. I support the motion and ask the Assembly to do likewise. I commend the proposer and my colleague for securing the debate.

Although I am sure that all Members, especially those who are dealing with complex issues in Committees, appreciate that there is a need to seek a wide range of opinion and specialist thinking on specific subjects, it is how that information and those appraisals and opinions are gathered and the associated costs of gathering that information that the Assembly has to evaluate and justify.

Expenditure for 2007-08 shows that Departments spent £31.68 million on 896 projects. Some Departments spent more and others less, depending on the size and needs of projects, but expenditure averaged just over £3.5 million. The question for the Assembly is whether that cost

represents value for money. Are Departments paying for services that can be performed by highly capable civil servants already within their remit or, indeed, in the Assembly? The quality of the work of the excellent Assembly Research and Library Services in this Building suggests that the answer is yes. I am sure that Departments also have very capable employees in-house who can undertake many of those projects.

Of course, from time to time, a subject may be so unique that professional and specific detailed information and guidance must be sourced. However, first preference should be to source information from, and to use the experience and expertise in, the Civil Service. Necessary training should be given. The Minister mentioned the expertise in the Departments. That should be shared.

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

4.00 pm

The motion has not been brought to the Chamber because of the cuts that the Minister of Finance and Personnel seems so desperate to pursue. On the contrary, it is a sensible call to enable savings in the annual Budget year-on-year. Each Department has been called on to eliminate waste and duplication. The use of resources to collate information rather than using external consultants is one option to do that. The savings can go some small way to compensate for the attack on our public funds by the British Tory Government and their partner, the Liberal Democrats.

Consultations are, of course, an important process in our work and are necessary in order that a clear, comprehensive and transparent knowledge informs our decisions and enables us to take the correct decisions. However, we must ensure that we do not take the easy option of calling in external parties when we can use the highly capable resources that are already in place.

I will now turn to Members' comments. The debate has been worthwhile. The proposer of the motion started off by talking about the trying financial times. I agree with him. The motion is about how we look at the present Budget process and how to save in every possible way. We need to look at what we can do in each Department, and a reduction in external consultancy is one way to make savings. As the

proposer said, that money should be transferred to those people who are in most need and are most vulnerable. He mentioned upskilling in the Civil Service. As the Minister is well aware, there has been a freeze on recruitment. Therefore, how do we find the balance between savings and training? Given the freeze on recruitment, where will we get that expertise?

The Minister of Finance and Personnel: I have outlined some ways to do that. First, in contracts, we are asking people to look at how the skills could be transferred from the consultants to people in the Department. Secondly, through the business consultancy service, in which 26 people work, we are making that expertise available across the Civil Service. Moreover, we are making people available through other organisations, such as the Departmental Solicitor's Office and the Northern Ireland Statistics and Research Agency. Therefore, there are ways to transfer existing skills and, even in light of the recruitment freeze, to use consultancy services to build up the skills in the Civil Service.

Mr Boylan: Thank you, Minister.

Simon Hamilton made a very good point when he said that local government has spent £23 million on consultants. There is an impression that the public sector is easy pickings for consultants. We need to get rid of that impression. Roy Beggs mentioned specialist areas for consultants, and I agree with him. He talked about the special skills base, and the Minister has outlined how we will achieve that. There needs to be rigorous challenge to that, and the Minister talked about the guidance and the checks and balances.

Patsy McGlone talked about the £116 million that has been spent over the past five years. He said that the Civil Service hides behind consultants; I think that that is the truth. He also mentioned the Central Procurement Directorate. That body needs to be monitored, because it hides behind making decisions. The Assembly needs to start to look at that. Trevor Lunn talked about contract extensions without validation and mentioned a cosy relationship. The Assembly needs to look at the relationship between the Departments and consultants. Adrian McQuillan talked about saving money and pumping it into front line services. I support that.

Mitchel McLaughlin said that there is no strategy to address the skills gaps, and the Minister

has responded to that in part. As the Minister alluded, we need to look at the lack of post-project evaluations. He also informed me that the Audit Office is reviewing the use of consultants. That will maybe extend into the next mandate. The Assembly needs to keep an eye on that.

Paul Frew said that councils need consultants. I agree with that. The Minister mentioned one-off situations, and there needs to be proper guidelines for local government and proper checks and balances in place. I know that decisions have to be made on that, and we need to keep an eye on the situation. A lot of money is spent in local councils, and we need to ensure that there is value for ratepayers at that level. Tom Elliott talked about hiding behind consultants and the cosy relationship that exists. He said that there was a lack of initiative in government, but I do not know whether he was referring to the two Departments' not having used as many consultants as anyone else. Perhaps that was what he was trying to get at.

Declan O'Loan talked about DFP advice. I agree that advice is available, but it needs to be implemented completely and fully checked and challenged. Paul Girvan, who is not in the Chamber, talked about a common sense approach, which is sometimes not seen in either the Assembly or the Departments. We need to look at that. Paul Girvan also talked about proper business cases, to which the Minister alluded. When prioritising and looking at proper business cases, Departments should look at their means of dealing with them.

Jimmy Spratt used the example of the Policing Board as an outside body, and we need to look at where the money is being spent. He mentioned the single-tender action, and the Minister gave a good explanation of that. That also needs to be looked at and checked. Conall McDevitt stole the show; I do not think that he was refusing the money every time that he was asked to give the same advice. He is right to say that there is a cultural deficit in advice, and we need to look at that.

All in all, it has been a good debate, and I think that the Minister will agree that we need to explore all avenues before we decide to go to external consultants. However, in closing, I will say that although his ministerial colleague Minister Poots got a big piece of consultancy work done by PWC, we will now lose the benefit

of those efficiency savings over 20 years. I hope that, in time, that is not wasted. Perhaps the Minister will take on board that we need to see rewards for that piece of work.

Question put and agreed to.

Resolved:

That this Assembly calls on the Executive to review the use and cost of external consultants; to develop further in-house consultancy resources; and to identify the necessary skills within the Civil Service to undertake more consultancy work.

Private Members' Business

University Funding

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

Mr P Ramsey: I beg to move

That this Assembly notes the publication of the Browne and Stuart reports on the funding of third-level education; calls on the Minister for Employment and Learning and the Executive to ensure that publicly funded higher education is based on the ability to learn, not the ability to pay; rejects any increase in the cost of student loans; and opposes the coalition Government's plans to adopt the Browne proposal to remove the cap on student fees.

I thank the Business Committee for allowing the motion to be tabled. I congratulate Danny Kennedy on his appointment as the new Minister for Employment and Learning, and I wish him well in the future. We look forward to his co-operation and his attendance at the Committee.

I move the motion on behalf of the SDLP on a hugely important issue that has come to the fore in recent weeks. The Browne proposals make recommendations on a number of themes, including the strategic management of universities, accountability, and so on. However, it is the proposals on lifting the cap on fees and changing the interest rates on loans that are causing deep concern among parents and students alike.

The SDLP is not in a position to support the amendment. It is clear that the matter is a point of principle, given that this morning, Mr Deputy Speaker, I presented the Assembly with almost 10,000 signatures of not only students but parents and constituents from your constituency and that of every Member in Northern Ireland. They have signed a clear petition through all the campuses.

The Russell Group proposes to ask graduates to start to repay their loans at an earlier stage and at a higher interest rate. On principle, we will

never agree to that. The Joanne Stuart report makes the case for no additional fees, and the SDLP believes that that is the correct approach. The Browne report will, of course, represent a challenge to us all, because if the fees here stay as they are but the English and Welsh universities gain a higher income from higher fees, our universities would be put at a further funding disadvantage. It is also likely that there would be an increase in the number of students from Britain applying for places here to avoid higher fees, and that would put a further squeeze on our already highly contested places.

I remind colleagues that a key aim of the Programme for Government is to put the economy at its centre. This region's future success depends greatly on the development of our knowledge-based economy, which, in turn, depends on a highly skilled labour force and a strong research and innovation base. That is why we require a strong university sector. If the Browne report goes through, it will put barriers and obstacles in the way of learning and will ensure that higher education — as our motion states — is not based on the ability to learn but on the ability to pay. We fundamentally oppose that, and I suspect that all Members of the House do, too.

I want to turn to the negative impact of higher fees. Annual fees of at least £6,000 would deter many people from going to university and would have an impact on lower- and middle-income families in particular. Such an increase, coupled with living expenses, would increase a student's debt to at least £40,000 on the completion of his or her degree. If students were to come out of college with no assets and debts of £40,000, they would — make no mistake about it — be placed under serious financial hardship.

An increase in fees would mean that more students would seek to study nearer to home in Northern Ireland, which has the smallest higher education sector per capita compared with other regions in the UK. Currently, one third of Northern Ireland-domiciled students attend universities outside Northern Ireland. Therefore, if fees were increased, many such students would be more likely to be crowded out of places in Northern Ireland.

The argument that students benefit financially from education throughout their working lives and should, therefore, contribute differentially does

not apply to other sectors of public expenditure. For example, there is no requirement on former beneficiaries of healthcare or social security benefits to make repayments once they have established an income. Therefore, why do we attach that philosophy to higher and further education students? Surely almost all wage earners are either graduates or benefit from the skills, knowledge and custom of graduates. All of us benefit from having graduates in society, from their importance to the economy to their delivery of services. Therefore, the fairest social policy should be that we all share the burden of the cost of education.

Some universities are arguing for higher levels of funding so that they can compete internationally with other universities involved in research. The additional money required is for research, not teaching, and that is fair enough. However, students, particularly undergraduates, benefit only marginally from university research. The quality of the research carried out by a particular institution may carry a certain kudos and add value to its degrees, but most undergraduate learning is based on existing materials, not on pushing the barriers of knowledge. What is important to most undergraduates is the quality of teaching, not the quality of research. Therefore, why should an undergraduate pay for a university's research when most of them are not allowed near its state-of-the-art research facilities until they study at postgraduate level?

4.15 pm

If we were able to make our own decisions about taxation, the SDLP's position would be very clear: the whole of society benefits from university education. Therefore, society as a whole should pay for university education from public expenditure through a progressive taxation system. Given that we do not have the liberty to set our own tax rates and that we are dependent on decisions made in London by a Conservative Party with a neoliberal economic philosophy, we are faced with difficult funding decisions.

The SDLP urges the new Minister, Danny Kennedy, and the Executive not to allow an increase in student fees under any circumstances. The SDLP is aware that such a decision would have resource implications and would affect other budgets. The decision, like others, will require political determination and realism.

Today, several hundred students from every constituency in Northern Ireland attended a major rally outside this Building. On what was a horrendous day, and on top of the 10,000 signatures that they helped to obtain, we heard the students telling us clearly, as politicians, that they want the fees kept, they do not want Browne and they want circumstances in which they are able to have the quality of life that other students had. A number of them are in the Building, and they want to ensure that future generations of young people in Northern Ireland have the opportunity to access education at a higher level. They do not want circumstances in which there are barriers. That applies not only to lower-income families but to middle-income families.

I know that an amendment has been tabled, but it is important that we have unity in the Chamber at this time. Our motion would erase the Russell Group's proposals, but we will not have unity if the amendment is made. The amendment would soften the SDLP's approach on university fees, which is unfortunate. The House may divide on the issue. Given the SDLP's role leading up to and being part of the campaign around the Russell Group's proposals, and the issues around the elitism of universities across Britain and some in Northern Ireland, we cannot, under any circumstances, accept or tolerate the amendment. I appeal to Members on the other side of the House to think carefully and to let us unite behind the motion. We must remember that we have almost 250,000 students in Northern Ireland at any given time.

Mrs D Kelly: I thank the Member for giving way. I ask Members to reflect on whether their university education would have been available to them and whether their families would have had to make difficult decisions about which one of their children to send to university if what the Russell Group has proposed had been in place in the past.

Mr P Ramsey: I thank the Member for her intervention.

It is very clear that that today's rally was a challenge from the several hundred students from every campus who travelled here.

Mr Deputy Speaker: Bring your remarks to a close.

Mr P Ramsey: The students do not want the Russell Group's proposals to be accepted and

they do not want Browne. I ask Members to support the motion.

Mr Bell: I beg to move the following amendment: Leave out all after “pay” and insert

“ensuring that third-level education in Northern Ireland remains affordable; calls on the Minister for Employment and Learning to bring forward recommendations on how students from the most disadvantaged backgrounds can be assisted; and rejects any proposal to remove the cap on student fees which could lead to a two-tier university system.”

I add my congratulations to Mr Danny Kennedy on his elevation to the role of Minister for Employment and Learning. He is taking on that role at a difficult time. I have known the Kennedy family for a long time; they made a distinguished contribution to education. He comes second only to his brother Billy who plays a distinguished role in Linfield Football Club.

Two principles must characterise this debate if, in the future, we are serious about providing quality education for our young people and enabling our children to access universities. Those two principles must surely be fairness and quality. One cannot divide fairness from quality, and vice versa.

I agree with the sincere sentiments that were expressed. However, in some parts, I suggest that they are sincerely wrong. This House must try to achieve a future in which we still provide for a richly educated population and not an educated rich. I hope that, when the SLDP received its 10,000 signatures, it informed those students that, as part of the Labour Government, it took £1 billion out of further and higher education. Perhaps that was glossed over.

We have to look at what options we actually have. Can we stand still and let the rest of the world outpace and out-research us while we export students from Northern Ireland to world-class universities elsewhere? Am I exaggerating the position when I say that it is a make or break situation for our universities? I am not. There are many, such as Dr Wendy Piatt of the Russell Group — I will come to some of the points that Mr Ramsey made about that organisation — who strongly suggest that if we stand still, we will break Northern Ireland's current position of having not only one of the top British universities but a world-class university. Standing still sends us backwards.

We exist in a global marketplace. Many students, particularly those from Asia, are prepared to pay up to £25,000 up front to study here. That is the value that they put on a world-class degree from a British university. Our world-class further and higher education sector is second only to that of the United States. We have to ask whether we can allow the international market to move on with its cash injections while we hold back.

As a Liverpool supporter, I am hesitant to mention the word “premiership”. However, we are out of the drop zone, so I will. The reality is that, unless our universities get a cash injection, Northern Ireland will move from the premiership of world-class universities to the third division.

How do we do that? The SDLP had its chance when it held the Ministry, which perhaps appropriately was, at that stage, named DHFETE (Department of Higher and Further Education, Training and Employment). The SDLP could have scrapped fees altogether, but it did not. With respect to the Member, we can no longer deal with the SDLP economics of here today and gone tomorrow. We can no longer write cheques for our universities that will bounce. Greece taught us what happens when the markets realise that they can no longer have confidence in somebody's ability to pay. We need to look at the situation as we find it and not the situation as we want it to be.

I agree with Mrs Kelly. I went to university under a full grant. My parents made sacrifices to send their children to university, before later taking degrees themselves through distance learning. I know what it is like to be a working-class student and to receive those benefits. I want to ensure that we continue that fairness. Northern Ireland leads the rest of the United Kingdom in putting more socially disadvantaged students into its universities. We must maintain that. However, we must look at the world as it is.

Mr Weir: The Member referred to his university education. I have the good fortune to remember that education, having been at Queen's with him.

Mrs D Kelly: But he was a Tory then.

Mr Weir: He has been a Tory, an Ulster Unionist and a member of the DUP. He is a bit of a social butterfly.

Does the Member agree that, when we and others were at university, there was much more

of a fully funded grant system? However, does he also agree that that was affordable perhaps because university education was restricted to less than 10% of the school quartile? Now it is nearly 50%. If, as I am sure that everybody in the House wants, we are to see much wider access to university education, it simply cannot be funded in the way in which it was 20 or 25 years ago.

Mr Bell: The Member makes his point very well. In the Northern Ireland of today, and not the Northern Ireland in which we once were, over 50% of 18- to 25-year-olds go to university. Surely we do not want to regress from that position.

Mr D Bradley: Is the Member aware that his views are at variance with those of a senior member of the University of Ulster who stated in the media last week that levels of access to university in Northern Ireland are increasing, and that the way to maintain that increase is to keep fees at their present level and to cap them?

Mr Bell: We could create a situation in which we stand still, but that would stop the universities being world class.

Mr Weir: I presume that Mr Bradley is quoting Professor Barnett, the vice chancellor of the University of Ulster. Indeed, I see him nodding in agreement. Mr Bell was with me last week when the Committee for Employment and Learning visited Magee College. He will know that, when Professor Barnett was specifically asked whether there should be no increase in student fees, he indicated that there needed to be some increase. Therefore, does the Member agree that Professor Barnett, whom the SDLP is very keen on quoting, is at variance with that party's position?

Mr Bell: The honourable Member makes his point very well. We can dumb down the universities and our system. We could also take 40% of the students out, as Mrs Kelly suggested, and have it the way it was when I went to university, but that will not take away from the position. The reality is that 41.7% of our young full-time undergraduates in Northern Ireland came from a socially disadvantaged background. The DUP wants to maintain and enhance that position and have fairness built into the system.

However, we must work on the system that we have. The Northern Ireland Council for

Voluntary Action showed in its recent report, commissioned by Oxford Economics, that, by 2012, every household in the UK will carry a debt of £47,000, with every person in the UK carrying a debt of £19,000. We can forget about the £153 billion, because no one understands that figure.

Mr McDevitt: I hear what the Member says, but it is at odds with his party's calls during the past few weeks for the House to unite against what the British Government are trying to pass off as the economic reconfiguration of this region. Perhaps the Member should reflect on the words of the Scottish Tories, who disagree with the proposals for education. Indeed, Liz Smith, the Scottish Tories' education spokesperson, said that the Scottish Government should reject up-front fees and a pure graduate tax. How does that fit with what the Member has told us today?

Mr Bell: I always welcome an intervention from the voice from South Belfast. However, stronger voices in South Belfast are saying that to keep a world-class Russell Group university in South Belfast will require a cash injection. The point about that £19,000 debt is that it must be serviced before money can be provided for health and education. Increasing the debt burden and mortgaging future students is a betrayal.

Let us look at where Northern Ireland stands internationally. One in every two pounds of our further and higher education funding is spent on providing bursaries, which means that we are paying more than the United States, Germany, Sweden, Norway and Australia. Some 53% of the further and higher education budget goes into bursaries to help students to come through.

Let us also look at the economic benefits of having a degree. We must accept the reality that when those with a university degree are compared with those with two A levels —

Mr Deputy Speaker: Bring your remarks to a close.

Mr Bell: Are you giving me an extra minute?

Mr Deputy Speaker: No.

Mr Bell: OK. I thought that you would, Mr Deputy Speaker. I would not have taken all those interventions otherwise. *[Laughter.]*

The choice is between either having world-class universities and access to them or dumbing down.

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

Mr Bell: We should go for world-class fairness and quality.

Ms S Ramsey: Go raibh maith agat, a LeasCheann Comhairle. I want to take a different approach and to commiserate with the new Minister on taking up his new job at a time when hard decisions need to be made. *[Laughter.]* However, having known Danny for a long time, I think that those hard decisions will be made as soon as possible. I hope that the Minister makes those decisions based on fairness and quality, which the previous Member who spoke mentioned.

I welcome today's debate and give credit where credit is due to those Members who secured it. I also formally welcome the Minister to his first debate as the Minister for Employment and Learning. I commend the students who came out in the pouring rain today. Students from Queen's, who were late — *[Laughter.]* I wanted to get that on the record. Those students joined others from St Mary's and the University of Ulster.

To me, it sends out a clear message that any changes that have been made in our society in 40 years have been the result of the student movement taking to the streets to campaign for those changes. It is great to see the student movement on the march once again.

4.30 pm

For the record, I tabled an amendment to the motion: to be honest, I was being a bit crafty. However, the Speaker turned it down. My amendment was in line with our party policy that student fees should be scrapped, but it did not get far. Sinn Féin is well known for its opposition to student fees. The Committee for Employment and Learning discussed the proposed increase in student fees in line with inflation, and I made the argument that, given that I oppose student fees, why would I agree to them being increased in line with inflation? Jonathan Bell touched on that issue, and I ask the SDLP Member who will give the winding-up speech on the debate to give us more information on how we got to the point of student fees being introduced. We can get into the politics of the matter, but Carmel Hanna's name keeps coming up, and I appeal to my colleagues to give us a wee bit of background.

The former Minister, Reg Empey, said that we were all opposed to student fees, and I called

on him to reject the British Government's review of student fees. In fairness to Sir Reg, he approached the issue with an open mind and did not come down on one side or the other. Sir Reg was easy to work with, and he worked quite closely with the Committee. I am building Danny up now.

Joanne Stuart's review represented one of the better ways forward. She was proactive in going out to speak to all the stakeholders, and she raised some valid points. However, her review was put on the shelf. For me, that raises concerns about whether we are ready to make these decisions, and it allowed us, the Department and the Minister to put making a decision on the long finger and enabled the Browne review to come out.

One of the key points that Joanne Stuart raised is whether the current university fees benefit students. Do students get additional resources, top-of-the-range libraries, sporting equipment etc? It is a valid question. I have no doubt that people do not mind paying if they get a service in return. However, the question is this: where does the money from student fees go? Does it go towards paying universities' running costs? Does it go towards paying additional salaries to lecturers and whoever else, or is it spent to benefit the students? I do not know whether such information exists, but I remain to be convinced that student fees benefit students.

Jonathan Bell made a point about fairness and equality. Education should be free at the point of delivery and is a basic right. That is fairness, and that is equality. If we increase student fees here, students will look to the rest of the world. We will be forcing people to emigrate because we cannot provide education here. A lot of our students do not want to go away. It is up to us to embrace the opportunity to keep our students here. The previous Minister said that, without doubt, higher education plays a significant role in strengthening the economy.

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

Ms S Ramsey: As Pat Ramsey said, the economy is one of the key elements of the Programme for Government, as is social inclusion. I will do my utmost to continue to support this cause, and I ask the new Minister to commit to it.

Mr McClarty: I, too, congratulate my colleague Danny Kennedy on his elevation to the Executive. He will find the Department in very good order following Sir Reg's three years at the helm. If one thing stands out from Sir Reg's time at the Department for Employment and Learning, it is his dedication to continuously ensuring that people from socially deprived backgrounds are given every opportunity to enter higher education. The figures speak for themselves: almost 42% of entrants to Northern Ireland universities in 2008-09 came from less well-off backgrounds. The corresponding figure in England was 32% and only 28% in Scotland. It would be a disaster if all our recent gains were squandered; that is why we need to discuss and resolve university and student funding sensitively.

Northern Ireland is incredibly privileged to have the standard of universities and students that it does. Queen's University and the University of Ulster have proven their success. We need only look at last year's research assessment exercise to see their ability, with both institutions once again moving up the ladder so that they now sit in the top quarter of universities throughout the United Kingdom.

Research and development, innovation and knowledge transfer, although not the sum of modern higher education, play a pivotal role in the modern economy. If Northern Ireland is to grow its private sector and maintain a competitive advantage in certain fields, the continued success of our universities is crucial. That brings us to the crunch of today's debate. In light of current financial constraints, how do we balance the need for excellence in our universities with the need not to overburden students with fees that will turn young people off higher education?

Although the Browne report has no legislative influence in Northern Ireland, it would be foolish to ignore it. It would simply not be a sustainable path for higher education in the Province to pretend that changes to the funding of universities in England would have no implications on this side of the water. As well as not being practical, it simply would not be workable. Since our two universities operate in a UK market, there is no "ourselves alone" solution to university funding. For the benefit of our students, our economy and our wider society, our universities must be able to compete in a UK-wide context.

In Great Britain, Members of Parliament who have the privilege of not being in government can engage in all types of scaremongering, but it is worth noting that, although today it is calling for a graduate tax, it was the Labour Party that introduced tuition fees in the first place. However, we are where we are.

Although graduates from our universities make an invaluable contribution to our economy and public life, we must not forget the immediate financial consequences that higher education has on the Executive. University funding makes up almost 60% of the DEL budget; it accounts for some £0.5 billion a year. After the recent CSR, that expenditure will be even more painful. Lord Browne's report challenges us all, and I urge Members to take a responsible approach. I hope that Members recognise that the previous means of funding for universities will have to change.

Last Monday, every party agreed to produce a budget in light of the CSR. From today's debate, I assume that the SDLP and Sinn Féin, in rejecting the possibility of a rise in student loans, will bring forth proposals to reduce spending in other Departments. I look forward to those proposals, especially those for the Department for Social Development and the Department for Regional Development. Let us be clear: if the parties opposite are serious about what they say and are not merely playing to the gallery, without such proposals their words today are empty and hollow. I support the amendment.

Mr Lyttle: I welcome the debate on this important matter and have listened carefully to the arguments. I came here with an open mind, but I have not found the DUP argument sufficiently persuasive, so I support the motion. There is a fundamental problem with arguing the need for a cash injection, given that the local evidence-based Stuart report has yet to find evidence to support a link between increased fees and improved quality in our higher education. I have not found that argument sufficiently persuasive.

It is vital to thousands of people and to our regional economy that we respond decisively to the Browne and Stuart reviews. Put simply, higher education changes lives and life chances. It is essential, therefore, that the Assembly and its Executive use their devolved authority to get the best funding structure possible for

our universities, if we are to maintain our good record of promoting social inclusion through widening participation and if we are to maintain the teaching and research excellence necessary to educate the highly skilled workforce that we will need to grow a modern, knowledge-based economy in this region.

The Alliance Party has, therefore, called on the Executive and the Minister for Employment and Learning to fund higher education in a way that allows our students to access university on the basis of their ability to benefit from the learning experience that is given, rather than on their ability to afford the degree.

Ms Lo: Students are currently eligible for a full grant of £2,900 if their household income is below £25,000. The Browne review seeks to double tuition fees, but it recommends increasing the student grant by only £300 to £3,250. Does the Member agree that that will no doubt deter students from poorer backgrounds from entering higher education?

Mr Deputy Speaker: The Member has an extra minute.

Mr Lyttle: Yes, I agree. Participation in higher education should be on the basis of someone's brain, not their bank balance. The Browne proposals have not taken that fully into consideration. The Alliance Party, therefore, opposes any proposal to remove the cap on student fees. Estimates suggest that removing that cap will require our graduates to take on debt in the region of £40,000, effectively creating a situation whereby people from low-income backgrounds will be deterred from going to university. We must not allow a two-tier, class-driven university system to develop in this region.

We do, however, recognise the serious pressure on our public finances, as well as the need to consider the impact that any changes in Scotland, England and Wales could have on our universities. On that note, it would be dishonest not to suggest that any increased cost in student loans being forwarded by HMRC would be a battle that we would have to take on, given that HMRC currently has the power to extend that system across the UK. If I am not wrong, that is what answers to previous Assembly questions suggested. Therefore, it would be dishonest of us not to raise that as an issue.

We must, however, seek to balance widening access to success and maintaining quality, not least considering that the teaching and research capabilities of our universities will be one of the key economic drivers in this region. Although we categorically reject any notion of having uncapped tuition fees in Northern Ireland, the Browne report made a number of proposals that merit consideration. Those proposals could help us to review the traditional vision of higher education in favour of a more modern and efficient mode of delivery.

The Alliance Party welcomes Browne's proposals on the introduction of a student charter for universities, setting out minimum standards, commitments on teaching times and class sizes. We also welcome the extension of student finance arrangements to part-time students, given the increasing number of students who must work to fund their studies and given the need to up-skill our workforce. Calls for universities to consider new modes of teaching, such as two-year degrees, distance and virtual learning, and closer co-operation with further education colleges, are also worthy of consideration.

As was mentioned, Northern Ireland has a good record of increasing participation in higher education, yet, as was also mentioned, the HE sector is still the smallest in the UK. Therefore, we welcome the Browne proposals on additional places.

4.45 pm

The Alliance Party is committed to the fundamental principle that universities should be free at point of delivery; that we must protect access by students from low socio-economic backgrounds; and that an appropriate student financing system must be put in place to ensure that our universities are open to all and can continue to deliver a highly educated population. Higher education must take centre stage of any strategy to deliver high value-added jobs and economic growth in Northern Ireland.

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

Mr Lyttle: In line with the motion, I hope that the new Minister will be prompt with an update on the findings of the group that his predecessor established to review the impact of Browne on the Stuart report. The Assembly and the Executive should grasp the opportunity to

show devolution at work by confirming that we will not be abolishing the cap on student tuition fees in this region.

Mr S Anderson: I support the amendment, because, although I share some of the concerns expressed in the motion, I feel that we need to inject some reality and flexibility into the debate. Our universities maintain the high standards that are set by our schools, and we have every right to be proud of the fine tradition of third-level education in our Province. They faced many problems during the decades of violence and civil unrest, when it was hard to attract students from outside Northern Ireland. Many of our young people, mainly Protestants, tended to want to escape to universities elsewhere. That brain drain had a detrimental impact on our struggling economy. Our young people — I repeat, mainly Protestants — left our shores to go to university. The sad thing is that few returned, and we are still reaping the sad harvest of that today. Thankfully, times have changed. More and more young people are choosing to stay in Northern Ireland and to attend our local universities and colleges. In addition, we are delighted to welcome growing numbers of undergraduates from outside our Province.

At one time, only the wealthy could afford to attend university. Then the doors were opened, and a means-tested grant system ensured that young people from across the social spectrum were able to attend university. Today, it has changed again, and the tuition fees and student loan arrangements mean that young people continue to have access to higher education, but they are left with a heavy burden of debt after they graduate. The proposals to remove the cap on tuition fees will significantly add to that burden. There is a danger that we will create a two-tier system and that the clock will be turned back to the days when only the children of the rich attended university. The comprehensive spending review proposes shifting the burden of university spending from the state to the student. I understand that, nationally, the budget for the Department for Business, Innovation and Skills will decline by 25% and that university funding will be cut by a massive 40% by 2014-15. That is based on the assumption that graduate contributions will broadly offset reductions in the teaching grant. We will have to wait to see how the Department for Employment and Learning responds.

I was interested to hear of David Cameron's recent announcement that over £200 million will be invested in the network of innovation hubs to improve links between universities and businesses. That is to be welcomed.

I agree with the sentiments of the amendment. If we have limited resources, we must target them carefully and try to make sure that they are directed towards those from disadvantaged backgrounds. Today, it seems as though there is little hope of meaningful employment unless you go to university. A young history student who was interviewed by the BBC said that you need a good degree to get anywhere in life and that you have to go to university or everyone will look down their nose at you. I sometimes wonder whether too many young people simply drift into university. Are there better options than university for some people? Do all universities focus on the types of course that will enable graduates to find work?

The Programme for Government rightly places the economy at the centre of its plans. I place on record my gratitude for all that the First Minister and the Enterprise, Trade and Investment Minister are doing and for all that the outgoing Employment and Learning Minister has done to attract high value-added jobs to our shores. I also take this opportunity to congratulate Danny Kennedy on his appointment as the Employment and Learning Minister and wish him well in his new role. At present, those Ministers have a difficult task. However, foreign investors are looking for a well-educated, well-trained and highly skilled workforce. That is vital, which is why universities are so crucial. Money that is spent on higher education is not money wasted. On the contrary, it is significant investment in the future. All of us — politicians and universities — must think strategically.

Mrs McGill: Go raibh maith agat, a LeasCheann Comhairle. I support the motion. My party colleague Sue Ramsey has already outlined Sinn Féin's position on tuition fees: we oppose them. However, the publication of the Browne and Stuart reviews provides an opportunity to raise awareness about what is happening in universities. My party colleague Sue Ramsey referred, as did other Members, to the student experience in universities and whether it is what it should be. During recent weeks, we heard stories about what happens with tutoring, teaching and guidance or, indeed, the lack of

them. The debate provides the opportunity to address issues that arise from such a situation.

I want to touch on three areas: student debt, student experience and widening participation. I commend Adrian Kelly and Gareth McGreevy, who briefed the Committee formally, and Ciaran Helferty, who did so informally. They presented the Committee with written and oral briefings, which were extremely helpful. I welcome that.

As regards student debt, I spotted the following figure: the total outstanding debt at the end of 2009-2010 was £1.35 billion. What would happen to that figure if the cap on tuition fees were removed and some of Browne's other proposals were implemented? That figure is startling: £1.35 billion at the end of 2009-2010. Who would suffer most if the cap were removed and interest on loans increased? As others said, it would be students from low-income families. If fairness and equality are to be the hallmark and benchmark of higher education provision, the Assembly would fail if it were to implement the Browne proposals in some shape or fashion.

Mrs D Kelly: I am grateful to my colleague for giving way. She is right to point out the difficulties that would be faced by families from disadvantaged backgrounds. Does she share my concerns that families that are described as "middle income" — the sons and daughters of nurses, doctors, police officers and other ordinary workers — would also be adversely affected?

Mr Deputy Speaker: The Member has an extra minute.

Mrs McGill: I thank the Member for her intervention. I said that fairness should be the hallmark, which covers the point that she made.

I have already referred to the student experience of teaching and tutoring. During the week, certain examples were quoted to me. I will not go into details. However, I must say that they were not flattering. In her report, Joanne Stuart makes the point that it is difficult to link additional income from variable fees with improved student experience. A number of Members touched on that issue. I reiterate the point that I made at the beginning of my remarks: the debate gives us an opportunity to look at what has been happening in universities.

Finally, I want to comment on widening participation. We await a strategy from the Department. We also await a report from Sir Graeme Davies. I must say that I was extremely disappointed with his briefing at Magee College last week; it amounted to next to nothing. Joanne Stuart is looking at her own review. All those strategies and reviews together provide us with an opportunity to look again at what is happening and make sure that whatever system is in place is fair, that there is equality and that there is not an elitist system.

Lord Browne: I support the motion and the amendment. I will also take this opportunity to congratulate Mr Danny Kennedy on his appointment and wish him all the best in his new post.

Today I had the strange experience of listening to dozens of students chanting "down with Browne". I only hope that, if I pass any of them on the way out this evening, they do not mistake me for Lord Browne of Madingley, who published the report, otherwise I may be in a little bit of trouble.

Tuition fees have become a fact of university life for students. No matter how we personally feel about them, they are an important source of funding for universities. The key thing is to ensure that, so long as they exist, they are affordable. There is no doubt that the cap on fees plays an exceptionally important role. It gives students and prospective students certainty about what they will have to pay and prevents fees reaching unattainable levels. I firmly believe that the cap must remain.

I know that many people, including the Browne review, have claimed that a market approach is the solution to the problem of higher education funding. Although it would certainly solve any problems of funding, a market model would inevitably lead to a system where admission was based solely on wealth and not on merit. I ask anyone in the Assembly who supports removing the cap on fees to seriously consider how that could fit with the Assembly's desire to create a society based on equality of opportunity and the principle of merit.

One does not need to be an economist to realise that, if a market solution is applied to the issue of fees, it will ultimately be based on the principle of supply and demand, meaning that the price of a degree will be solely determined by what the richest students

are willing to pay. The greatest burden in the current system is shouldered by students who are caught in the position of not being disadvantaged enough to apply for grants and, at the same time, cannot afford to pay off the fees quickly. If the cap were removed, those middle-class students would be put in the impossible position of deciding between missing out on a degree and taking on a massive debt that is potentially not repayable.

If we believe that everyone should have an equal opportunity to access higher education, we have to realise that a market-based approach will never allow that. It is clear that a balance must be struck, and devolution puts us in an excellent position to do that. I am sure that the new Minister for Employment and Learning will take a lead in that. The education future of an entire generation rests in his hands, and we cannot afford to let him shy away from his responsibility to keep a system that offers equality of access to all, regardless of the ability to pay. I await the outcome of his review in the hope that we do not decide to sacrifice our future for the sake of short-term and short-sighted savings.

Rev Dr Robert Coulter: I too wish to begin by wishing our new Minister, my colleague Danny, well in his new job, and I pay credit to his predecessor, who skilfully managed the Department for the last three and a half years.

I am glad that we are having this debate because, having had the privilege, over a lengthy life, of reading for six university degrees, I speak not from an academic point of view but from personal experience.

5.00 pm

Having started my academic career when fees were very limited, I still remember getting a cheque in my first year for £25, and that was the support that I got. I had come from a working-class background, dropped out of grammar school, and served my time as a motor mechanic. Therefore getting even £25 was something. However, the urge to learn, to get on and to get a university degree overrode everything else.

Northern Ireland's academic institutions are second to none. By becoming a member of the prestigious Russell Group, Queen's has been recognised as one of the top universities in the United Kingdom. However, the nature of education, as I have known it over the past

50 years, means that we cannot stand still or become complacent. We cannot ignore the fact that the current financial climate means that the manner in which universities are funded is changing across the whole of the United Kingdom. We ignore that at our peril.

In order to compete in a UK-wide market, our universities must be comparatively and sustainably funded. It is worth reflecting that our recent success has, in no small measure, been built on increased funding to the tune of 21% in higher education over the past five years. The Browne report reflects changed fiscal reality and, consequently, asks us all difficult questions about how to balance the need to maintain excellence and investment while ensuring that people from all walks of life, particularly those from deprived backgrounds, choose university.

My party is extremely proud that participation in higher education is greater in Northern Ireland than in any other part of the United Kingdom, and we will continue to work tirelessly to ensure that that remains the case. In light of the Browne report, considerable anxiety has been expressed in recent weeks not only among the student population but among parents and the young people who, in the next few years, could make the transition from school to university.

I recognise those concerns, but we cannot shy away from reality. It would be irresponsible and disingenuous to suggest that Northern Ireland can exist in a vacuum on this crucial issue. If we reject any increase in student loans, in the light of the financial constraints that face the United Kingdom, proposing reductions in the budgets of other Departments is the only feasible option to fill the considerable funding gap that will be created. As I have said on other occasions, when we bring these demands before the House, we should bring the answer to how we can fill the vacuum.

It is worth reflecting on the fact that this report was long planned and has its roots in the Higher Education Act 2004. The Assembly faces difficult choices.

The Deputy Speaker: Will the Member please bring his remarks to a close?

Rev Dr Robert Coulter: I support the amendment, as it is the best way forward.

Mr McDevitt: I support the motion.

I thank Members on all sides of the House who added their names to this morning's petition. It is an important petition that seeks to define us for who we would like to be: a region with education at its heart, which does not look to social class or ability to pay to decide who should get the opportunity of third-level education, but looks simply to the potential of every student, whether school leaver or one returning to education much later in life, and to their ability to learn and to understand the great opportunity, as the Reverend Robert Coulter put it so eloquently, that education provides for all of us.

The petition was started in order to send a clear message, not just to us as a collective, but to the rest of these islands, that we in Northern Ireland understand the progress that has been made in the past decade. We know how much things have changed from the days when Mr Bell, Mrs Kelly and others in the House were in university. We appreciate that many thousands of young students who have the opportunity to have a third-level education today would not have had that opportunity then. We do not want to turn back the clock or to unpick those tremendous achievements. We want to defend and to build on the progress that has been made.

An interesting and important part of the debate is understanding the difference between funding the teaching of undergraduate degree courses and funding research in our universities. We should aspire to make both our major universities major research universities. We should make it a priority of economic policy to invest in research, but that is not the job of undergraduate students. Regionally, we have to work through a conversation about how to continue to support the undergraduate education that is necessary to transform our region while supporting better and stronger research in the areas that will help to rebuild our economy.

Nevertheless, we should have the courage to say that it is our desire that when our children or our parents, cousins, nephews or friends want to be part of higher education, they can do so in a genuinely affordable way. That is why the motion requires that fees be capped. It is also why we say that no mechanism should be put in the way of people's ability to afford those fees. Therefore, we must understand that there is a correlation between seeking to cap the cost of university education and capping the cost of funding that education.

It is entirely understandable that colleagues across the House want to amend the motion to try to protect them and us from future potential expenditure commitments, but we have been talking for the past month about the need to unite against what we feel is an incorrect and inappropriate approach to budgeting in Great Britain. Here, today, we have an opportunity to do that our way, just like the Scots. I quoted the Scottish Conservatives' opinion on the matter earlier. It is not that of the London Conservative Party, but that of the Conservatives in Scotland.

Mr Bell: Is it not the case that Scotland is about to review its case and increase student fees? How does the Member respond to the news in the 'Irish Times' today that the Irish Republic is to put an extra €1,500 on to students to raise the €80 million that it needs? Finally, if it comes down to a choice between a cancer bed in the City Hospital or student fees, how would the Member pay?

Mr McDevitt: I will avoid the last question; it is an unfair choice, and I will not fall into that dilemma. If this was Dáil Éireann — it might be some day — *[Interruption.]* — I would be standing here saying that we should unite anywhere on this island against the type of politics that suggest that it is a good idea to burden education.

I end with a few words that are accredited to a gentleman called Derek Bok, a former president of Harvard University. They are the words by which — I welcome the new Minister to his portfolio — we should all approach education policy:

"If you think education is expensive, try ignorance."

The Minister for Employment and Learning

(Mr Kennedy): I thank all the Members who contributed to this important debate. I also thank the Members who passed on their good wishes to me as I undertake my new responsibilities. I pay a warm and genuine tribute to my predecessor, Sir Reg Empey, for the outstanding contribution that he made as Minister for Employment and Learning and as a member of the Executive. I have a very hard act to follow. I think that the whole House recognises the huge contribution that Reg Empey has made to the work of the Assembly and the Executive.

I welcome today's debate. Lord Browne's report on higher education funding, which was published last month, proposes a revolution in how we

as a country think about our universities. As Members are aware, on the day on which the Browne report was made public, we published our review of student fees in Northern Ireland, the Stuart report. Taken together, they ask hard questions and provide us with some very real challenges as we seek to plot the best course for future funding of higher education in Northern Ireland and to provide the best possible opportunities for our young people. Indeed, it was recognition of the issue's importance and the need for early engagement that led my predecessor to make a statement to the House on the day on which the reports were published. It is now up to the Assembly and the Executive to think through those hard questions and challenging answers and to create a "made in Northern Ireland" approach to the issues. I very much hope that we can meet those challenges in a mature and responsible way.

I was encouraged by the tone of the debate. I am prepared to overlook a little bit of the political grandstanding, which came particularly from those Members who tabled the motion and supported it. As my predecessor indicated on 12 October, Joanne Stuart, to facilitate a better informed debate, has been asked to update her report in light of Lord Browne's report. That is in keeping with the recommendations that are contained in her original report. Therefore, I cannot accept the assertion from, I think, Claire McGill that there was an attempt to put Joanne Stuart's report on the long finger. It has to be read very much in the context of the Browne report. Joanne Stuart has agreed to undertake that update. I hope and expect that she will have completed that work by the end of the year.

To expedite that, and so that we are aware of the initial views of key stakeholders in the new context in which the higher education debate is now taking place, I have asked my officials to meet, in the next few weeks, the external steering group that supported Joanne Stuart in carrying out the review here. I recognise the critical importance of all the key stakeholders being fully engaged as we move forward. We need to build consensus, because there are difficult challenges ahead for all of us. I was, therefore, grateful for the opportunity to meet a number of student representatives earlier today at my request to hear their views and concerns. I assured them that they will remain fully involved in the process, because I recognise and value the contribution that they make. I have also taken the opportunity today to have a discussion

with the vice chancellors of the University of Ulster and Queen's University and Joanne Stuart. I know that the universities, like other stakeholders, are concerned about the future. I look forward to engaging them further.

I welcome and pay tribute to the Committee for Employment and Learning's responsible and measured input to date, particularly following the launch of the Browne and Stuart reports, when it stated:

"We need to determine how to balance the difficult equation of how much student fees should be and how much public finance should be given to the universities."

I look forward, therefore, to an early meeting with the Chairperson, Deputy Chairperson and other members of the Employment and Learning Committee.

5.15 pm

The reports from Lord Browne and Joanne Stuart will help us to think through the challenges outlined, and I will consider Lord Browne's report in conjunction with Joanne Stuart's update and the spending review outcomes — that is an important emphasis — before bringing forward a public consultation on those important issues. I tell the House and every Member of it that, as Minister, I am fully committed to ensuring that access to higher education in Northern Ireland should be based on the ability to learn, not the ability to pay.

Some Members: Hear, hear.

The Minister for Employment and Learning:

However, we must also recognise that, in funding higher education, we need to achieve the right balance between contributions by government and by those who benefit from a higher education in the context of the current financial and economic realities. Members will be aware of the budgetary issues following the recent comprehensive spending review. Indeed, following the emergency debate in the House last Monday, Members will be all too aware that the details provided by the Chancellor in the comprehensive spending review provide the context in which we must take difficult decisions.

I do not expect Members to come to any firm conclusions on the changes suggested by Lord Browne until the full details of the spending review implications for Northern Ireland are

known and spending priorities have been established by the Executive. Some may question the relevance to Northern Ireland of Lord Browne's report and will suggest, perhaps, that we should simply ignore it or dismiss it completely. That is not the real world. Higher education funding here is a devolved matter, and we do not operate in a vacuum. Our universities and students compete in a UK-wide market, and the Executive get the block grant from Westminster. We simply cannot stick our head in the sand and pretend that those facts do not exist.

Therefore, before we take decisions, we must carefully consider Lord Browne's report, the coalition's response, although not yet in, the updated Stuart report, and the implications of the CSR. It is for those reasons that I cannot support the motion in its outright rejection of the Browne proposals. Although I support its sentiment of access to higher education for all regardless of ability to pay, the interests of Northern Ireland's universities and students are not served by basing our response to Browne on ideology rather than facts.

I thank Mr Weir and Mr Bell for their amendment, which strikes the right balance as we consider how to move forward in a very difficult context. As Members wrestle with those issues in the coming months, it is worth reflecting that the higher education sector in Northern Ireland has seen a funding increase of 21% over the past five years. We should also reflect on the successes that that additional investment helped to create. In recent years, we have witnessed a dramatic expansion in our university population: in Northern Ireland, almost half of our 18- to 21-year-olds now participate in higher education.

Importantly — an achievement in which we should take great pride — we have the best higher education participation rates in the UK by those from socially disadvantaged backgrounds. In 2008-09, a significantly higher proportion of Northern Ireland's young full-time, first-degree entrants were from socio-economic classes 4 to 7; it is 32.4% in England and 28.2% in Scotland. Therefore, one can say, accurately, that the existing fees regime has not impacted adversely on our participation rates. Such an extension of opportunity helps to strengthen our economy and has greatly benefited our society, and I hasten to add that I am committed to protecting those benefits. I hope that that gives some comfort to Sue Ramsey. There is no doubt that the Executive will, ultimately, have

to face difficult choices. Nonetheless, one of my concerns is to protect as far as possible Northern Ireland's position in leading the way in the UK on increasing participation rates and widening access to higher education.

Research and development has been identified as an important contributor to economic development at both UK and Northern Ireland level. As the First Minister and the deputy First Minister will testify, that was a key theme at the recent investment conference in Washington. As the major suppliers of research in Northern Ireland, our universities have a vital role to play in producing quality research and in translating that research into the market through knowledge transfer. By supporting world-class research, development and innovation, we can build a dynamic economy, which is the top priority of the Programme for Government.

Over the past number of years, my Department has invested significant levels of research funding in our universities through a variety of mechanisms. The amount invested by equality-related research funding has risen from nearly £40 million in academic year 2005-06 to more than £50 million in academic year 2010-11, which is an increase of more than 35%. The success of that investment has been clearly demonstrated by the performance of our universities in the most recent research assessment exercise in 2008. The results confirm that research undertaken in Queen's University and in the University of Ulster is world-class. It is imperative, therefore, that we do not lose sight of the fact that R&D and innovation lie at the heart of Northern Ireland's economic recovery, so I very much want to maintain research funding at the appropriate level.

I shall now address Members' contributions. Mr Ramsey opened the debate by advocating a progressive taxation policy, which would no doubt be popular with the wider public. However, he made a mistake somewhat by focusing his criticisms on the Russell report. In our context, it is important that we consider the Browne report and the Stuart report. Let us work on those reports as we move forward.

I agree with Jonathan Bell that fairness and quality should be the mark of our approach, and we want our universities and students to retain their world-class status. Sue Ramsey offered sincere commiserations, so I thank her for that. Like her colleagues, she laid out Sinn

Féin's position, which is to scrap student fees. However, if we simply scrap student fees, an £80 million gap would be created immediately and would have to be funded from the Executive or the block grant. Other Departments and Ministers, including those who are her party colleagues, may well have a view on that. I thank David McClarty for reminding us about the widening access campaigns for Northern Ireland universities, which are working successfully. Indeed, they are a tribute to the hard work and dedication of Sir Reg Empey.

I was slightly disappointed by Chris Lyttle's approach. Although he reminded us, on behalf of the Alliance Party, that we have to live within the financial constraints that are being imposed on us, he went on to produce a long shopping list of issues for me to fund. We have to wake up and smell the coffee. Talk is cheap; it takes money to buy whiskey. *[Laughter.]*

Sydney Anderson welcomed the increase in access and the approach of finding high-value jobs. Claire McGill did not address the £80 million gap that would be created.

Ms S Ramsey: Will the Minister give way?

The Minister for Employment and Learning: No. I am sorry; I do not have time.

Lord Browne said that it was "down with Browne" that concerned him. I assume that most of the students are not from east Belfast. The House would do well to listen carefully to the words and wide experience offered by Dr Coulter. I hope that Members, after some reflection, will support the amendment.

Mr Weir: First, I join with others in congratulating the new Minister on his elevation. He is a man who, in his own words, has had an overnight success after 25 years. He is welcome to the post.

The debate has looked at a very difficult subject that we have to approach with realism and responsibility. We do nobody any favours if we give people false hope, or pretend that, simply by closing our eyes, we can wish away the Browne report or the context from which it emanates. Although a lot of the sentiments are the same across the Chamber, we have fundamental differences when it comes to the wording of the motion. It is, in part, inaccurate. Even in the last line, it refers to:

"the coalition ... plans to adopt the Browne proposal to remove the cap on student fees."

I am no great fan of the coalition, but it is fairly clear that they have been backing off that proposal, as was highlighted by Nick Clegg not that long ago. The Minister is right in proposing that we need to look at how best to tackle the issue in Northern Ireland. There has to be a detailed examination of the issue. However, if we adopt the motion, we will prejudge that outcome and take it at the beginning of the process rather than at the end.

Rather than prejudicing the outcome, the amendment addresses four principles that should apply to any final agreement. First, that third-level education in Northern Ireland remains affordable; secondly, that students from the most disadvantaged backgrounds must be assisted; thirdly, that we are opposed to and reject the removal of a cap on student fees; and, fourthly, that we are opposed to a two-tier university system. Those are four principles on which we should be in a position to unite.

As the Minister quite rightly highlighted, this is about balance. It is about getting a balance that is fair to the students of Northern Ireland, to the students from Northern Ireland who are studying in other parts of the United Kingdom and who have largely been ignored, and to the universities. The proposer of the motion effectively castigated the universities here for the amount of money that they are spending on research and development, but that is vital if we are to put the economy at the heart of what we do.

Let us be realistic: if we adopt the SDLP's position, instead of striking a balance, we will be left with one of two situations. Either we will massively underfund universities here and Queen's University and the University of Ulster will sink not even into the third division, as Mr Bell put it, but into some sort of non-league status, or, we suck in vast amounts of money from other Departments to help to subsidise the changes. There is no other way of squaring that circle, and I have yet to hear an answer from the SDLP as to which approach it is going for.

To be fair to Sinn Féin, its position on student fees has been absolutely consistent: it may be consistently unrealistic, but at least it has been consistent. I take slight exception to a remark that Sue Ramsey made when she was castigating the former Minister Carmel Hanna and the SDLP for their role in effectively ensuring that student fees remain. That was fundamentally wrong. It was, in fact, Seán Farren

and the SDLP who brought that in. Sue Ramsey should check her facts —

Mr McDevitt: Will the Member give way?

Mr Weir: Unfortunately, I have got only another minute and a half.

Mr McDevitt: Will the Member give way for accuracy's sake?

Mr Weir: For accuracy's sake, the SDLP's position on the review of student fees was brought in by Seán Farren. I do not have the time to give way. I am trying to sum up, and Mr McDevitt has had his chance to speak. He will not get another in this debate.

I am most disappointed and puzzled by the position of the Alliance Party. I agreed with a lot of the content of Chris Lyttle's speech. He highlighted the need to ensure that things were affordable for students in Northern Ireland. He highlighted the need to protect people from the most vulnerable and socially disadvantaged backgrounds. He indicated, as I would, that he was strongly opposed to the removal of the cap on student fees, and he specifically mentioned that we do not want a two-tier university system.

He commended all four points in the amendment and then said that he was against it. Beyond that, he told us that it would be dishonest to suggest to people that we have room for manoeuvre to implement effectively what the SDLP is saying. Therefore, he supports all the elements of the amendment and says that it would be dishonest to say that it will not be very difficult to implement the SDLP ideas, yet —

5.30 pm

Mr Deputy Speaker: Bring your remarks to a close.

Mr Weir: Yet he opposes the amendment and supports the motion. I find that difficult to understand.

Mr Lyttle: Will the Member give way?

Mr Deputy Speaker: Time is up.

Mr Weir: The only responsible way forward is to not prejudice the outcome, support students and universities and support the amendment.

Mr D Bradley: Go raibh míle maith agat, a LeasCheann Comhairle. I will begin by emphasising the House's agreement on congratulating the new Minister. Given that he is from almost the

same townland as me, I add my congratulations to those of the House. Perhaps he will be remembered today for one expression: he said that talk is cheap, but it takes money to buy whiskey. I hope that he did not have a few before he arrived here today.

Pat Ramsey began the debate and emphasised the importance of third-level education in building a knowledge-based economy and a highly skilled workforce. He outlined the negative impact of higher fees and said that they would deter people from attending university, impact especially on middle- and lower-income families and place a huge financial hardship on students as they leave university. He also made the point that higher fees would lead to fewer local students in our universities. He said that we should all bear the burden of the cost of higher education, because society as a whole benefits from it.

Mr Ramsey said that the extra money from an increase in fees would be used to fund research and not to fund teaching, and he said that it is not the role of students to fund research. He urged the Minister not to increase fees and referred to the students who attended Parliament Buildings today to protest and to present 10,000 signatures. He said that those students want to make sure that future families have the access to university that they and their families have had. He refused to accept the amendment and called for unity on the SDLP motion.

Jonathan Bell emphasised his view that access to university education should be based on fairness and equality. I agree with him. That is why he should unite with us behind the SDLP motion. The DUP amendment will not bring fairness and equality to university entrance.

Sue Ramsey commiserated with the Minister on taking up his appointment when hard decisions have to be made. However, she gave him credit for his past record and said that she hoped that he would come to the hard decisions quickly. I hope that he comes to the right decisions quickly. Sue commended the students who came to Parliament Buildings and questioned the SDLP record on higher education. I want to point out to Sue that, when the SDLP held the Ministry through Seán Farren and Carmel Hanna, it provided the best package that was available to students anywhere on these islands. That was recognised not only by this House but by

all the student unions. I hope that that answers Sue's questions; I am happy to clarify that for her.

David McClarty presented us with statistics that showed that more students from disadvantaged backgrounds gain access to university in Northern Ireland than in England and Scotland: 42% in Northern Ireland, 32% in England and 28% in Scotland. He also outlined the important role of universities in developing the economy. He argued that we should follow England, and one wonders what the point of devolution is if we cannot make our own decisions for the good of our own people here rather than slavishly following what is laid down for us elsewhere.

Chris Lyttle said that he had come to the debate with an open mind. He was not persuaded by the DUP, and he must have been wooed by the SDLP's arguments. He expressed his support for the motion, and I am grateful to him for that. He called on the Minister for Employment and Learning to fund higher education to ensure that access to university should be based not on the ability to pay but on ability only. He said that we should consider some of the proposals of the Browne report, and he mentioned the student charter and finance arrangements for part-time students. His comments that the Assembly should show devolution at work on that issue echo mine.

Sydney Anderson expressed his agreement with many of the sentiments in the motion. I thank him for that, but it is a pity that he did not go the full way and support us. Claire McGill spoke about the student experience at university and said that the Stuart and Browne reports provided the opportunity to examine student experience. She emphasised that the current level of student debt, which amounts to £1.35 billion, would increase further if the cap on fees were to be removed.

Lord Browne dissociated himself clearly from the other Lord Browne, and he emphasised that the "down with Browne" slogans were not directed towards him. He agreed that the cap should remain. He was firm on that, so we will not say "down with Browne" to him on that issue. He said that a market-based approach will not work to gain equality of access to all, and we agree with him on that point.

Reverend Coulter paid tribute to Sir Reg Empey, and I am sure that we will all join in that. The Reverend Robert collects university degrees, and he probably has more of them than many of

us have had hot dinners. He is proud of the fact that participation levels in higher education are higher here than elsewhere.

Mr Weir: *[Interruption.]*

Mr D Bradley: I heard that one, Peter.

He supported the motion as amended.

Conall McDevitt referred to the student petition, and he said that it sent a clear message to the Assembly and, indeed, further afield. He said that we should defend the progress that has been made and build on it. He emphasised the importance of research and development but said that it is not the role of undergraduates to pay for research and development. I totally agree with him on that point, and I am sure that that will not surprise you. He said that there is a need for us to unite against inappropriate budgeting coming from across the water. He ended his speech with a quotation from Derek Bok of Harvard University, who said:

"If you think education is expensive, try ignorance."

The Minister opened his speech with a very warm tribute to Sir Reg. I almost thought that Sir Reg had gone to the House of Lords already. The Minister said that there needed to be a unique Northern Ireland approach to the challenges, and I have emphasised that in my speech. There should be a unique Northern Ireland approach that protects our students and does not place an increased financial burden on them. The new Minister rather pompously accused those who tabled the motion of political grandstanding, and I hope that he has not caught the Ken Maginnis virus; I do not think that Michael McGimpsey yet has a cure for that.

The Minister is fully committed to access, and he believes that it should be based on ability rather than on ability to pay. We agree with him on that point, and we hope that his words will be reflected in his actions.

Mr Deputy Speaker, my time is coming to an end. I thank all the Members who responded so warmly to my speech. I commend the motion to the House.

Question put, That the amendment be made.

The Assembly divided: Ayes 44; Noes 29

AYES

Mr S Anderson, Mr Armstrong, Mr Beggs, Mr Bell, Mr Bresland, Lord Browne, Mr Buchanan, Mr Campbell, Mr T Clarke, Mr Cobain, Rev Dr Robert Coulter, Mr Craig, Mr Cree, Mr Easton, Mr Elliott, Sir Reg Empey, Mrs Foster, Mr Frew, Mr Gibson, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr McCallister, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea, Mr McFarland, Miss McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Weir, Mr Wells, Mr S Wilson.

Tellers for the Ayes: Mr McClarty and Mr Ross.

NOES

Mr Attwood, Mr Boylan, Mr D Bradley, Mrs M Bradley, Mr Brady, Mr Burns, Mr W Clarke, Mr Dallat, Dr Farry, Mr Gallagher, Mrs D Kelly, Ms Lo, Mr Lyttle, Mr A Maginness, Mr P Maskey, Mr F McCann, Mr McCarthy, Mr McDevitt, Dr McDonnell, Mrs McGill, Mr McGlone, Mr Murphy, Ms Ní Chuilín, Mr O'Loan, Ms Purvis, Mr P Ramsey, Ms S Ramsey, Ms Ritchie, Mr B Wilson.

Tellers for the Noes: Mr Burns and Mr A Maginness.

Question accordingly agreed to.

Main Question, as amended, put.

The Assembly divided: Ayes 44; Noes 29

AYES

Mr S Anderson, Mr Armstrong, Mr Beggs, Mr Bell, Mr Bresland, Lord Browne, Mr Buchanan, Mr Campbell, Mr T Clarke, Mr Cobain, Rev Dr Robert Coulter, Mr Craig, Mr Cree, Mr Easton, Mr Elliott, Sir Reg Empey, Mrs Foster, Mr Frew, Mr Gibson, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr McCallister, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea, Mr McFarland, Miss McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Weir, Mr Wells.

Tellers for the Ayes: Mr McClarty and Mr Ross.

NOES

Mr Attwood, Mr Boylan, Mr D Bradley, Mrs M Bradley, Mr Brady, Mr Burns, Mr W Clarke, Mr Dallat, Dr Farry, Mr Gallagher, Mrs D Kelly, Ms Lo, Mr Lyttle, Mr A Maginness, Mr P Maskey, Mr F McCann, Mr McCarthy, Mr McDevitt, Dr McDonnell, Mrs McGill, Mr McGlone, Mr Murphy, Ms Ní Chuilín, Mr O'Loan, Ms Purvis, Mr P Ramsey, Ms S Ramsey, Ms Ritchie, Mr B Wilson.

Tellers for the Noes: Mr Burns and Mr A Maginness.

Main Question, as amended, accordingly agreed to.

Resolved:

That this Assembly notes the publication of the Browne and Stuart reports on the funding of third-level education; calls on the Minister for Employment and Learning and the Executive to ensure that publicly funded higher education is based on the ability to learn, not the ability to pay, ensuring that third-level education in Northern Ireland remains affordable; calls on the Minister for Employment and Learning to bring forward recommendations on how students from the most disadvantaged backgrounds can be assisted; and rejects any proposal to remove the cap on student fees which could lead to a two-tier university system.

Adjourned at 6.02 pm.

Northern Ireland Assembly

Tuesday 2 November 2010

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

Members observed two minutes' silence.

Executive Committee Business

Justice Bill: Second Stage

The Minister of Justice (Mr Ford): I beg to move

That the Second Stage of the Justice Bill [NIA 1/10] be agreed.

I begin with an admission: I take some pleasure in standing before the House as Minister of Justice for Northern Ireland and presenting to the Northern Ireland Assembly the first Justice Bill to be considered in this Chamber for almost 40 years. It is a matter not simply of personal pleasure but pleasure on behalf of the Assembly and of all the people of Northern Ireland.

Today is a day of some significance. Following my formal introduction of the Justice Bill on 18 October, today is, I hope that Members will agree, a significant day for all of us. It is significant for the devolution of policing and justice. Since 12 April, I have stressed that the touchstone for the Department of Justice will be the creation of justice legislation for Northern Ireland.

The Assembly was given the powers to legislate on policing and justice almost seven months ago. Within an even shorter period, we are already considering legislation that will make major changes to the justice system. That legislation and the wider work around it will lay a foundation stone for future development. Collectively, we have taken major steps forward since devolution on 12 April; we should all take credit for that. Today, therefore, has significance for the Assembly, which is now delivering for the people of Northern Ireland justice powers that have been created specifically for our needs. Executive Ministers have considered the Justice Bill in draft form, the Justice Committee has been briefed on the proposals for the Bill and been involved in their development, and from today the Assembly as a whole can play a part.

It is also a day of significance for the justice system itself. The Assembly will be considering legislation that will make significant changes to the way that the justice system does its business. The legislation will improve the services that we provide to victims and witnesses, enhance community safety, better engage communities and allow us to do our business better, more effectively and more efficiently in the current economic climate.

It would be dishonest of me, however, not to register some personal pleasure, too, in bringing justice legislation before the Assembly today. It has significance for me and for my Department. On 12 April, as part of the Hillsborough Castle Agreement, I was charged with bringing forward a justice Bill for Northern Ireland. In a little over six months, we have a major piece of legislation for Members' consideration. I pay tribute to those who helped along the way — to my staff on policy matters, the draftsmen and the Committee that helped to shape the legislation.

The legislation was not created in isolation. It sits in a wide programme for change that my team and I have been working vigorously to deliver. It is part of a broad programme of work at many levels designed to reshape Northern Ireland's justice system and to deliver for the people of our region.

At the most strategic level, we have secured Executive and Assembly agreement on an addendum to the Programme for Government to map out the way forward for the Department. Wider afield, I have developed a close working relationship with ministerial colleagues outside Northern Ireland: the Home Secretary and the Secretary of State for Justice, the Scottish Cabinet Secretary for Justice and the Irish Minister for Justice and Law Reform.

At the managerial and delivery level, the Department has established a criminal justice

delivery group, chaired by myself, which will oversee the work of the Criminal Justice Board. It has overseen a new programme of work, delivered through the Criminal Justice Board, to streamline processes and eliminate wasteful delay in the criminal justice system. It has brought forward reforms to the legal aid system, with the objective of aligning legal aid expenditure with the available budget by 2012.

I have also set in train a wide programme of change. I have commissioned reviews and have launched key consultations. The reviews will examine the conditions of detention management and oversight of all our prisons; public legal services in Northern Ireland, to decide how best to help people to secure access to justice; and the arrangements for police injury-on-duty awards. Just yesterday, as the House will know, I announced a major review of our youth justice system.

For the Bill, there were, for example, consultations on legal aid, community safety structures and funding for victims' schemes. There is a consultation on sentencing guidelines mechanisms to examine how best to establish a clearer, transparent and more consistent framework for sentencing and a consultation on a new code of practice for victims, with the intention of placing that code on a statutory footing.

The Bill that has its Second Stage today sits squarely in that reform agenda in our Programme for Government and is built on and delivers key aspects of our strategic initiatives as part of our victims strategy, community safety strategy, public protection and sexual offender management agenda, our recently published strategy to manage women offenders, our work to improve access to the justice system and, crucially, our planning policies for Budget 2010. The Bill is a key part of our strategic reform and development agenda. It undoubtedly reflects a need for change in our justice system and a desire in the justice system to do its business better, deliver better and enhanced services to victims and witnesses, improve public safety and build stronger and safer communities, and reduce costs, particularly for legal aid.

Let me explain what the Bill seeks to achieve in broad principles. It is designed to improve services and facilities for victims and witnesses, to improve our community safety arrangements, to tackle problem areas such as sports law and to improve provision to deal with offenders and, at

the same time, to allow the justice system to do its business better by improving systems and reducing costs.

Without going into too much detail, the Bill delivers on those key principles across nine parts. I want to highlight a number of them. Part 1 will improve services to victims through the creation of an offender levy to make offenders more accountable for the harm that they cause by requiring them to make a financial contribution towards support services for the victims of crime. Whether offenders are in prison or in the community, a levy would be imposed on them that would go directly to fund and extend victims' services. Part 1 also expands the services and protections given to vulnerable or intimidated witnesses when they appear in court. Special measures are sometimes required to provide extra protection or to help people who are vulnerable or subject to intimidation to participate fully in court proceedings. The provisions will increase the opportunities for help, which include video evidence or allowing certain witnesses to have someone with them in support.

Part 2 deals with similar territory, in that it will allow wider use of live link facilities in courts in the justice system for vulnerable people and for the general improvement of live link availability. Live links are facilities whereby defendants and witnesses can participate in court proceedings by live video link, where appropriate. The Bill provides for such links to be available between courts and psychiatric hospitals to ensure, for example, that a mentally ill patient could be catered for without the trauma or difficulty of travelling to a court.

Together, Parts 1 and 2 are important features of a wider programme of work to improve provision and services for the victims of crime while allowing us to do our business better.

Part 3 restructures our community safety and district policing partnerships, which are currently separate. The Bill integrates the roles of both to create single partnerships for each district council. They are to be known as policing and community safety partnerships, and they will provide for a unified operational community safety and policing tier in each council area, each with its own policing committee. As well as streamlining administration, the new structures will improve public engagement, consultation and delivery while maintaining the functions

of the district policing partnership. Part 3 is a key feature of our community safety and public engagement work, and it will build confidence in the justice system more effectively.

Part 4 will provide a major package to improve our laws on sporting events. It is designed to address the worst incidents of misbehaviour by so-called sports fans and to improve the enjoyment of those who wish to attend sporting events without trouble. The package complements the Department of Culture, Arts and Leisure's safety at sports grounds initiatives and legislation, and it will tackle in-ground offences, such as offensive chanting. It will also tackle the potential for trouble on the way to and from grounds and the role of alcohol.

Part 5 improves a number of existing sentencing powers so that particular offences and sentences can be dealt with. It largely concerns violent offences, and it is designed to improve safety and tackle problems that face communities. Sentencing for common assault, knife crime, sexual offences and public protection is enhanced.

Parts 3, 4 and 5 are important aspects of our community safety engagement and public protection strategies.

Part 6 will deliver alternative methods of prosecution by increasing the opportunities for fixed penalty notices issued by police and conditional cautions that could be imposed by either the police or a public prosecutor. The sheer volume of minor offending, which largely refers to disorder offences where guilty pleas are frequent and fines relatively low, can clog up the court system. Under Part 6, relevant offenders will be dealt with quickly and effectively by police or prosecutors, and offenders will be able to avoid the court process. The provisions in Part 6 assist our efficiency and delay programmes by way of powers that would free police time for front line policing and allow courts extra time to concentrate on more serious cases.

Part 7 makes changes to our legal aid legislation. It creates a power for a new means test for legal aid; it will allow legal aid costs to be recovered from those who can afford them; and it will loosen some of the restrictions on the Legal Services Commission to allow successful cases to cover the costs of unsuccessful ones. Those powers are but one aspect of the wider reform programme for legal aid services as we

seek to stem and reduce the apparently ever-increasing pot of money required. Not only will that be a key feature of our Budget 2010 but, by targeting money at the most appropriate cases, it will improve access to justice for those most in need.

Without diminishing their importance, Parts 8 and 9 are more miscellaneous and focus on very particular improvements to the court system. They will adjust the court tiers at which bail cases can be dealt with, revise membership of the rules committees and improve arrangements for third-party witness summonses.

I should perhaps say a few words about the items that I had wanted to legislate for but for which I could not find room. A major programme of reform is under way in the Department of Justice, and there are so many areas that could be tackled. The Bill cannot tackle everything, but it is undoubtedly an important start. With 108 clauses and seven schedules, the Bill is perhaps the largest that the Assembly has considered or will consider. However, there simply was not enough room to cover everything.

10.45 am

I had hoped to introduce further system improvements by reforming court boundaries to create a single territorial jurisdiction for Magistrate's Courts and County Courts. That would have allowed court business to be done more effectively. I had also hoped to create new powers for the Public Prosecution Service, including powers for prosecutors to consider and issue fines and summonses, again allowing for a more effective system for courts and prosecutors.

For various reasons that are largely technical or operational, I also had to drop previous plans to legislate on the Upper Tribunal's role in judicial review applications and to create a power of inspection of property in criminal cases, as well as a proposal for certain judicial salaries to be charged to the Consolidated Fund. There was not the capacity to deal with some of those issues, which will have to be left for another day.

Other matters got as far as the drafting of new provisions. I consulted on matters and presented to the Committee areas in which I fully intended to deliver change. Those areas include conferring the rights of audience on solicitor advocates in the higher courts and

changes to court funds law to provide for the payment of certain fees from investment accounts in specific circumstances, with the approval of the court. Those were ready for inclusion in the Bill but were withdrawn at a late stage owing to issues over legislative competence. Subject to those issues being resolved — my officials are already working on doing so — I intend to seek to reintroduce the provisions by way of amendment at an appropriate stage.

In a similar vein, I needed to adjust the sports law package quite late on, removing aspects of the football banning order procedure and the restrictions on alcohol in private facilities at sports grounds. The same was true of my plans to legislate for the improvement of cross-border sex offender reporting. We needed to accommodate a recent court judgement in the underpinning law, and, as it is a cross-jurisdictional issue, we are now pursuing that with other jurisdictions. Again, if those sex offender and sports law issues can be resolved, I hope to bring at least some of those features back by way of amendment.

One further matter is worth drawing to Members' attention, and this is the only time that I will refer to a specific clause in the Bill at this stage. Clause 34, which is part of our community safety restructuring, places a duty on public bodies to consider crime, antisocial behaviour and community safety implications in exercising their duties. That duty is of practical and strategic importance. At a practical level, it provides an important base for the new policing and community safety partnerships. It creates a statutory basis for co-operation that is much stronger than the current voluntary arrangements. At a higher level, clause 34 has a strategic and visible importance for the way in which we as a body of devolved Departments now work together on shared concerns. Clause 34 has the principle of partnership at its core as we face up to the challenges of how we can jointly deal with crime, antisocial behaviour and community safety.

When I obtained Executive approval to introduce the Bill, some Executive members discussed clause 34 and its implications for their Department. They agreed to the inclusion of the clause, but with the caveat that the position would be brought back to them after the Justice Committee's consideration. The Committee wanted to give it further consideration to ensure

that any consequences of having a statutory duty were justified. I look forward to hearing any views that may be expressed today on clause 34 and to the Committee's views in particular during its scrutiny of the Bill.

I will conclude by looking to the future, a future in which the Bill sets out an important template for the justice system, for the devolution of policing and justice powers, for the delivery of local democracy and for our shared future. That future will see further changes to the justice system and will result in the Assembly's continuing to consider and improve our justice legislation. It will include a programme of tribunal reform in Northern Ireland; a review of the accountability arrangements for the Public Prosecution Service; a new offender management strategy; a comprehensive strategic framework for reducing offending; further key and strategic consultation exercises on alternatives to custody; and a new community safety strategy. Some of those issues will be for the next justice Bill in the next Assembly.

Today, we have a Justice Bill before the House that makes important changes to the way in which we deliver our justice system, seeks to improve our community safety, and, perhaps most important of all, reminds us of the importance of victims in the justice process. The Justice Bill is a platform for the Assembly as a whole and is a major stepping stone in the devolution of policing and justice powers. I commend the Justice Bill to the House.

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

We always seem to want to say, as I have written in my notes, that the Justice Bill is the first of its kind that the House or a local Administration has had either the audacity or, indeed, the pleasure to debate. The Minister was at pains to make that point in his statement. Therefore, I had better make it as well. That seems to be the way to do it. Hence, I want to say that the Justice Bill is the first for some 40 years that any elected forum has had the pleasure to debate in the House. That having been said, I want to move on quickly.

The Bill is important legislation that covers diverse and wide-ranging issues. The Committee for Justice commends its main themes of improving efficiency and effectiveness in the justice system; improving public safety and building stronger and safer communities; and,

as was mentioned earlier, delivering better and enhanced services to victims and witnesses.

At the first meeting of the Committee for Justice in April 2010, it was advised of the Minister's intention to bring forward a Justice Bill. Subsequently, during May and June 2010, the Committee received written and oral briefings on the Bill's potential content and on a number of departmental consultations on justice policies that were earmarked for inclusion in the Bill. The Committee used those briefings to comment, raise issues and make suggestions on a number of policy areas that the Minister of Justice has taken into account in the Bill.

More recently, on 18 October 2010, the Committee was briefed by departmental officials on the contents of the Justice Bill and on areas that are not included in the Bill but may be introduced through amendments at a later stage. I will return to those issues later. I take this opportunity to thank the Minister and his officials for their assistance to the Committee throughout the pre-introductory stage of the process. I look forward to continuing our good working relationship during Committee Stage.

Today, the Assembly considers the principles of the Justice Bill. The Bill, as introduced, is large, with 108 clauses and seven schedules. As I indicated, the Committee for Justice supports the broad principles of the Bill. However, concerns have been expressed that large parts of the Bill simply reflect changes that have already been made to the criminal justice system in other jurisdictions, particularly in England and Wales, and that an opportunity to develop solutions that are tailored specifically to Northern Ireland has been missed.

I will comment on each of main themes in turn as they are presented in the Bill. Under the theme of providing better services for victims and witnesses, the Bill provides for the creation of an offender levy; extends a number of special measures for the giving of evidence by vulnerable and intimidated witnesses; and extends the provision of live video links. The Committee fully endorses proposals that put victims' interests at the centre of the justice system and will examine closely whether proposals in the Bill will go some way to realising that ideal.

When the Committee scrutinises the Bill, it will look closely at the practical administration of the offender levy, the costs involved and the

outworking of the proposed victims of crime fund. The Committee will want to be assured that the levy revenue can be ring-fenced in the way that is envisaged by the Department of Justice and that the programmes that are financed by the funds generated through the levy will have real impact and will be additional to current statutory provision.

One proposal for the funding is to enable the introduction of independent sexual violence advisers who can travel through the justice system with victims of rape or serious sexual offences. Recently, the Committee received a briefing on the handling of sexual violence and abuse cases by the criminal justice system. Given that we heard about the lack of service that is provided to victims, we would all welcome such a development.

During the policy briefing stage, the Committee raised concerns with officials that the rate of the proposed levy at that time did not necessarily reflect the seriousness of the offence that was committed. The Committee is pleased to note that the Minister has taken on board the Committee's concerns on that matter and that the Bill now includes provision for a two-tiered levy rate to be applied to immediate custodial sentences in recognition of the greater harm caused to victims by those who are convicted of serious and violent crimes.

I welcome the fact that the Bill will also formalise the presence of a supporter in the live link room for vulnerable and intimidated witnesses giving evidence.

In his proposals under the second theme of enhancing community safety, the Minister has included provisions in the Bill to bring together the functions of district policing partnerships and community partnerships through the creation of new policing and community partnerships. Provisions under that scheme also include new sports laws and adjustments to existing sentencing powers. On the creation of new policing and community safety partnerships, the Committee is aware that, although the consultation responses received on the Department's policy proposals broadly supported the principle of a single partnership, there was no consensus on the model to be used. The Committee will want to consider in further detail the single model being proposed and the accountability arrangements that it is likely to deliver.

The Committee has also received correspondence from sporting organisations on the provisions in the Bill relating to the introduction of a package of new sports and spectator laws. The Committee will seek assurances that the provisions do not present a one-size-fits-all policy and are targeted and proportionate to the problems that exist rather than being legislation for legislation's sake. The Committee will also wish to explore the practical outworkings of the provisions and how sectarianism can be specifically covered in the clause on offensive chanting. Given the interests of the Committee for Culture, Arts and Leisure in that area of the Bill, we will seek the views of that Committee on those clauses.

On the third theme of improving access to justice through system efficiency and effectiveness, the Bill provides for the introduction of new and additional alternatives to prosecution, including an expanded fixed penalty notice scheme and the use of conditional cautions. The Bill also contains financial reforms on legal aid to allow for the introduction of means testing, for example.

On the alternatives to prosecution provisions, the Committee will want to ensure that the interests of victims remain to the fore. The Committee will want to be assured that the new provisions represent a fair and proportionate way of dealing with first-time and non-habitual offenders who have committed relatively minor offences, while acting as a genuine and effective disincentive to further reoffending. We will also wish to consider whether the range of offences for which fixed penalties will be applied is appropriate and whether those powers will make a significant impact in unclogging the judicial system.

The Bill also makes changes to legal aid legislation, including a rule-making power for a new means test for the granting of criminal legal aid. In considering the enabling power, the Committee must be satisfied that there is no intention to set the means test at a level that would diminish access to justice for those who need it most.

The Committee will wish to consider carefully the content of the Bill and explore further the reasons why issues regarding legislative competence arose at a very late stage prior to the introduction of the Bill and resulted in proposals that were expected to feature in the

Bill not being included. Those proposals include the conferring of rights of audience on solicitor advocates in the higher courts and football banning orders for fans travelling to matches outside Northern Ireland. The Committee is aware that there is disappointment in some quarters that those proposals are not in the Bill. The Department has indicated that, if it can address concerns raised by the Attorney General, it proposes to bring those provisions back as amendments at a later stage in the Bill's progress.

The Committee will wish to explore its position on those issues, even though they are not part of the Bill as it stands. There may well be other areas that the Committee may wish to see included in the Bill. The Committee for Justice is seeking written evidence on the Bill from a wide range of organisations and individuals, and we look forward to considering the views expressed and exploring any issues raised during Committee Stage. The Committee will report its findings to the Assembly in due course.

11.00 am

That is all that I want to say as Chairperson of the Committee. However, I want to make a point or two as an MLA. I recently listened to a radio programme on which an MLA talked about legislation; he wondered where it was and what was happening to it. I would have thought that that MLA would have known where it was. Anyway, it is a very simple exercise to find out where a Bill is if one is in any doubt. That MLA is here with us today, so I remind him that the Bill will now be referred to the Committee, which will take control of it, and it will probably be with the Committee until at least January or February of next year.

For that Member's sake, I am telling him that that is where the Bill will be. The next time that he is on 'The Stephen Nolan Show', he may wish to make it clear that he knows where the Bill is, because he did not seem to know where any Bills were. He thought that they might have got lost in the maze. I assure him that the Bill will not get lost in the Committee, because we will look after it and scrutinise it in great detail. It will be with us for a considerable time. I hope that the Member takes note of that.

Mr McCartney: Go raibh maith agat, a Cheann Comhairle. Ar dtús, ba mhaith liom fáilte a chur roimh an Bhille atá os ár gcomhair ar maidin.

Beidh Sinn Féin ag obair leis an Aire, leis an Roinn agus leis an Choiste leis an Bhille a bhunú.

I thank the Minister for his presentation. Sinn Féin welcomes the Bill. When the Chairperson was speaking, I looked around the Chamber to see whose feet were shuffling the most to see who the guilty person was. Fortunately, they are all good poker players.

Sinn Féin welcomes the Second Stage of the Bill —

Mr B McCrea: I wonder whether the Member feels that we should institute an inquiry to find the guilty person. Perhaps Lord Morrow will tell us later.

Mr McCartney: Perhaps. I hope that legal aid will be sorted out by that stage, so access will not be denied. However, that is another issue.

Sinn Féin sees the Bill — the first piece of legislation from the Department of Justice — as evidence of the need for and the delivery of the transfer of policing and justice powers to the Assembly. The Bill is evidence of the Assembly legislating for the people whom we represent. We should shape it in such a way so that when it becomes law, it represents all the people whom we represent.

The Bill sits well alongside other initiatives of the Department, such as the review of prisons and the review of the Youth Justice Agency. Alongside the valuable work of the Criminal Justice Inspection, it has allowed us, as MLAs and as members of the Committee, to look at the strengths and weaknesses of the justice system so that, as we try to shape it, we find out which areas need improvement and how we can build on its strengths.

We all accept that there was a limited window of opportunity between now and the end of the mandate. However, the Bill, by the extensive nature of what it covers, demonstrates that it was not the easy option but that it is an extensive piece of work. As we take it through the Committee, we will see the detail required to scrutinise it as we should. I speak on behalf of Carál Ní Chuilín and John O'Dowd when I say that we are ready for that, as, I have no doubt, are the other members of the Committee.

The Minister outlined in detail the principles of the Bill, as did the Chairperson of the Committee, which is what this part of the process is about. What we now need to do

in the Committee is shape the legislation to ensure that it covers and is representative of the needs and demands of the people of the North. The Bill covers victims and witnesses, community safety, and system efficiency and effectiveness. Those are three excellent recurrent themes for the Bill.

We have heard the Minister and the Chairperson of the Committee outline sub-themes with regard to vulnerable and intimidated witnesses; the offender levy; how community safety partnerships and the DPPs could and should work better in future; and sports law. In times past, I sat on the Culture, Arts and Leisure Committee, which discussed sports law. This legislation is welcome because aspects of sports law need to be addressed. It is, perhaps, not as big a problem here as elsewhere, but it is something that we need to address. Alternatives to prosecution, based on fixed penalties, will be welcomed by most people.

The Committee received a number of presentations on the legal aid system and was well informed as to the various views on how legal aid should be administered. Coming out of this process, we should have a better system. We have listened to the officials and to all the presentations and it is important that access to justice remains a fundamental threshold in which we examine all that we do. We cannot have a system that, in some ways, denies access to justice. Our justice system should be designed and have at its core a sense that we have a good justice system that is accessible, represents all people equally and has no hidden spots.

Initially, when going through the process in Committee, Sinn Féin raised some concerns about the screening out of some aspects of the Bill, but we are reassured that the equality impact assessment (EQIA) will examine the process to ensure that section 75 issues will be covered at the conclusion of our work. We are committed to the programme of work that the Chairperson has outlined, and we will come at this matter with a view to ensuring that the Bill is in the best interests of the justice system and the people we represent. Go raibh maith agat.

Mr McNarry: In general, the Ulster Unionists welcome the Minister's initiative in laying the Bill before the House. However, there are issues that we wish to detail and matters that have arisen on which we seek clarification.

I understand that the revenue gained from the offender levy is to be used solely for the victims of crime fund. Before I address the benefits and distribution of the fund, let me say that when the Ulster Unionists met the Minister on 12 August, we were informed that the levy was not intended to replace existing services for victims, but would complement them. I should be grateful if the Minister were to confirm that that is the case.

With respect to the extraction of payments, it is clear that payment of compensation orders will take priority over the levy, although the levy, in turn, will be collected before a fine or court costs. In clause 1, the levy can be reduced even to nil if an offender is judged to have insufficient means to pay. Clause 3 states that the governor is empowered to deduct money from a prisoner or young offender in order to meet the value of a fine imposed by the courts. However, in clause 4, it is stated that the court cannot set a default period of imprisonment for non-payment of the offender levy. Therefore, there is no punishment by imprisonment for not paying the levy, but if an offender defaults on a fine or is imprisoned or given a community service sentence, the court can remit a part of the offender levy that is yet to be paid.

I ask the Minister to clarify when an offender will be informed that he or she is liable to pay the levy, and, equally importantly, when a victim will be made aware of an offender paying the levy. Will a victim be told of the sum of money deducted and to be contributed to the victims of crime fund? Does it mean, therefore, that where an offender defaults on a fine and is imprisoned, and a court remits a part of the levy yet to be paid, that such a fine could end up being paid for an offender by the victims of crime fund? Surely that could not happen. The victims, the important people, will want reassurances. After all, we are all potential victims, and the public interest in this aspect of the Bill is extremely high.

If an offender has paid the levy, will it be set against the actual sentence laid down by the court, or will it be set against what appears to be the normal adjustment of time served, which is shorter? If that is the case, will any outstanding levy amount be discharged by an offender in time for his release from prison or detention?

As I can see the Minister's good intentions in the levy, and as I can see it going some way to give satisfaction to a victim, I want to help the Minister to establish it, but as an extra bounce to a punishment that could make an offender think twice about offending again. Moreover, it may make an offender think about his unfortunate victim, because it must be remembered, and this is the rub for most victims, that although the extra bounce is something that we would all like to see, it is not apparent.

The victims of crime fund will not gain extra money. It will simply move money from one pot to another or from one type of fine to another. If that is the case, the Minister needs to do something more convincing on the following: he must demonstrate that the levy imposed is not only proportionate to the level of offence committed, but that those convicted of serious offences, and who arguably cause the greatest harm to their victims, contribute a greater sum to the fund through the levy; he must ensure that the justification of an offenders' levy is not used to weaken or to reduce the impact of a punishment because it would rank below a compensation order; and he must ensure that, where the proposals are to have small, weekly deductions from prison earnings, those deductions will be made and will be paid towards the levy.

I do not want that to be seized upon by the liberal luvvies with whom the Minister has been known to fraternise in the past. They will want to know whether he is seeking to punish prisoners even more, or even punish them too much, which is what I hear from the walls outside: poor old prisoners, indeed. It is the poor and often damaged victims whom we should be thinking of, many of whom are and will remain vulnerable, such as the elderly and the law-abiding people. Many of them will wonder why, and will be outraged to know, perhaps, that when people receive custodial sentences, not only are they well fed, kept fit, ensured of recreation time and the freedom to watch TV or to catch up on a hobby, but they are actually paid for being in prison. The money going into the victims of crime fund is deducted from weekly prison earnings.

Perhaps the Bill might also consider how victims feel about people who battered them, turned their home upside down and hospitalised them. They will want to know why those people are apparently entitled to prison earnings.

My colleagues will deal with other aspects of the Bill. No doubt when it comes before the Committee, more points of clarification will arise.

Part 4 of the Bill deals with sport. It seems very unfair on soccer. I want the Minister to justify why that is the case. He needs to be more open and transparent in admitting to whom the subtext refers. Clearly, the emphasis in regulated matches is on soccer.

Last year, in a report by Millward Brown on international soccer, 80% of those questioned agreed that the IFA works for all sides of the community; 78% thought that the IFA had worked hard to move football forward over the past four years; 76% agreed that Northern Ireland games had become family friendly; 73% said that the Northern Ireland team is representative of the whole community; and 86% said that the IFA had eradicated sectarianism over the past four years.

With all the superb efforts that have been made by all sports to tidy up and to remove images that no one could be proud of or find acceptable, I find the pitch of this part of the legislation against soccer to be offensive. Soccer is the only sport that is being picked on unfairly. It deserves to be given a better press or presentation than would seem to be the case in the proposed legislation. To that end, the Minister should reflect on the singling out of soccer and come back to the House with a more appropriate draft that is less damaging to soccer.

11.15 am

I believe that ordinary, decent soccer fans will recoil from the typecasting, which paints a wrong picture that soccer fans, more than any others, are a bunch of drunken hooligans. Any groups of people who are overladen with too much alcohol are likely to let the drink turn them into drunken dopes. I fully appreciate that, on the other hand, the provisions that are outlined in the Bill are to fill gaps in the law in respect of existing criminal law and legislation that covers antisocial behaviour and alcohol abuse. I acknowledge that the Bill will be seen as supplementary to the controls that are exercised by organisers of sporting events. I recognise the intended effort that is being co-ordinated to improve the level of behaviour of sports spectators. However, it is admitted in the Bill that there appears to be difficulty in defining a drunk. It seems to be categorically problematic, which begs the question: if the

legislation is introduced, just who will decide whether an individual is drunk?

A similar difficulty arises with chanting. There is no definition of "indecent", and there is even less sure ground regarding sectarianism, which is now deemed to be found somewhere loosely under the description of offensive. I think that a variety of events organisers, from reading the Bill, will have noticed the inability to specifically identify a prescriptive offence for being drunk or chanting sectarian abuse. That is a type of person whom we see too often in public, but I am glad to say that it is not frequently attributed to today's typical football or soccer supporter or any other supporter going to a sporting event. It would be helpful if the Minister would detail how clause 38 on chanting and clause 41 on being drunk at a regulated match would be enforced.

Continuing with sport, I will now pursue a further number of points for the Minister to consider. Most clubs supplement their incomes by selling alcohol at their grounds. A case can be made that, under supervision of the clubs, overindulgence by a fan can be controlled. However, the provisions in clauses 42 and 43 introduce the ability to encourage potential spectators away from the clubs and to attend local bars, where the control of consumption may not always be provided, on the way to a match. Indeed, that would cause a loss of income for the local club facility, added to which an increased number at local bars may create trouble in the form of unruly behaviour kicking off, so to speak, before or on the way to a match. Will the Minister clarify whether alcohol could be served inside grounds, and, if so, by whom? How will clauses 42 and 43 be enforced? How does he propose to change the law on alcohol on the terraces? Will he reverse that for soccer matches or will he introduce it for other sports matches?

Clause 45 concerns ticket touting. Why is the provision applicable only to soccer matches? Does ticket touting not take place at popular or sell-out rugby or GAA games? Will the Minister explain his thinking on that clause? Does it further illustrate that he, his officials and the draftsmen see the soccer fan as different to other sports fans? I understand, as I am sure do most Members, that, in most cases, Irish league soccer games are not ticketed. Perhaps that reflects the numbers involved and the good sense of the fans in as much as touting is not a particular problem. Therefore, why is

the Department on record as stating that the reason for the provision is to keep supporters segregated?

If a social aspect is part of soccer fans' views of going to a match — I think that it is; it is part of their day — they would need to be champion hurdle jockeys to jump the obstacles placed before them. They appear to be picked on as the most likely to get drunk, brawl, chant obscenities and fall for ticket touting. To cap it all, so bad is their behaviour that they must be kept segregated from each other. There we have it. At a time when integration is under particular popular scrutiny, when the debate is being forced in another direction by the First Minister, and when rewards are being offered to improve and enhance integration, clause 45 tells us that soccer fans should be segregated.

Dare I move on to banning orders? That provision — yes, Members have guessed; they have worked it out — will apply only to football matches. Why again single out soccer unfairly? Hopefully, the Minister will enlighten us as to how banning orders will be enforced. How will stadium officials know that an individual is banned? Will a culprit's photograph be circulated to all grounds and pinned up at the entrance gate for the officials who will search for the banned person? Will banned people be excluded from all football matches, including ones held outside Northern Ireland? Furthermore, will it be the job of the PSNI to administer and to enforce those orders? That is not clear.

I know that, as we have asked, the Minister will reflect seriously on the part of the Bill that covers sport. In obliging, he may meditate on the constructive thrust of the manner in which I have raised issues and ask himself specifically what problems are solved by the Bill's provisions on sport. Will he consider fully the undertones of allegations that the sports provisions are a form of elitism, to the extent that, in citing and highlighting soccer in an over-the-top fashion, the Department cannot escape responding to the charge in the sports consultation paper that Protestant working-class males will be unfairly impacted?

Finally, I turn to the part of the Bill that has so endeared the Minister to those who practise law, namely the provisions on legal aid. I agree that the present legal aid system is not sustainable. That may have little to do with spending reviews or the Chancellor's Budget,

although the savings, if made, will help to lower costs. I question how anyone can argue for the continuation of a system that is given a budget of £85 million but, seemingly, is allowed to get away with spending more than £104 million. Is it the case that lawyers have turned legal aid into their own form of quantitative easing? Was it the case that, under direct rule, the Northern Ireland Office was happy to let lawyers spend taxpayers' money without keeping an active watch on any overspend?

I am a little wary of upsetting any exponents of the noble profession. You might need one in your office maybe, one of these days. One of these days, I may need one in my office. I hope not, but, if the fee is acceptable, I suppose that any offence caused might be offset by the ability to pay up on time, because that is what it is about. It is unfortunate, therefore, that legal fees in general, across the convoluted board, are not under scrutiny today or, for that matter, on any other day. If they were, I suspect that those fine artisans of advocacy would kick up one hell of a fuss compared with the one that they raised about legal aid costs being reduced. After all, if some of them can live off legal aid to the tune of around £1 million a year, think how much others can earn without even having to tap into little old legal aid cases. That may be why, when they see the paltry pay that we get for making ourselves accountable for introducing legislation, which they will pick over much later in the courts, with a few notable exceptions, so few members of the profession are attracted to local politics.

Unless the Minister makes some changes to the Bill, by the time that he has finished, the average soccer supporter whom I mentioned may not be able to access legal aid. I am particularly interested to hear more from him about the relationship between access to legal aid and the financial capability of victims of domestic violence to pursue a non-molestation order. As with all issues in the legal aid part of the Bill, the issue is complex. Nevertheless, perhaps the Minister will touch on that matter and the other matters that I mentioned.

I shall return to most of the following matters in Committee. However, I shall take this opportunity to ask the Minister to address clause 85, which makes provision for a means test to grant criminal legal aid to sit alongside the merit test. To what extent will the means test reduce legal aid costs by decreasing the

number of defendants eligible for criminal legal aid? Will the Minister give as accurately costed figures as possible for the claim that is made in the explanatory and financial memorandum? Furthermore, will he give his opinion on whether the more stringent means test will make access to justice more difficult for more people, or is that really the point that he wants to make? In clause 86, titled "Order to recover costs of legal aid", recovery of defence costs orders (RDCOs) were initially to apply only to the Crown Court. Is it anticipated that the measure will be rolled out to the Court of Appeal?

The Bill will also lift the restriction on the Northern Ireland Legal Services Commission, which is a quango that funds services under a litigation funding agreement. On the face of it, that seems to be a positive way in which to harness the revenue gained and to use it properly. However, is the very nature of allowing litigants to pursue money damages, including for personal injury litigation, on the basis that they would not be liable for their legal costs if they are unsuccessful, contrary to current discussions in England, and — I do not know whether it is — is it open to the reverse outcome and to fees being hiked when cases are successful?

A high degree of responsibility for the Bill and its passing into law rests on the Minister's shoulders. It is a credit to him, therefore, that he has shown boldness in the pursuit of delivery, and less arrogance than others whom I could name in mastering the presentation and bringing of the Bill to the House, both of which are crucial and complex endeavours. My colleagues will raise issues of undoubted concern, and I will listen intently to the Minister's responses to them.

However, subject to what he has to say and to further probing at Committee Stage, the Ulster Unionists are content to allow the Minister the space and their full support to develop the Bill. We wish him well in that transfer.

11.30 am

Mr A Maginness: The Minister of Justice and the Chairperson of the Justice Committee have reminded us that this is the first local Justice Bill in 40 years. It is timely to remember that. Of course, it is cited as a step in the right direction and as progress in relation to devolution, and I recognise that. However, I remind Members of the unhappy record of our predecessor

institution, the Stormont Parliament, and its passage of justice-related legislation such as the Special Powers Act and the Public Order Act, which are rather unhappy precedents. I hope that this institution will adopt a progressive approach based on human rights, fairness and on trying to achieve justice for all in the community. We have started that process with the introduction of the Justice Bill.

It has to be said, however, that the Bill was effectively mandated by the Hillsborough agreement. The Minister himself said that the Bill was brought about by that agreement and was agreed on at those political negotiations. The Bill's provisions are diverse and disparate, and it has effectively been tacked together. It is not, in any sense, an elegant piece of legislation. It puts a number of different issues into one Bill and attempts to tackle them. However, that is not to say that it does not contain good provisions; it clearly does. I hope that, in the coming months, the Assembly and, in particular, the Justice Committee can refine and perfect those provisions. It is important that we do our work diligently and conscientiously and try to get the best out of the Bill.

The Bill is also memorable in what it ignores. It is necessary to highlight a number of outstanding issues in that regard. The Minister has mentioned one, which is the relationship between the PPS and the Assembly. Quite clearly, that relationship is inadequate, to put it mildly. There is a lack of accountability, which is something that I, as SDLP justice spokesman, have highlighted over the past number of months. We need to address that issue. We cannot simply have an institution that is entirely autonomous and over which we, as the democratic forum for the people of this region, have no influence or say. It is essential that we look at that relationship. If we do not do that, we will let down the public in Northern Ireland. That requires a review, and I know that, in his address this morning, the Minister said that he is aware of that.

We are also ignoring the whole area of sentencing. The Bill does not address sentencing in any concerted fashion, although it does so peripherally. I know that there are plans to introduce and to have consultation on a sentencing council. However, that issue is very alive amongst the public. If people talk to me about one issue, it is sentencing. It is important that we, as legislators, get a handle on that, and it is essential

that, as a legislature, the Assembly gets it right. Sentencing is not included in the Bill in any serious sense.

Furthermore, we are ignoring the bizarre position in which only the PPS can refer lenient sentences to the Court of Appeal. Previously, the Attorney General could do so. However, our Attorney General cannot do that. The PPS and the Director of Public Prosecutions can do that. However, the Director of Public Prosecutions and the Office of Public Prosecutions are, in a sense, a judge in their own cause because they are intimately involved in the whole court process and are, therefore, involved to some extent — albeit peripherally in some cases — in the sentence produced. Therefore, the law is demanding that the PPS reviews an alleged lenient case and attempts to determine whether it is an issue for the Court of Appeal. That is a bizarre position in Northern Ireland that needs to be examined very carefully. However, such a provision does not appear in the Bill, and it is important to address that.

We need to look specifically at a number of provisions in the Bill in the next number of months. There has been much mention of the offender levy. It is a good idea, and I do not think that anybody in the Chamber will be opposed to it. However, from my limited experience of criminal courts, I wonder whether many defendants are capable of paying an additional amount, over and above, for example, a compensation order or a substantial fine. In some cases, a person may be able to afford to do so, but I am not absolutely convinced that that is the right way to proceed. The intention, namely to contribute to ameliorating victims' positions, is good. It is an important principle, but we must look at it in more detail as time goes by.

The Bill contains provisions to improve the legislation to assist vulnerable and intimidated witnesses by way of special measures to enable them to give their best possible evidence in criminal proceedings. Again, that is welcome. However, we have to look at the detail. For example, there is provision for automatic entitlement for adult complainants of sexual offences to give video-recorded evidence in chief. It may well be that, in certain circumstances, that entitlement should not be automatic. There should be the power to do that but making that automatic is a measure that we would have to look at seriously.

We need to look again at the provision for the formalisation of the presence of a supporter in the live link room when a witness is giving evidence. In principle, having a supporter in the link room is a good idea, but could that person influence the way in which a witness presents his or her evidence? Would that be a good influence or a bad influence, and would it enhance or embellish a person's evidence? That is a critical issue when we examine that provision. In the main, people will say that it is a good idea because a vulnerable witness needs to be given some support. However, one also needs to be cognisant of the effect that it could have on the way in which the evidence is given and on the substance of the evidence that is given.

One has to welcome the relaxation of restrictions on witnesses giving additional evidence in chief after their video-recorded statement has been admitted and the provision to allow intermediaries to be made available to vulnerable defendants. All those measures are to be welcomed. The provisions on live links are sensible and progressive. We have to look at the details and be absolutely confident that we are not causing any form of injustice to people by, perhaps, overemphasising live links.

My colleague Dominic Bradley will address the House on policing and community safety partnerships, and I will make one general point on that. We agree with the fusion of the partnerships and believe that there is a synergy between the two; it is important that that be institutionalised. At the same time, we are firmly committed to the Patten reforms, and any changes must reflect Patten's original provisions on DPPs. We will defend that position robustly.

Mr McNarry made a number of points on the provisions that the Minister outlined on sports law. I do not share his misgivings about soccer, and I do not think that the provisions pick on it unduly.

Mr Humphrey: Northern Ireland football supporters have been in contact with my office to express their concern about the Bill on the point that Mr McNarry made. The House should remember that Northern Ireland football supporters are effectively recognised by UEFA as the best supporters in Europe.

Mr A Maginness: I am heartened by the Member's last remark. In due course, I presume that the Committee for Justice will hear from the supporters or their representatives. I fail to

see that soccer supporters are being picked on unduly as a result of the provisions in the Bill. I am open to persuasion, as I am on many other occasions, and I will consider very carefully anything that is said on soccer.

In the main, it is important that there be civilised standards at sporting events. The Bill's provisions will enhance behaviour at those events, and everyone in the House should welcome that.

11.45 am

Mr Campbell: I thank the Member for giving way. I ask him to turn to an issue that I have noticed with clause 37, which deals with conduct at regulated matches. Under the clause, it is an offence to throw anything at, towards or adjacent to the playing area at any time during the period of a regulated match. Does the Member agree that it might be a good idea for the Committee to look at the wording of that clause, given that, for example, a malevolent or malicious complaint might be levied against someone who throws a ball back into play? The clause as currently worded means that some benign act that was not aimed at injuring any spectator or participant may be construed by a malevolent person as an act of aggression or of intended harm.

Mr A Maginness: The Member makes a reasonable point. On the face of it, someone who is returning a ball from the terraces might be deemed to be committing an offence. However, in practice, I doubt very much that —

The Minister of Justice: I wish to clear up this point, which has already been raised in a question that I answered. If Members look further down the clause, they will see that it is an offence to throw anything at or towards the playing area:

“without lawful authority or lawful excuse”.

As a general rule, returning a ball to play will be regarded as lawful excuse.

Mr A Maginness: I am very happy to accept the Minister's reassurance on that. Nonetheless, Mr Campbell raised an interesting point. Part and parcel of our function here is to scrutinise legislation, and I am sure that we will proceed in that fashion at Committee Stage under the stalwart chairmanship of Lord Morrow. We have a lot of work ahead of us in the coming months on the issue of sport and on other aspects of the Bill. The whole issue of sectarianism in

sport in Northern Ireland needs to be addressed, and the Bill does that to some extent. However, perhaps we can enhance those provisions.

The Bill has some useful provisions on the treatment of offenders. In particular, it makes provision for increasing the maximum period of sentence deferment to 12 months. That will help judges to deal with cases where they want to test how an individual behaves, because they will be able to extend the period of time that that person is effectively put on good behaviour to either six months or one year. There are a number of issues relating to that, but I will not go into those now.

Another useful part of the Bill is the alternatives to prosecution, which includes new diversionary disposals and wider powers for fixed penalty notices. That is important, because many minor offences clog up the court system, and one way of alleviating that blockage and of dealing quickly and effectively with people is by way of a fine or monetary penalty. In response to a question asked at Committee, an official indicated that people who have to pay such fixed penalty notices will not be deemed to have committed a criminal offence. That is important, because if somebody does something that is uncharacteristic, and it is their first offence, they should be given a certain latitude.

A monetary penalty, by way of a fixed notice, is sufficient for dealing with those people without staining their characters for the rest of their lives. There is a benefit in fixed penalty notices, and the provision is something that we will have to look at in detail. However, such notices are a very helpful innovation.

Conditional cautions, which the prosecution can bring about, are also helpful and would avoid clogging up the courts system with relatively minor offences.

It is important that means testing for legal aid grants be properly introduced. The detail remains to be worked out, and I hope that we can have an input on it. I welcome means testing, which is long overdue. Also long overdue is the provision for a separate enabling power to allow the courts greater power to recover costs from legal aid defendants who are convicted. It is important that those who have the wherewithal to pay for their legal defence make a contribution or pay all their legal aid bill if the court determines that they are in a position to

do so. It is quite unjust for the public to carry the burden of providing legal aid.

An important innovation that is to be welcomed is the removal of the restriction on the Northern Ireland Legal Services Commission from establishing or funding services under litigation funding agreements. However, I would like to see the details of how that would be worked out. In the main, the Law Society and the Bar, of which I am a member — perhaps I should declare an interest at this point — support the provision. We should be working towards the creation of a civil legal aid organisation or administration that can pay for itself and not be a burden on taxpayers in Northern Ireland. I welcome the provision and hope that there can be creative thinking around it. However, I warn the House that, in England, success fees, which are a consequence of such an arrangement, have been strongly criticised by many people. We should learn from the English experience that success fees can become burdensome and make legal proceedings very expensive. We have to look at that provision carefully.

In conclusion, we welcome the Bill and most of its provisions and will vigorously scrutinise it. The Bill is progress, and I thank the Minister for introducing it.

Mr Speaker: Before I call Dr Stephen Farry, I ask all Members to check that their mobile phones are switched off. A mobile phone, or phones, is causing a major problem to the amplifying system in the Chamber. If Members cannot switch their phones off, can they please put them on silent? As I said, a mobile phone is having a serious effect on the amplifying system.

Dr Farry: It will come as no surprise that I, too, warmly welcome the Bill. The Assembly has been looking forward to this legislation for quite some time. I will resist the temptation to make the point that has already been made by others that this is the first Justice Bill in 40 years. However, I think that I have done so anyway, albeit indirectly.

The more significant point is that, in addition to the good work that the Department is doing, it is important that the Assembly is seen to be taking ownership of justice. In considering, and hopefully passing, significant justice legislation, it is important that we are seen to copper-fasten the process of the devolution of policing and justice. This is yet another landmark in that

respect. If we can send out a strong message to the wider public that the Assembly is taking justice matters seriously and is doing hard work that will make a real difference to people, we will enhance its credibility.

I want to address some themes that have not yet been addressed directly in the Chamber, but which have been touched on in other discussions about the Bill. The first point is that the Bill is simply a rolling forward of the work that was commenced by the Northern Ireland Office. It is important to stress that there were a lot of discussions prior to devolution. Alban Maginness referred to the Hillsborough agreement. That was not imposed on the politicians of Northern Ireland; it was very much written by locally elected politicians. All the parties were at Hillsborough Castle during the negotiations, although, before Mr Kennedy intervenes, I will say that some were slightly more involved than others and were present for slightly longer than others. However, we shall not go back on history too much. Suffice it to say that that process, in which the parties decided what policies they wanted to see, reflected discussions that had already taken place, and the Alliance Party was extremely vocal beforehand in trying to articulate what was important in taking devolution forward. I have no doubt that, in the dying days of direct rule over justice, the NIO reflected on where it felt that the political parties in Northern Ireland wanted to take some of the important issues that needed legislative attention. However, beyond that, it is important to stress that important modifications to some of the different aspects of the Bill have been made since the NIO carried out public consultations on them. Therefore, in that respect, the Bill is very much made in Northern Ireland.

The point was also made that the Bill is simply a replication of legislation in England and Wales, albeit with certain time differences. In some respects, that accusation could be made across the board as regards how the Assembly legislates; it does not just apply to justice. However, it is important to stress that that claim is grossly exaggerated. In practice, there are a lot of solutions tailored to meet the needs of Northern Ireland. I will come to some of those later on in my contribution, but, initially, I want to draw attention to the alternatives for prosecution and, in particular, the establishment of policing and community safety partnerships. Those partnerships are very much bespoke and

tailored to our particular local circumstances. No doubt that approach will be reflected when the eventual direction of legal aid is decided on.

Alban Maginness also referred to a number of items that are not in the Bill, but it is important to stress that a Minister can bring substantive matters to the Assembly if a public consultation has been carried out. All the items in the Bill have been through public consultation in recent times. Items cannot simply be dropped in. In particular, the issue of sentencing is out for public consultation. The Minister regards it as a very important priority, and I have no doubt that he will look to legislate in that area as soon as possible, based on the results of the consultation. It cannot simply be dropped in without us having gone through the consultation process of listening to the views of the people of Northern Ireland.

Another issue that requires a much wider debate is the role of the PPS and its accountability. I do not necessarily disagree that there is a problem with accountability in relation to resourcing and, at a general level, the policy and practices that the PPS wishes to pursue. However, it is important to stress that it goes without question that the operational independence of the PPS over individual prosecutorial decisions must always be protected. That is an important safeguard in any democratic society or in any society that is based on the rule of law.

12.00 noon

My final general point is that this is a very lengthy piece of legislation. It is commendable that we are able to work on it. There is a lot of work to be done to scrutinise the Bill over the next number of months. I recognise the commitment of the Chairperson of the Committee for Justice, and I have no doubt that that Committee will give the Bill proper and due regard in an efficient and effective manner. Legislation of this size and complexity will inevitably be amended as it proceeds. I would be stunned if, come Consideration Stage or Final Stage in February or March, we are here discussing a Bill that is word for word what we have today. The legislative process involves bringing on board the views of other Members and, in particular, the Committee. It involves the Department and the Committee having discussions and, hopefully, making agreed and consensual changes based on those discussions. We look forward to the outworking

of a process that is perfectly natural for any democratic institution.

I want to highlight a number of important principles that guide the legislation. First of all, there is a focus on the individual and on how we handle each person. Those individuals can be victims of crime, witnesses to crime or, indeed, perpetrators of crime. There is also a focus on enhanced community safety and reducing crime. Ultimately, the Assembly's success or failure in dealing with criminal justice must be judged by how people feel in the community and whether they feel secure at home and on the streets. We also hope to facilitate a reduction in offending and reoffending. The Bill will aid the process of shifting the balance towards prevention and early intervention, which we have talked about a lot in respect of not just criminal justice but policy right across the board.

The Bill not only provides for the appropriate punishment of offenders but guides their rehabilitation. I will address that point in a bit more detail when I speak about the offender levy because there are different views on that in the House. The Bill also places a focus on the importance of local and community solutions and the involvement of different partners. It recognises that solutions to criminal justice matters are not simply a matter for the Department and that solutions cut across all levels, Departments and agencies of government. The proposals will also contribute to and reinforce developments towards a shared future.

I turn now to some specific aspects of the Bill. Members will be pleased to note that I will not go through all nine Parts; the Committee will no doubt do that for us. The offender levy is win-win in many respects. It is clearly seen primarily as something that will assist victims. It is important to stress that that assistance will be additional to the resources that will be available to support those who have suffered at the hands of offenders. It is also a source of assistance for offenders in the process of rehabilitation.

There is a notion about an emerging split between people who want to be hard on criminals and others who are perceived as soft on criminals. There is also a notion about whether the focus should be on punishment or rehabilitation. I stand here as a liberal, although certainly not a liberal luvvy. The Minister is a liberal and has never been anything else. The

ultimate guide should be what works and what delivers enhanced community protection and safety and a greater reduction in offending. As the Minister has stressed on many occasions, we do not send people to prison for punishment; they go there as punishment. What happens in prisons is critical to community safety after offenders have been released. Virtually every person who goes to prison will be released one day. What happens at that stage is important. There is clear evidence that there is a problem with reoffending; there are very high levels of reoffending in Northern Ireland. In many respects, what happens in the prison setting can have as much influence on reducing crime and the perceptions and outcomes of community safety as the work of police officers on patrol, partnership working and other preventative work. Therefore, what happens in the prison system is critical to the wider system.

I do not see prisons as being at the end of the spectrum of criminal justice; they are part of a virtuous circle in trying to rehabilitate offenders. This process is not about being nice to or soft on criminals. Going to prison and losing liberty is a serious sanction. What happens in prison, through rehabilitation, is important for everyone in this Chamber and wider society.

The proposed offender levy will bring home to people the reality of their offences and will teach them some responsibility through money being deducted from earnings. That is a way of trying to normalise behaviour. NGOs in the criminal justice field will recognise the process that I described.

It is important that alternatives to prosecution are taken forward. They are viewed as being appropriate for certain levels and kinds of offending. Their benefits will include a reduction in costs, and they will help to unclog a very bureaucratic justice system in which the progression of cases is very slow, which is detrimental to victims and witnesses. Indeed, it is detrimental to perpetrators, when it comes to getting them sentenced quickly and starting the process of rehabilitation. In that sense, the proposals will be much more efficient and effective when dealing with a certain kind of offending, and they should not be viewed as being soft in any shape or form.

Alternatives to prosecution will have the added benefit of freeing up police resources, and we are all very aware of the pressures that they are

under, particularly in light of the growing threat from dissident republicans. It is incumbent on us to make the lives of the police as easy as possible when dealing with the bureaucracy of the criminal justice system. The police should be allowed to deal with what the public regard as the most important issue: keeping us all safe. I know that the police support such measures; indeed, they would probably urge the Department to go even further in some respects. However, for good reason, at this stage, the Department has proceeded with only two options for alternatives to prosecution. It is worth noting, though, that there is a larger spectrum of what can be done. The Assembly may wish to return to the other options at some stage.

There is an important issue about the interface between the police and the Public Prosecution Service and about where discretion should lie when making almost routine decisions about low-level offending. There should be scope for a greater role for the police on that issue. The Public Prosecution Service may have been set up for good reasons under the criminal justice review of 2000, but, as time passes, it is important that we keep the balances that we have struck under review and adjust them accordingly in light of changing circumstances.

The next item that I want to focus on is policing and community safety partnerships. Again, I stress that they are not simply a rationalisation of DPPs and CSPs in addressing duplication and trying to find cost savings. However, that is undoubtedly an important element and consideration in what we do. Again, that reflects the wider reform agenda that a number of parties in the Chamber are talking about. The focus should not just be on cost; it should be much broader. The issue is to find a solution that is greater than the sum of its parts and enhances community focus to deliver outcomes in community safety. It is important that we take on board experience in other jurisdictions where that model has been beneficial. In particular, we should note the importance of senior partners coming to the table with greater standing and how that helps the organisation to deliver results. We should also note the importance of the duties placed on the statutory partners for crime reduction and community safety.

It is also worth noting that the new model could fit neatly with a future return to the review of public administration, particularly with the

new responsibility for community planning being given to councils as part of that. The model for community safety in the Bill will sit well with the wider responsibilities for community planning that will hopefully be given to councils in the near future.

While we discuss a new strategy for cohesion, sharing and integration, including responsibilities for good relations among councils, the new policing and community safety partnerships will have an important interface with good relations, because, as we all recognise, divisions in our society and a lack of good relations intersect significantly with a lack of community safety.

Our model reflects the particular circumstances of Northern Ireland in the police accountability measures. It is important that we make reference to the important continuation of the Patten arrangements for police accountability. The accountability of the police has been one of the great successes of our political peace process; it has been well championed and has been recognised internationally. That said, it is also important that we do not have a fixed institutional design for how that will be conducted and that we are open to new models. That will mean that the rolling function is clearly preserved and that we can also move with the times and reflect our changed financial circumstances and the different challenges and pressures on the police to deal with administration and bureaucracy. It is also important that we recognise the important interface between policing accountability and community safety and that we find that synergy. I welcome the model that the Department has taken forward; it tries to reflect best international practice while respecting the very good practice that has been established in Northern Ireland over the past decade.

It is regrettable that we have to consider the measures in the Bill that concern sport. Perhaps the problems that we have had in Northern Ireland have not been as severe as those elsewhere in these islands and further afield. However, we would be burying our heads in the sand if we denied that there have been problems in recent times, particularly in the footballing arena.

I recognise the strong work of the IFA on community relations. I also recognise the very different atmosphere that has been established at Northern Ireland international matches, both

home and abroad. That has been a major success in breaking down barriers and creating a much more inclusive array of supporters for the Northern Ireland team from all sections of the community. However, problems continue and have occurred disproportionately at the domestic level in Irish League football. I do not need to recite individual cases — Members will be aware of them — but they have included racial and sectarian aspects. So, it is important, albeit regrettable, that we take forward the measures in the Bill.

12.15 pm

Finally, I want to recognise that legal aid is a major financial challenge facing Northern Ireland. Legal aid is an important service that is provided to the victims and perpetrators of crime to ensure that we have a proper legal system and that everyone has access to justice. That said, we cannot ignore the fact that we have spiralling costs that are out of line with other jurisdictions. We simply cannot sustain those costs, particularly in the current public expenditure environment. Therefore, it is important that we consider reforms to legal aid that will control costs while preserving access to justice, which is absolutely critical. The Bill is only part of the dialogue that will need to take place over the coming years.

We very warmly welcome the Bill. That will be no surprise to the Minister or the Chamber. On behalf of the Alliance Party, I commend David Ford, as the Minister of Justice, and recognise the very hard work that has been put in by him, his officials and the Committee to get us to this stage. Although appreciating that we are moving towards the end of this Assembly mandate, we look forward to the Bill being taken forward as serious legislation that will, hopefully, be passed before the Assembly stands down next spring.

Mr Givan: I welcome this opportunity to speak on the Justice Bill. I will not go into a lot of the detail of the Bill; the Committee will give me the forum to do that. However, I want to touch on some areas covered by the Bill.

With the Justice Bill, our focus should always be on the victim and, therefore, on the protection of society. Some Members made comments that make me ask whether they believe the focus should be on the victim or the perpetrator, who has more rights and how those competing rights are managed. I will go into that some more when I get to the relevant points.

The first area is the offender levy, which I welcome. However, I do not want to exaggerate the significance of that levy, referring as it does to amounts between £5 and £50. I certainly do not feel that victims of crime, when they see the perpetrator being asked to pay an additional £5 or up to £50 will feel that justice has been served. However, I welcome it being brought in. The establishment of a fund to help the victims of crime is a welcome step, but we should not overplay it. Stephen Farry said that the levy would really enforce the rehabilitation of people and enforce on the perpetrators of crime the need to take responsibility for their actions. I really do not see how a levy of £5 will have an impact of the magnitude that the Member seems to want to portray. We should not overplay this; nevertheless, I welcome its introduction.

Alban Maginness referred to the levy, and his concern was about the ability of the perpetrator to pay. I certainly do not have any concern about whether a perpetrator will be able to pay an additional £5 or £50 on top of whatever other compensation they may well have to pay. My focus is not on the perpetrator; it is on the victim, and we should not overstate the impact that the levy will have with regard to the feeling of justice having been served. However, I welcome its introduction.

Alban Maginness made some relevant points about special measures that we need to consider so that there are no unintended consequences. However, my initial reaction is that we want to help people who are vulnerable and we want to allow intermediaries and that people who make complaints of a sexual nature should be given more protection and rights. My gut reaction is that I support that and we should take steps to help those individuals, but we need to get into more of the detail on the issues that Alban Maginness raised. Committee Stage will allow us to do that.

I welcome the move to streamline district policing partnerships and community safety partnerships into policing and community safety partnerships. There are many similarities in the functions that the two existing bodies exercise, and to streamline them will be a welcome measure. My only concern is around the composition of the bodies. My reading of the situation is that councils will identify problems in their area, and the new partnerships will go about putting together a plan to tackle those

problems. Therefore, a wholly elected institution will identify the issues, but responsibility for dealing with them will be handed over to a body that will have a minority of elected members on it. I will want to tease out in Committee how that accountability will be returned to the councils, as they have identified the problems but are not ultimately responsible for tackling them.

The bodies will be made up of councillors, independents and people from designated statutory and voluntary organisations. I wonder whether the independents will be solely independent because when independent members are picked, as they are for district policing partnerships, they often have a voluntary or statutory connection. Therefore, we need to get more clarity about how, beyond their elected members, we will decide the membership of the bodies.

On the sporting provisions, I am sure that all Members will support the intent of promoting good behaviour at sporting events. I confess that I am not a frequent attender at GAA events, so I cannot comment on behaviour at those matches.

Dr Farry: Not a frequent attender?

Mr Givan: I should clarify that I have not attended any GAA matches. I see only what is on the television, and, when we are looking at banning orders, I sometimes wonder whether we will end up banning some of the players for brawling on GAA pitches. Therefore, when we talk about the promotion of good behaviour among the fans, there is also a responsibility on players to promote good behaviour. However, undoubtedly, the overwhelming majority of people who attend any type of sporting event conduct themselves in an exemplary fashion, not least, as my colleague William Humphrey highlighted, Northern Ireland football supporters, who have played a positive role for which they have been appropriately recognised. Therefore, I do not think that we should exaggerate the problem. Nevertheless, we should not deny that, on some occasions, there are difficulties with some individuals at all types of sporting events. I have been to some sporting events that I would not have wanted my family to attend, and the legislation is looking at dealing with that minority of individuals. We will need to get into the detail of how the provisions will be implemented, but the intention is a good one. However, we need to get into the detail of the Bill.

I welcome how Part 5, which deals with the treatment of offenders, is bringing other legislation up to date. Gaps in existing legislation are being filled in, including the extension of court sentencing powers to include the offence of hijacking, which is a problem in our part of the world at particular times of the year. Knife offences, such as possession with intent and possession on school premises, are also covered. I welcome bringing up to date the overall package to deal with knife crime.

It is important that alternatives to prosecution are not seen as a soft option. I look at the offences that will be included, such as criminal damage and shoplifting, and those are certainly not victimless crimes. They impact greatly on the business community in particular. I want to look at alternatives to prosecution in more detail to ensure that they are not a soft option.

The Assembly should not feel that it is a tough option to send individuals who engage in low-level crime for prosecution because, often, they go through the system and the judiciary or the magistrate simply gives them a slap on the wrist. It is not the case that prosecution is a tough option. If I have any complaint, it is against the judiciary for its failure to administer stronger sentences and to deal with that type of crime much more stringently. As I look at the Bill, it is not lost on me that, often, prosecution does not lead to stiffer sentencing. I am prepared to give it a fair wind.

I note that the eligibility thresholds for fixed penalties are around £100 for petty theft and £200 for criminal damage for first-time offenders. I will bear that in mind when we consider fixed penalties in Committee. They must not be a soft option. I want and am willing to be convinced of that.

I welcome the provisions on legal aid. The legal aid bill is a big problem. I commend the Minister for his efforts to tackle it. It is a difficult problem to tackle. There are many vested interests, particularly among the legal profession, many of whom have made their bread and butter on people's ability to claim legal aid. We need to grapple with that issue and ensure absolutely that, while everyone has access to justice through legal aid, we do not gold-plate that access and provide a level of legal cover that goes far beyond the representation that exists in other jurisdictions. The Committee is aware

of that issue. Certainly, I support the Minister's efforts to tackle the problem.

In conclusion, I look forward to the Bill's Committee Stage. It is a large Bill. I welcome many of its areas and remain to be convinced about others. It is important legislation. I look forward to dealing with it.

Mr Speaker: Order. The Business Committee has arranged to meet immediately upon the lunchtime suspension. I, therefore, propose, by leave of the Assembly, to suspend the sitting until 2.00 pm, when the next Member to speak will be Carál Ní Chuilín.

The sitting was suspended at 12.28 pm.

On resuming (Mr Deputy Speaker [Mr McClarty] in the Chair) —

2.00 pm

Ms Ní Chuilín: Go raibh maith agat, a LeasCheann Comhairle. Like other Members, I welcome the Bill and its significance. This is a big day for us in the devolution of justice to this place. I understand and appreciate that the purpose of this debate is, primarily, to deal with the broad principles of the Bill, and it, therefore, gives Members who are not members of the Justice Committee an opportunity to talk. Of course, we have the undoubted workload of the clause-by-clause scrutiny ahead. The Bill has 108 clauses, seven schedules and nine Parts. It is probably the biggest Bill that we have had before this place since the current mandate began in 2007.

Despite some of the obvious concerns, the tone of the debate thus far has been very good. Like many Members who have spoken today, I welcome certain aspects of the Bill. I want to touch on aspects that might be amended. I do not know whether they will be amended, but there has been talk of potential amendments from the Minister, the Department and political parties through their Members.

I want to use this opportunity to talk about statutory provision. We talk about statutory provision for the community safety partnerships; that is very important, but I know that it is not the same thing. Other partnerships have existed, and I will use neighbourhood renewal as an example. When other Departments and bodies were at the table with the community and voluntary sector, they nipped in and nipped out and ducked responsibility and passed the buck. That is the last thing that we need; we need delivery.

I was encouraged that the Minister repeated the remarks that our party made in the debate on the addendum to the Programme for Government around real partnerships, engagement and, above all else, delivery. That is absolutely crucial to this Bill and any other for that matter. Even though there are, perhaps, concerns around the make-up of the board and the issues of democracy and representation, I welcome the fact that the ability to put things on a statutory footing is there; that is important. To that end, I repeat the call that I made in the past in the Committee and on the Floor that statutory powers need to be given to the Prisoner Ombudsman. That is crucial.

I will talk about Part 1 of the Bill in a general sense. Alban Maginness, in particular, talked about vulnerable witnesses and victims, intimidated witnesses, and so forth. Mention was made of people with mental health difficulties who give evidence, either as a victim or as a witness, and about the role of support there. It is to be welcomed. He raised some interesting features, which, I think, will be further developed during the Bill's Committee Stage. This is where the Department of Justice does not stand on its own. During our recent debate on the review of the juvenile justice system, it was said that Departments are dependent on one another, particularly when integrated services are involved. I would argue that there is a better need for integrated services, and I use this Bill as an opportunity to do that.

Although there are still concerns about the implementation of the Bamford review, particularly around the Department of Health, Social Services and Public Safety, the Department of Education and other Departments and their roles, lessons have been learnt from the review. The people and user groups who participated in Bamford are the people who I would encourage to come to the Committee, MLAs or political parties with regard to clauses that deal with such areas. That flexibility should be extended to many other people.

We may get caught in a time warp in this place, but this Bill is talked about quite a lot in the community, for good and bad reasons. David spoke a lot about soccer. I do not know a lot about soccer; it is not a girl thing. I am just not into soccer, but I appreciate, and I have been lobbied about, some concerns that people who support soccer have, which have left them feeling demonised. Although I do not share their love of that sport, I understand that there are sensitivities around that issue.

I also understand that, as with many pieces of legislation, but particularly this one, there is and will always be overlap and confusion when it comes to law and justice. Paul Givan could certainly not be described as a liberal luvvy, but he made a contribution about the offender levy. Concerns have also been raised with us about that, but, on the other side of the coin, I do not think that anyone who has been a victim of crime would appreciate an offender being given a £5 fine. However, I do not think that that is the principle; it is about additional ways for people to recognise that an offence has been

committed and that there are other ways to pay for that.

Stephen Farry raised an issue that our party has raised time and time again, and we would not be expected to act differently. Going to jail is punishment; people do not go to jail to be punished further and to have their rights denied.

I believe that even with the different backgrounds of the political parties, the detail of the Bill will be bedded down during Committee Stage. So far, regardless of people's positions, politically and on justice issues, there is a sense that the Bill is much needed.

I attend a multi-agency meeting — not a community safety partnership — in north Belfast with many statutory bodies, and I appreciate and value the work of such partnerships. The participation of local people, and the ability of ordinary residents to challenge elected representatives, such as me, plus the PSNI, the Housing Executive and other bodies with statutory responsibility for delivery, is very important. That is local, participative democracy at its best. I do not see it as being something that should exist instead of local partnerships. I see it as being additional to them; something that they can feed into and perhaps have better results. I return to the idea of real partnerships, proper engagement, proper consultation and proper delivery.

There is much more in the Bill, and the Minister alluded to that at the start of his remarks. Through no fault of the Minister or anyone else, it looks like the next mandate will have an in tray containing what is not covered in this Justice Bill; whatever parts that we cannot get through or that cannot be done through amendments will still exist. That is the situation today, and I imagine there will be many more besides those. We have to work on the assumption, even though some of us may be complacent, that there will be new people coming to the Assembly next year. They will have their own experiences, which is a good thing, regardless of their political party or how they come through the door. They will also have experiences, not only as individuals, but in relation to the people whom they represent.

One thing that is very clear and that I am happy about — and I was not happy about it at the start — is that the Bill will be subject to a full equality impact assessment. I was concerned that there may have been different families within the justice system who were screening

bits of it out while others were perhaps prepared to go further. It is a good step that the whole Bill will be scrutinised and given a full equality impact assessment. That sends out the right message.

I also commend some of the work of the Criminal Justice Inspection, which has enhanced what is being discussed today. We can have that information with us when we are going through the Bill, clause by clause, particularly areas such as avoidable delays, because that is relevant to improving access to justice. Those who have been on remand for a long time constitute a category of people who are entitled to access to justice, as well as those who have been the victims of crime or who have been witnesses and are vulnerable. Many improvements are needed to increase their access to justice.

There is a list of stuff here, but one issue that I would like the Minister to look at — and the Committee, during its clause-by-clause scrutiny of the Bill — is “designing out crime”, under the heading of reducing crime and dealing with the consequences. That has been an invaluable service in our community, looking at the environmental ways in which we can enhance or reduce the prospect of crime. I believe that that service is going to be changed and centralised. That is not necessarily a good thing; such is the feedback that we are getting.

We are very lucky to have a good crime prevention officer working in north Belfast. Like any representative worth her salt, I do not want to lose him. Whoever gets him will be lucky. We do not want a Bill that will improve access to justice but deny access to an essential aspect of community safety, which is very good. Sometimes you do wrong for trying to do good. That needs to be looked at. There is still a lot of work to be done. Despite the fact that there are 108 clauses, seven schedules and nine Parts to the Bill, there is still much more to do.

This point was made earlier. I have said it on numerous occasions, and I repeat it every time. I support the total independence of the judiciary. However, I do not want the judiciary, or any other family within the criminal justice system, to think that it should not be accountable or open to scrutiny like any other Department. That point must be made. Take the example of repeat offenders who have been out on bail a lot. Other people in the criminal justice family —

the PSNI or designated social workers — may say in court that a particular repeat offender should not be out on the street, yet he keeps getting bail under conditions and coming in and out, in and out. Questions are asked about why that happens, but there is almost a smack of an answer: we are independent, and you cannot delve into it. As an elected representative, I speak for many others when I say that that is not good enough. That is not to say that I do not support the independence of the judiciary, but the point needs to be made.

I just want to raise this: it could be about reducing crime, safer communities or alternatives to prosecution. I would like to see a better role for community restorative justice. Paul Givan made the point that sometimes prosecution may seem like a blunt instrument, but it is not the easiest way to make amends. Sometimes sitting down and owning or taking responsibility for what happened with the people who have been offended or affected is a harder thing to do. If the principle of restorative justice is missed in this Bill — and there are certainly things that are missing from the Bill — that would be a bad thing. If restorative justice is not incorporated into the Bill, Sinn Féin may look to see where it can be included as the Committee goes through the Bill, clause by clause.

I welcome the Bill and the opportunity to talk on it. I am a member of the Justice Committee, and I do not particularly look forward to the amount of work that we need to do. This is the largest and most detailed Bill that I have seen yet. It is something that we have looked for and fought for for so long, and I am delighted that it has its Second Stage today. Go raibh maith agat.

Lord Browne: I welcome the chance to speak on the Second Stage of this extremely important Bill. As a relatively new member of the Justice Committee, I look forward to having the opportunity to go through the Bill in more detail when it reaches Committee Stage.

As has been outlined, the Bill addresses three major themes; namely, services for victims and witnesses, community safety and improving access to justice. Those issues will not be easy to address, but I am sure that the Committee will bring its expert knowledge to bear as the Bill goes through Committee Stage.

2.15 pm

There has been a long-standing problem with ensuring that victims and witnesses receive the necessary support to make the justice system work by giving their testimony, particularly at trial, but also beforehand. An increase in the upper age limit for entitlement to special measures provision is long overdue, as it removes the ludicrous situation whereby an arbitrary line was drawn between those entitled and those not entitled.

There are difficult issues here, and perhaps most difficult is redressing the imbalance between the impact that crime has on a victim and on a perpetrator. As we have heard, the Bill contains many interesting ideas, not least the offender levy. I look forward to exploring that at Committee Stage.

Another big issue in justice over the past decade has been the idea of alternatives to prosecution. I am pleased that the Bill will bring forward more alternatives and thus the possibility of avoiding unnecessary and sometimes costly trials.

Another challenge in the Bill will be issues around legal aid entitlement. It will be a serious task to strike a balance between saving money and ensuring that we do not compromise the underlying principles of the legal aid system. If the Committee is able to strike that balance, it will be doing a lot to make the justice system more efficient and to maintain fairness and equity.

We will face challenges when we consider the Bill at further stages. Those challenges must be met, and I am sure that we are up to it. I welcome the Bill's Second Stage.

Mr Elliott: I congratulate the Minister on moving the Second Stage of the Justice Bill. It is a much-anticipated piece of legislation, which has the potential to make a real difference to various aspects of the criminal justice system. I recognise the challenges and complications that accompany the establishment of a new Department. Although he may at times question it, I commend the Minister and his Department for the speed with which they have brought the Bill forward.

We now have devolved policing and justice powers, and it is important that we make the most of the opportunity before us. That will involve working to improve the criminal justice

system as a whole for the people of Northern Ireland, and I really mean for everyone. We also have the ability to make policing and justice legislation that is sensitive to the specific needs of Northern Ireland, and we must make full use of that particular advantage as it has been lacking for a number of years.

As well as containing provisions concerning the offender levy, Part 1 of the Bill focuses on assistance to vulnerable and intimidated witnesses. Any measure that will go towards encouraging and reassuring victims and witnesses that the criminal justice system is accessible and accommodating is desirable. The Bill raises the upper age limit, under which a young witness is eligible for special measures, from 17 to 18 years of age. It also removes the separate category of child witnesses who need special protection, putting all child witnesses in the same position regardless of the offence. Those are very welcome changes.

There are other improvements in that part of the Bill, including automatic entitlement for adult complainants of sexual offences to give video-recorded evidence in chief, and permitting intermediaries to be available to vulnerable defendants to ensure that the accused receives a fair trial. Such measures are to be commended.

I now turn to the provisions in Part 2 of the Bill, which expand the range of measures that can be dealt with by way of a live link. On the face of it, these are very encouraging improvements as the additional provisions will extend the conditions for a vulnerable accused live link direction to be given to individuals of any age who have a physical disability or who suffer from a psychiatric illness. The Bill also intends to improve the services for offenders with mental disorders by allowing the establishment of live link connections between courts and psychiatric hospitals.

It is clear that the new provisions are designed to increase the use of live links in courts, prisons and hospital psychiatric units and to provide a more cost-effective and secure means by which patients and prisoners can participate in hearings. However, in order for the provisions to produce cost savings and to provide for secure participation in hearings, I imagine that most, if not all, courts in Northern Ireland will have to have access to the live link technology. The same must be said about hospitals and

prisons. Therefore, I ask the Minister to provide the Assembly with information pertaining to those issues.

The discussion is also relevant to the court estate. The Department's intention is to reduce the number of rural courthouses in Northern Ireland, so access to such measures will be further restricted, as they will be in any event if only the major courts have access to the technology. In such instances, the measures may not be cost-effective due to the fact that witnesses or an accused will either have to attend court in person or be transported to the nearest court that has live link facilities. I look forward to hearing the Minister's comments in that regard.

Since we are discussing improvements to the facilities and measures to assist the individuals who are most vulnerable and intimidated, we should also think about those who are victims of domestic abuse, rape and other serious sexual assaults. The introduction of specialist courts to deal with such cases should be considered. The judges who would look after such cases would be experts in the area and would, therefore, be able to deal with the cases promptly, efficiently and effectively.

The proposal in Part 3 of the Bill to amalgamate district policing partnerships and community safety partnerships is something that I support. The mechanisms for public/police consultation are vital, so it is essential to get this aspect right. Clearly, the current system, which consists of DPPs and CSPs, is wasteful and a considerable burden on resources. I commend the Minister on his intention to rectify that. I say that as someone who has served as a chairman of a district policing partnership and of a community safety partnership. I have long since argued for that point to be taken on board. Having spoken to an individual who is involved in the Belfast District Policing Partnership, I am pleased to note that the current structure of a principal DPP with four subgroups will remain, albeit with new titles. I commend the Minister for that decision. In order for the partnerships to work, they must include individuals who understand the community and have a sound knowledge of the problems that face them.

The Bill will make certain improvements to sentencing provisions for common assault and knife crime. That is to be commended. My colleagues will discuss that further in due

course. Knife crime appears to be becoming more prevalent in Northern Ireland, and I support measures to reduce it and to deter and punish offenders. As an Assembly, we must send a serious and unambiguous message to the public that carrying a knife is absolutely unacceptable.

The Bill will permit courts to defer sentencing for up to a maximum of 12 months, as opposed to the current allowance of six months. Will the Minister explain the rationale behind that increase? It will only further delay sentencing and prolong the agony of victims and the uncertainty for offenders.

Part 6 of the Bill introduces penalty notices and conditional cautions that are aimed at disposing offenders outside the courtroom by being offered, in suitable cases, as alternatives to prosecution. Offenders will retain the right to ask for their cases to be heard in court instead, and I believe that provisions that attempt to ease the pressure on the court and prison systems are, in general, very welcome.

Although I recognise the potential benefits of penalty notices and conditional cautions and the consequent reduced burden on the court system, we have to be mindful that such tools should not be improperly used and warn against their use in more serious offences. As far as possible, the distinction between those who police the law and those who enforce it must be maintained. Will the Minister comment on whether fixed penalty notices have been successful deterrents in England and Wales?

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 Dominic Bradley.

2.30 pm

Oral Answers to Questions

Education

DE: Comprehensive Spending Review

1. **Mr Cree** asked the Minister of Education to outline her Department's response to the comprehensive spending review. (AQO 397/11)

The Minister of Education (Ms Ruane):

Fógraíodh toradh an athbhreithniúcháin ar chaiteachas ar an 20 Deireadh Fómhair. Shocraigh sé seo leithdháiltí buiséid don Choiste Feidhmiúcháin do na ceithre bliana atá le teacht.

The spending review outcome was announced on 20 October. The Executive discussed it, and the Member will be aware that the First Minister and the deputy First Minister have requested a meeting with the British Prime Minister. It is up to the Executive to agree a Programme for Government and a draft Budget setting departmental spending plans. Until that happens, I will not be in a position to make detailed decisions on future funding for education services. What I can tell the Member is that I will do everything in my power to ensure that the most vulnerable in our society and front line services are protected and targeted on the basis of need and that we adhere to our equality duties.

The Member will also be aware that the establishment of the Education and Skills Authority is one of my Department's planned key reforms. I hope that we make progress on establishing the authority, which would produce savings, create money for other front line services and potentially release £80 million over the next four years. On top of that, it would streamline and reduce expensive bureaucracy and administration.

Mr Cree: I thank the Minister for her detailed response. Does the Minister welcome the coalition Government's decision to increase education funding in the CSR and to introduce a pupil premium to tackle educational underachievement among those from socially deprived backgrounds? Does the Minister intend to introduce the pupil premium in Northern Ireland?

The Minister of Education: There are elements of targeting on the basis of need that we should look at in this part of Ireland. That said, there are huge areas of the Budget that I am extremely concerned about, particularly the decisions that have been made to cut the capital budget and the failure to adhere to international agreements. I will be looking at how we can continue to target on the basis of need. If the Member looks at the various policies that I have brought in since coming into office — the revised curriculum; giving extra resources to the schools that our most vulnerable children attend; the primary school uniform grant, which I brought in for the first time; or including free school meal entitlement as one of the criteria for transferring from primary to post-primary school — he will find that every action that I took was based on equality and on targeting on the basis of need. I welcome the Member's support for initiatives that target on the basis of need, and I share his view that that needs to be done.

Mr Campbell: The Minister referred to the meeting that the First Minister and the deputy First Minister will have with, as she put it, the British Prime Minister. I am glad that there was no confusion with the Norwegian Prime Minister. Subsequent to whatever discussions take place, will she ensure that whatever capital budget she has is deployed according to the priority to replace primary and post-primary schools that are in very bad shape?

The Minister of Education: I look forward to the outcome of the discussions that the First Minister and the deputy First Minister have with the British Prime Minister. I hope that common sense will prevail on budgets in the North. There has been historical underinvestment in our capital programme, but, thankfully, over the past three years, we have been able to spend more money than at any other time. We have 43 new schools in sight, and, indeed, straight after Question Time, I will be on my way to the Belfast Model School for Girls in north Belfast for the official opening of its new school building. I am looking for the House's support to prioritise capital funding for the schools estate in order to deal with the legacy of underinvestment. We must continue not only with the school building programme but with those in health and housing. If we are to do that, it is essential that the British Government adhere to international agreements that were made with us.

Mr Burns: What measures is the Minister taking to protect front line education services?

The Minister of Education: I have stressed very clearly that every policy that I have put forward targets on the basis of need. We have shifted resources to ensure that some of our most vulnerable children get the support that they need. We are also engaged in progressive reform of the education system — a jigsaw of interconnected reforms — including a new curriculum, new transfer arrangements and schools working together at post-16 level so that we do not duplicate courses.

The establishment of ESA is one of my key priorities; that is the single biggest way to reduce unnecessary spending on administration. In the past, nine bodies administered education; I want that to move to one body. We have a convergence programme in operation at present. It is too early to say yet what measures can be taken, because we do not know what our budget is or will be and further work remains to be done.

I have already mentioned the meeting requested by our First Minister and deputy First Minister. The Member can be sure that I want to continue key programmes such as extended schools, free school meals criteria as part of transfer arrangements, and a raft of other proposals for our special needs children, Traveller children and other disadvantaged children.

Dr Farry: The Alliance Party agrees with the Minister about the savings that could arise from the establishment of the ESA. However, why does she not also talk about the even greater savings that can be found through shared education, not necessarily by way of a single system for Northern Ireland but through better collaboration and area planning between all the sectors?

The Minister of Education: I just talked about the importance of shared education. A few minutes ago, I mentioned the importance of post-16 pathways. Yesterday, before I came here, I spent a very productive morning with 600 teachers from the north Belfast area learning community and from every school in the area, working together to determine curricular provision for young people. The Member will also know that I visited the Limavady learning community. On the day of that visit, I saw young people wearing three or four different uniforms studying together, as they do every week.

The Member will be aware that I am actively promoting the Lisanelly shared campus, where post-primary and special schools come together on a former British Army base to work with one another. He will also be aware of the importance of transfer arrangements. The socially segregated two-tier arrangements form one of the greatest expenses in our system. We are socially segregating our children by having a two-tier system in which the pathways are far too narrow. In the past, when children passed a test, they went to a certain school and, if they failed, they went to another school. We need to integrate those systems.

I believe firmly that the area learning communities need to work together and that schools across the system should do likewise. Gone are the days when we could afford to have four teachers taking four A-level classes, with four or five young people in each, in the same subject in one town. The cost of that must be looked at because our primary schools badly need investment. I always speak about shared education and about supporting integrated education and integrating education, and I will continue to do that.

Schools: Epilepsy

2. **Mr G Robinson** asked the Minister of Education to outline any contact between her Department and Epilepsy Action about developing a knowledge base for teachers dealing with pupils who have epilepsy. (AQO 398/11)

The Minister of Education: D'eisigh an Roinn, le cúnaimh ón Roinn Sláinte, Seirbhísí Sóisialta agus Sábháilteachta Poiblí, treoir dar teideal 'Ag Tabhairt Tacaíochta do Dhaltaí a bhfuil Riachtanais Speisialta Cógais Acu' chuig gach scoil i mí an Mhárta sa bhliain 2008.

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 guidance, the Department of Education provided funding to the education and library boards to provide training to principals of all schools over the 2008-09 academic year to meet the needs of pupils with medical requirements, including those with a diagnosis of epilepsy. I will forward a copy of the medical needs guidance to the Member.

Mr G Robinson: Will the Minister explain why some teachers in my constituency have a limited knowledge of how to deal with pupils who have epilepsy because of her Department's withdrawal of vital funding?

The Minister of Education: The Department of Health, Social Services and Public Safety is responsible for the diagnosis of health conditions, and that Department works closely with my Department in that regard. Training for teachers and school staff on health conditions is provided by the relevant health and social care trust and will be in line with a pupil's individual healthcare plan and subject to ongoing review. Obviously, I will not discuss individual pupils today; the Member will not expect me to. However, if the Member wants areas to be developed or wants to pass information to me, I will look at that and pass it on to the relevant authorities.

Mrs O'Neill: Go raibh maith agat, a LeasCheann Comhairle. The Minister referred to a joint publication by her Department and the Department of Health, Social Services and Public Safety. What specific measures were taken by the Department of Education to improve support for pupils who need it?

The Minister of Education: My Department provided funding to the boards to offer training to principals of all schools over the 2008-09 academic year to meet the needs of all pupils with medical needs, including the needs of children with epilepsy. In February 2010, the Department of Health, Social Services and Public Safety, in partnership with my Department, developed a document, 'Guidelines for Management of Anaphylaxis in Educational Establishments', which complemented the information contained in 'Supporting Pupils with Medication Needs'. It outlined the specific roles and responsibilities of the school, the school meals service, parents, carers, pupils and the school health team. The Department provided £248,000 to the boards to train all school principals in the 2008-09 academic year.

Mr Gallagher: Is there a designated member of staff with responsibility for first aid in every school? Furthermore, does the Department of Education provide specific training on first aid skills to those designated members of staff?

The Minister of Education: Every school has a special educational needs co-ordinator, known as a SENCO, who works with the relevant authorities — the education and library boards

or the health authorities — to ensure that the needs of children with medical needs are met. I outlined earlier what my Department and the Department of Health, Social Services and Public Safety are doing to ensure that the needs of those children and young people are met. If the Member has any further ideas or suggestions, I am happy to take those comments and pass them on to the relevant authorities.

Teachers: Employment

3. **Mr Ross** asked the Minister of Education to outline the most recent figures in relation to the number of newly qualified teachers who have been unable to secure a permanent teaching post. (AQO 399/11)

The Minister of Education: Which question is it?

Mr Deputy Speaker: Question 3.

The Minister of Education: My understanding is that question 3 was withdrawn.

Mr Deputy Speaker: Question 4 has been withdrawn.

The Minister of Education: OK. I do not even have the text of question 3 here. Is it about teachers' pay and pensions? Gabh mo leithscéal.

Mr Deputy Speaker: The question is "To ask the Minister of Education to outline the most recent figures in relation to the number of newly qualified teachers who have been unable to secure a permanent teaching post".

The Minister of Education: I ask Members to bear with me. Fortunately, I have a copy here.

Tuigim, de na 735 múinteoir a cháiligh sa bhliain 2009, go bhfuair 293 acu post buan múinteoireachta. Ina theannta sin, d'oibrigh 320 acu mar mhúinteoirí ionaid ó bhain said a gcéim amach.

Of the 735 teachers who qualified in 2009, 293 secured a permanent teaching post. In addition, a further 320 have worked in a substitute capacity since graduation. Of the 2008 cohort of 805 graduates, 389 secured a permanent post and a further 182 have worked in a substitute capacity.

2.45 pm

Mr Ross: I fear that someone did not do their homework correctly before Question Time. The Minister will accept that there is still the huge

problem of many newly qualified teachers being unable to get a permanent post. A number of years ago, the Assembly agreed a motion that called on her to investigate introducing an induction year. Has the Minister examined in detail a teacher induction year and compared the costs of such an induction year against the current huge cost of training new teachers for a career in which they will find it difficult to get a job?

The Minister of Education: The importance of doing homework cannot be overstressed, and it is important that parents work with their children in doing homework.

The Member will be aware that the Scottish authorities introduced one-year posts following teacher training. Some studies are being carried out on that, and, already, they show that a huge amount of money is spent for the outcome. It would be very expensive for the Assembly or my Department to introduce an induction year, and there are better ways of using resources.

We have reduced the number of teacher training places by 25%, and we have ring-fenced teacher training places in areas in which we do not have enough teachers, such as Irish-medium education, which is a growing sector; special educational needs, which is going through curricular changes; and the STEM subjects. I look forward to working with all parties in the Assembly, when we complete our discussions on the Budget, on how we can continue to support teachers and teacher training. I look forward to receiving the support of the party opposite on that.

Mr B McCrea: The Minister said that teacher training places had been reduced by 25%, but there still seems to be a considerable number of teachers who, having gone through the training course, do not have a job. What criteria does the Minister use to advise the Minister for Employment and Learning on the number of teachers who should be coming out of our teacher training colleges? Does she plan to revise that in the future?

The Minister of Education: I had a number of meetings with Reg Empey in his capacity as Minister for Employment and Learning. I pay tribute to him publicly for the work that we did together on teacher training and on careers advice. As the Member knows, our Departments published many joint policies, and I look forward to working with Danny Kennedy in his new role.

Reg Empey and I discussed the need for areas of growth, curricular provision and lack of teachers in particular areas. Earlier, I mentioned, for example, science, technology, engineering and mathematics (STEM) and the lack of Irish-medium teachers. We discussed areas of policy development, special educational needs and early years. Rather than training teachers for jobs that may not be there, we encouraged young people to specialise in particular areas, and we ring-fenced places in the teacher training colleges for those areas.

Mr D Bradley: Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom a fhiafraí den Aire — chuir mé an cheist seo uirthi sa bhliain seo caite, agus beidh sé suimiúil a fháil amach an bhfuil aon dul chun cinn déanta — an bhfuair an teastas iarchéime san oideachas sa Tuaisceart aon aitheantas sa Deisceart.

I asked the same question of the Minister last year: what progress has there been in gaining recognition in the Republic of Ireland for the PGCE that is awarded in Northern Ireland?

The Minister of Education: The Member wrote to me about that matter, and I provided him with a response. I will now get an update and provide him with that, too.

Mr McHugh: Go raibh maith agat, a LeasCheann Comhairle. What impact does employing temporary teachers have on the ability of perhaps much better academically educated young people to gain permanent positions as teachers in schools? Has any assessment been done of the ability of teachers who have taken expensive severance deals from the education system and then taken up temporary positions?

The Minister of Education: That is a very important question. Everybody is aware of the need to create opportunities for newly qualified teachers. As the Member says, far too many teachers leave the system, get packages and then come back to fill temporary positions. My Department is liaising with all the bodies that employ teachers; it is not the Department that employs them but the various governing bodies, and we have told them that they must employ newly qualified teachers. As an incentive, the Department has made it more expensive to employ teachers who have a greater number of years' service than others, as well as teachers who have been out of the system, because we want newly qualified teachers to get

opportunities. We have also changed the pay points on the scales.

We are carefully monitoring all the temporary teachers who have been placed in schools by the employing authorities, and we will continue to do that. If we see a pattern where retired teachers are being brought back into the system, we will engage with the relevant employing authority. We must give our young people opportunities.

Mr Deputy Speaker: Question 4 has been withdrawn.

DE: Budget

5. **Mrs M Bradley** asked the Minister of Education for an update on her Department's budgetary position. (AQO 401/11)

The Minister of Education: Maidir leis an mbliain reatha, tá buiséad sócmhainne na Roinne de £1.9 billiún agus an buiséad caipitil de £182 milliún go hiomlán leithdháilte. Tá mé ag súil le lánchaiteachas i mbliana.

The Department's resource budget of £1.9 billion and capital budget of £182 million are wholly committed in the current year. I anticipate full expenditure in this financial year. The capital budget remains under pressure. I spoke earlier about the significant funding that we have committed and about the schools that we have built. Members will be glad to know that we have spent 99.9% of our capital budget. We recently received extra money in the September monitoring round, and all our projects are well under way.

I have consistently highlighted to Executive colleagues the urgent need for further sustained investment in the schools estate. As I said earlier, the First Minister and the deputy First Minister have sought a meeting with the British Prime Minister. We are still awaiting the outcome of that and the resolution of certain issues. Once that happens, the Executive can agree and shape priorities, including a new Programme for Government and a draft Budget. My Department is obviously willing and ready to play its role in doing that. Once those plans have been agreed, I will be able to assess the outcome and the implications for further services over the next four years.

Mrs M Bradley: I thank the Minister for her answer. Will she outline the possible effect of a

7.9% reduction in revenue and a 37% reduction in capital?

The Minister of Education: It is premature to speculate about percentages. I am working with the Executive to get the best possible outcome for the Executive and the Assembly as a whole, and I am playing my role in the Department. Members should not accept that what the British Prime Minister has presented is the final settlement: I certainly do not. The Executive are seeking further meetings about that. Agreements were reached about capital and other funding, and we need to ensure that we get the best possible financial settlement for this part of Ireland.

Miss McIlveen: The Minister may be aware that the Committee for Education met school principals recently. To that end, what discussions has she had with school principals and/or their representatives about the Budget?

The Minister of Education: I meet school principals on a daily basis, and we have regular discussions about the priorities for what needs to happen. As I outlined, the sequence of events is that we have discussions with the British Prime Minister through our First and deputy First Ministers and then we prioritise our draft Programme for Government and budgets as an Executive and an Assembly. That is consulted on, and school principals will be a major part of any consultation, as will all education stakeholders. I have no doubt that other Departments will be carrying out similar consultations.

Mr Lunn: Has the Minister had time to read the Oxford Economics report on the financial benefits of shared education? Is she prepared to meet the Integrated Education Fund to discuss that further?

The Minister of Education: As I said, I will be available to meet groups from all education sectors, and consultations will be organised at the right point in the process. The Member knows that, at all times, I have met the integrated sector and worked very closely with its representatives. Members can see that there has been a growth in that sector during my term in office. I look forward to that growth continuing, and development proposals have been brought to me on the transformation of schools and the creation of new schools. As I outlined in my comprehensive answer to the

Member's colleague, I believe in integration and integrating.

Mr Armstrong: Will the Minister assure the House that she will seek to agree a Budget with her Executive colleagues in light of the comprehensive spending review?

The Minister of Education: I have said clearly that I am willing and ready to play my role as Minister of Education in the process as set out by the Executive. I will not say that again, because it would be boring for Members if I were to repeat myself too often; I would not like Members to be bored. I will play my role, and I am already way ahead of the posse. I very much look forward to Members on the opposite Benches supporting the establishment of the Education and Skills Authority. In bringing that forward, we would save £80 million in four years, which could go towards front line services. Therefore, I look forward to support from the Benches opposite.

Early Years Strategy

6. **Mr O'Loan** asked the Minister of Education how much funding she intends to allocate to the early years (0-6) strategy. (AQO 402/11)

The Minister of Education: Tá acmhainní substaintiúla i bhfeidhm agam cheana féin lena bheith mar bhonn agus taca ag an straitéis 0-6.

I have already put substantial resources in place to underpin the nought-to-six strategy. Since coming into office, I have prioritised funding for the early years and primary sectors. For example, we provided £21 million in funding for the Sure Start programme; £50 million for the preschool education expansion programme; £32 million for the provision of classroom assistants for all year 1 and 2 classes; specific funding for planning, preparation and assessment time for primary school teachers; funding for the primary languages programme and the primary sports programme; and funding for initiatives to assist the children of Traveller families. Additionally, the substantial funds in the aggregated schools budget for primary 1 and primary 2 include over £22 million for supporting the particular requirements at the foundation stage of the curriculum. This year, we have already allocated £1.5 million to take forward the early years strategy, and I have lodged priority bids as part of the Budget 2010 process.

Notwithstanding that, it is imperative that we make the best use of the significant resources already available. When the Department of Education budget is finalised, I will look through the review of the funding formula to secure the correct balance between investment in early years and investment in other stages of school education.

Mr O'Loan: I thank the Minister for her answer, and I welcome what is being done. Sound academic evidence shows that, for every pound that is invested in early years education, £17 is saved later in the education process. Does the Minister accept that evidence, and will she reflect it in the investment that she makes in early years education?

The Minister of Education: I agree with the Member that investing money now saves money at a future date and, more importantly, provides the best outcomes for children, whatever stage they are at.

3.00 pm

I was recently at an early years launch at which Siobhán Fitzpatrick made the same point as the Member. We will continue to invest significantly in early years, and the Member will be able to see that there has been an increase in the resources allocated to that area since I came into office in 2007.

Employment and Learning

Mr Deputy Speaker: For the benefit of Members and the Minister, questions 10 and 11 have been withdrawn.

Higher Education: Funding

1. **Ms Purvis** asked the Minister for Employment and Learning for his assessment of how the Browne report 'Securing a Sustainable Future for Higher Education' and the Stuart report 'Independent Review of Variable Fees and Student Finance Investment' came to such contrasting conclusions and when he expects consultation on the issues to commence. (AQO 412/11)

4. **Ms Lo** asked the Minister for Employment and Learning how he intends to reconcile the Browne report 'Securing a Sustainable Future for Higher Education' and the Stuart report 'Independent Review of Variable Fees and Student Finance Investment'. (AQO 415/11)

8. **Mr McGlone** asked the Minister for Employment and Learning to outline his Department's position on the Browne report 'Securing a Sustainable Future for Higher Education' and the Stuart report 'Independent Review of Variable Fees and Student Finance Investment'. (AQO 419/11)

12. **Mr Bresland** asked the Minister for Employment and Learning for his assessment of Lord Browne's recommendation that the cap on higher education tuition fees should be removed. (AQO 423/11)

The Minister for Employment and Learning

(Mr Kennedy): With your permission Mr Deputy Speaker, I will answer questions 1, 4, 8 and 12 together. That will require your indulgence, because the answer will be a little more detailed and longer than usual. However, given that the interest in and importance of the matter are reflected in the questions, I want to take this opportunity to address the concerns raised.

In the three weeks since Lord Browne and Joanne Stuart's reports were published, I hope that all Members have had an opportunity to begin to digest the detail and complexity of their recommendations. As my predecessor and party colleague indicated when Lord Browne's report was published, the recommendations, if implemented as proposed by Lord Browne, have the potential to fundamentally change the higher education system for many future generations. Of course, Lord Browne's review is not just about fees; it proposes a total remodelling of higher education funding in England.

As the questions indicate, there are clear differences in the two reports' recommendations. The reasons for that are quite simple. We led the way in Northern Ireland when, at the end of 2008, my predecessor commissioned Joanne Stuart to carry out an independent review of fees. At that time, our fee and funding regime was similar to that in England, and Joanne was carrying out her review in a relatively settled context. During the Stuart review, Westminster tasked Lord Browne with making recommendations on the future of fees policy and financial support in England. The reviews, while focusing on some common issues, had very different remits; their terms of reference were different, and many more issues came within the scope of Lord Browne's review. Furthermore, the different timescales for the reviews led to differences as the operating context changed. Joanne Stuart reported to

my predecessor earlier this year when the full extent of the financial pressures was not yet clear. Since then, the economic landscape has changed rapidly, and, in her report, Joanne Stuart made clear that her recommendations need to be reviewed in the context of Lord Browne's report.

It is vital that we have an informed, mature and responsible debate, and we started that process yesterday. As part of that, Joanne Stuart has kindly agreed to update her report now that Lord Browne's has been published. It is, of course, only right that the implications of the comprehensive spending review, which was announced on 20 October, are also factored in to any proposals.

As my predecessor indicated in the Assembly last month, departmental officials are studying the detail of Lord Browne's proposals, including the recommendations relating to the removal of the cap on fees and the changes to repayment arrangements. I am now studying the proposals, and we are considering the options and potential implications for Northern Ireland. We are also awaiting the comprehensive response by the UK Government to Lord Browne's proposals. I can confirm that officials will engage with the external stakeholder group within the next few weeks to discuss the range of issues before us, and it is my intention to bring forward a paper for public consultation as early as possible in the new year.

It is clear that ensuring fair access to higher education is a key issue, and it is worth noting that the existing fees regime has not impacted adversely on our participation rates. Of course, there will not be any change to existing arrangements without full consultation with the Executive, the Assembly and other stakeholders. There is a legislative cap on what fees Northern Ireland universities can charge, and any change to that will need Assembly approval.

Ms Purvis: I thank the Minister for his answer and congratulate him on his new post. Is the Minister of a mind to retain the cap on student fees, or is he of a mind to lift it?

The Minister for Employment and Learning: I thank the Member for her question. It would be wrong of me to second-guess or predetermine the outcome of the review that we have asked Joanne Stuart to undertake. We also have to consider the Browne report and the comprehensive spending review (CSR). I can

indicate that it appears that some cap will exist in the future. However, what that cap will be will largely be determined by the outcomes of the Stuart and Browne reports and the CSR.

Mr Bell: Does the Minister accept that the primary principles of both reports should be fairness and quality: fairness in that we continue to allow children from socially disadvantaged backgrounds to access university; and quality to ensure that our world-leading British universities are allowed to continue to be world-leading British universities?

The Minister for Employment and Learning: I thank the Member for his question. I agree entirely with his starting concept. We want to ensure that, as we move forward, we get a Northern Ireland-based system that meets the needs not only of students but of parents and the people of Northern Ireland. That is what we hope to achieve. We also want to retain the important and world-class status that Northern Ireland universities enjoy at a very high and distinguished level.

Ms Lo: The report was commissioned by the Minister's predecessor. Therefore, we should have ownership of that report. Joanne Stuart recommended keeping the cap — no change. However, we are now asking her to go back to tweak the report to fit in with the recommendations of the Browne report. That is almost insulting to the stakeholders —

Mr Deputy Speaker: I ask the Member to come to her question.

Ms Lo: Does Joanne Stuart have independence in deciding the outcome of her report?

The Minister for Employment and Learning: I thank the Member for her question. I assure her that Joanne Stuart is, and will remain, completely independent. However, it is also important to realise that circumstances have changed since the original Stuart report was produced. Those changed circumstances are the Browne report and the financial considerations that we all have to face. We simply cannot ignore the Browne review. If that is the Member's suggestion, it is not a sensible one. I assure the House that Joanne Stuart will be given full access and that her report will be completely independent of me and my Department.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. I formally congratulate the Minister

on his appointment; it is well deserved. What was the level and nature of the consultation between Lord Browne and the Department for Employment and Learning? Did Joanne Browne — sorry, Joanne Stuart — participate in that consultation? Will the Minister confirm that Joanne Stuart was firmly of the view that there should be no increase in the cap?

The Minister for Employment and Learning:

I thank the Member for his kind comments and for making the mistake between Stuart and Browne, which is easy to do. Joanne Stuart's recommendations were presented at a time from which we have now moved on. Circumstances dictate that we must take account of changes, not least the Browne review and the CSR. The Member will appreciate that Joanne Stuart has been tasked with updating her report. All the key stakeholders will be involved as we move forward.

Yesterday, I met student leaders at my request. We had a very useful discussion, and I want such discussions to continue. I also spoke with Joanne Stuart and the vice chancellors of our two universities. I will meet the Chairperson and Deputy Chairperson of the Committee for Employment and Learning later this afternoon. It is my intention that we move forward together on an agreed basis towards what is best for universities in Northern Ireland and protects students, parents and the international reputation that our universities enjoy.

Mr Bresland: I wish the new Minister well in his demanding and challenging role. Will he undertake to do all in his power to ensure that our young people, especially those from low-income backgrounds, are not put off going to university by the fear of being plunged into debt?

The Minister for Employment and Learning:

I thank the Member for his good wishes. I reassure him that I confirmed that in yesterday's debate. It was a useful debate. There was a bit of political grandstanding, but generally there is an agreed approach that access to university places in Northern Ireland should always be based on ability and not on ability to pay.

Mrs McGill: Go raibh maith agat, a LeasCheann Comhairle. I also wish the Minister well in his new role. Joanne Stuart's report was commissioned in 2008, and we got sight of the finished document in October 2010. Is that a reasonable time frame for a report into something as important as student fees?

The Minister for Employment and Learning:

I thank the Member for her good wishes. Joanne Stuart carried out a comprehensive review, which my predecessor published in October. The situation has moved on, and what is important now is that we reflect not only on the recommendations of the Browne report, taking account of the financial situation that we are in, but that we give Joanne Stuart the opportunity to update her findings and to report back to the Assembly.

Student Funding

2. **Mr Irwin** asked the Minister for Employment and Learning, in light of the Browne report 'Securing a Sustainable Future for Higher Education', what steps he is taking to ensure that students from low-income families are not placed at a disadvantage in pursuing a course at university. (AQO 413/11)

5. **Ms S Ramsey** asked the Minister for Employment and Learning for his assessment of the impact that the potential increase in student fees may have on students from socially disadvantaged areas. (AQO 416/11)

The Minister for Employment and Learning:

With your permission, Mr Deputy Speaker, I will answer questions 2 and 5 together.

Fair access to higher education is an economic, as well as a social, imperative. Since 2000, my Department has been addressing the issue of fair access to higher education through a number of policy initiatives and a range of specific funding mechanisms.

Northern Ireland has the highest rate of participation in higher education of any area of the United Kingdom. Almost half of our young people are participating in some form of higher education. In addition, the proportion of those attending who come from socio-economic classes 4 to 7 is much higher than it is in England and Scotland. The existing fees regime has, therefore, not impacted adversely on our participation rates.

Nevertheless, there remain some stubborn pockets of under-representation within sections of the population. That is why my Department is leading the development of a new integrated regional strategy for widening participation in higher education. The implementation of the new widening participation strategy will be a key element in ensuring that university education

continues to be accessible and affordable to people from all economic backgrounds.

Although we are going to have to take some difficult decisions on future funding arrangements, one of my chief concerns will be to protect, as far as possible, Northern Ireland's position of having the highest participation rate for those from socially disadvantaged backgrounds in higher education of all the UK regions.

A key principle reflected in both Lord Browne and Joanne Stuart's reports is that students should not pay up front. Only when they graduate will they be liable to begin paying, and that will be dependent on their income. Under Lord Browne's proposals, no one earning less than £21,000 will pay anything at all.

Of course, there will not be any change to fee levels without full consultation with the Executive, the Assembly and other stakeholders. The Assembly will have to decide on how we secure investment for our universities and ensure that access to university is decided on ability and not on an individual's means to pay.

There is a legislative cap on the fees that Northern Ireland universities can charge, and any change to that will need Assembly approval. I am sure that this important subject will receive the mature and responsible debate that it requires.

Mr Irwin: I thank the Minister for his answer and wish him well in his new post. Does he agree that an educated workforce allows us to compete internationally, and, therefore, access to higher education is imperative for those from low-income families?

3.15 pm

The Minister for Employment and Learning:

I thank the Member for his kind good wishes. I agree entirely with the sentiments that he expresses. Our international reputation is greatly enhanced through our universities. We had evidence of that at the recent economic conference in Washington, which was attended by my predecessor and the First Minister and deputy First Minister, where great emphasis was placed by potential US investors on retaining excellence at our universities and in higher education. We are rightly proud, and have done well to ensure, that participation rates and access have been widened, so that people from all social scales can go to university, excel there

and play their part in the economic revival of Northern Ireland.

Mr P Ramsey: I welcome the Minister's statement. He will be aware of the worries and stress of the students' union bodies across Northern Ireland. Will he assure the House that Joanne Stuart's review will be kept very tight, the consultation process will commence immediately and the Committee, in particular, and the House will have its findings as soon as possible?

The Minister for Employment and Learning:

I am grateful to the Member for his question. It is important that Joanne Stuart is given the appropriate time to conduct, finalise and present her report. I know that she is very keen to involve all key stakeholders, and I am keen for her to do so. As I said, I purposely met the leaders of the students' unions yesterday, and I spoke with the vice chancellors and with Joanne Stuart. I am very keen indeed that the Committee for Employment and Learning is actively involved in this issue, and I hope that together we can address the issues that confront us. They are serious issues: they are financial issues, but also issues whereby we want to do what is best for the students of Northern Ireland.

Ms M Anderson: Go raibh míle maith agat. I, too, want to congratulate the Minister in his post, and I look forward to his support for the expansion of Magee University in Derry. If fees increase, will there be an increase in student grants? If that is the case, has that been costed, and does he have the costing?

The Minister for Employment and Learning: I again indicate my thanks for the Member's good wishes. She mentioned other issues that are separate from the question that she posed, and we will leave it at that.

The financial outworking is not yet available. Obviously, it is dependent on a number of factors, not least the responses to the Browne and Stuart reviews and, most particularly, the CSR. I have no doubt that the Member, through her party colleagues who serve on the Executive, will want to ensure that higher education and education in general do not lose out in any respect on future funding.

Mr B McCrea: It is something of a challenge for the Minister in that I am right behind him, which, I am sure, gives him great confidence. We will see how supple he is now about doing some turns.

In light of the investment required to continue the excellent work in widening participation, does the Minister welcome the First Minister's statement that the Department for Employment and Learning should receive only a light touch when it comes to cuts?

The Minister for Employment and Learning: I thank the Member. I have no doubt that he is behind me, and is behind me in everything I do. *[Laughter.]*

The Member will be unsurprised to hear that I fully and heartily endorse the comments of the First Minister, and I read his words with interest. I trust that not only I read them but that the Finance Minister read them. Those comments do not simply give me comfort as the Minister in charge of my Department; they are an encouragement to all of us in Northern Ireland.

Student Complaints

3. **Mr P Maskey** asked the Minister for Employment and Learning what measures his Department currently has in place to address student complaints in further and higher education institutions. (AQO 414/11)

The Minister for Employment and Learning: Further education colleges and universities have established formal and robust complaints procedures for their students. Further education colleges have developed and implemented their own complaints procedures, but if students cannot achieve a satisfactory resolution, they can refer the matter to my Department for investigation. Higher education institutions also have formal complaints procedures for students, including a process to allow for the independent adjudication of such complaints through the Visitor system. My Department has no remit to intervene in individual student complaints. Responsibility for the independent adjudication of such complaints rests with the Visitors and the board of Visitors of the University of Ulster and Queen's University, respectively.

Mr P Maskey: Go raibh maith agat. I wish the Minister well in his new post. I wonder how he will answer question 11. Will he answer his own question? It will be the first time that I will have seen that. Does the Minister think that the systems are robust enough? How many complaints have been received and how many have been referred to the Minister's Department from the Visitor system?

The Minister for Employment and Learning: I am grateful to the Member for his good wishes. Had he listened carefully to the Deputy Speaker, he would have known that question 11 in my name has been withdrawn.

Those are important issues in respect of appeals, and processes are already in place. Following a review of the work of the Northern Ireland Ombudsman a number of years ago, there were suggestions to include the adjudication of student complaints. It was considered and recommended as part of a wider review, but that was in 2004. It was recommended that that should fall within the ombudsman's remit. However, the implementation of the recommendation rests with the Office of the First Minister and deputy First Minister. I understand that implementation would require primary legislation, and, earlier this year, the Committee for the Office of the First Minister and deputy First Minister, which I previously chaired, agreed to progress such legislation. We will see how that is brought forward and what views, if any, Members will have.

Mrs D Kelly: I am sure that the Minister will join with me in commending the students and others who worked very hard over the Halloween weekend to ensure that there was no real disturbance in the Holylands area of Belfast.

Further to the Minister's response on the complaints mechanism and the systems that are in place, that is not my understanding of the student experience of those systems. Will the Minister undertake to find out from student union leaders what the user experience is in that regard?

The Minister for Employment and Learning: I am grateful to the Member for her supplementary question. Student union leaders raised concerns about that topic in my discussions with them yesterday. We will be happy to reflect on those concerns to see whether we can make progress that satisfies everybody.

Mr Campbell: I join in the consensus to welcome the new Minister. The Minister will be aware that, on occasion, students go to colleges where the ethnic, political or religious origins of the other students are not of their background. That happens in border areas in particular, and there have been problems in the past at the Magee campus and in other campuses. Will he ensure that, where possible and practical, steps are taken to ensure that college campuses are

open to all students and not just to students from a majority background in a local community?

The Minister for Employment and Learning:

I am grateful to the Member for his good wishes. I share any concern that he might have regarding the treatment of any student in a minority or majority community. Colleges have to be safe environs. I know that that is the Member's wish; it is my wish as Minister and the wish of all involved in further and higher education.

Mr Lyttle: I, too, congratulate the Minister on his appointment. Has the Minister made an initial assessment of the impact that proposed redundancies at Belfast Metropolitan College will have on students at that further education institution?

Mr Deputy Speaker: Order. That is not the subject of the substantive question. Minister, it is entirely up to you whether you wish to answer.

The Minister for Employment and Learning:

I thank the Member for his kind comments in wishing me well; then he bowled a googly. Nonetheless, the issue is important. Unfortunately, it is caught up in the financial workings of Belfast Metropolitan College over a number of years. I have spoken to the chairman of its board of governors, which is attempting to work through the issues as fairly as possible. It is not an easy situation, but every effort will be made to make progress in a reasonable and measured way.

Mr Deputy Speaker: Question 4 was grouped with questions 1, 8 and 12. Question 5 was grouped with question 2.

Higher Education: Lecturers

6. **Mr McHugh** asked the Minister for Employment and Learning for his assessment of whether students in higher education are getting value for money in relation to the fees they currently pay, given the amount of time that lecturers spend on research compared to lecturing. (AQO 417/11)

The Minister for Employment and Learning:

I am aware of the debate on teaching and research and am of the view that good teaching goes hand in hand with good research. The issue is about getting the right balance. It is to the credit of its lecturers and researchers that Northern Ireland is fortunate to have a university

system that is recognised for its quality teaching and research.

Of course, students choose which universities they wish to attend, and in doing so, they take into account what universities offer and other students' experiences. They have access to tools, such as the Unistats website, to assist them in their decisions. That allows them to compare recent student experiences in their chosen discipline at a range of UK institutions. In the most recent national student survey, more than 80% of students here were satisfied with the quality of their courses and with their access to academic staff.

The quality and standards of a university are also subject to external validation. In that respect, the Quality Assurance Agency for Higher Education has expressed confidence in the soundness of Northern Ireland universities' present and likely future management both of academic standards and of the learning opportunities that are available to students.

Mr McHugh: Go raibh maith agat, a LeasCheann Comhairle. I, too, wish the Minister well. In the Assembly's first mandate, he was the Chairperson of the Committee for Education.

Parents have expressed concern, which I share, that university life does not seem to be what it used to be. Universities now compete with one another greatly in the field of research; tutors are pressured to conduct research on the basis of status and name. Is it not wrong that when students pay fees — perhaps they will have to pay a great deal more — they receive as little as five or six hours' direct, person-to-person tuition a week? Students go to universities, principally, to gain from research, but also from their tutors' knowledge and experience. Through no fault of their own, but because of pressure from colleges, tutors simply cannot give that.

The Minister for Employment and Learning: I thank the Member for his kind comments. It is important to realise that students are not asked to finance research. Subject to financial considerations, the Department intends to continue to fund research, which is an important element of university life. It is important not only for lecturers but for students.

I refer the Member to the good reputation of Northern Ireland's universities. It is an international reputation, as evidenced at the Washington economic conference, when

potential investors were very taken, not only with Northern Ireland's research facilities, but with all aspects of its universities' output.

Therefore, although I understand his comments, I do not think that some of them are fair in the sense of our universities' outputs and the opportunities that they give to our students.

3.30 pm

Executive Committee Business

Justice Bill: Second Stage

Debate resumed on motion:

That the Second Stage of the Justice Bill [NIA 1/10] be agreed. — [The Minister of Justice (Mr Ford).]

Mr D Bradley: Go raibh maith agat, a LeasCheann Comhairle. Earlier, my colleague Alban Maginness gave a comprehensive response to the Bill on behalf of the SDLP. I want to refer in particular to Part 3, which is about policing and community safety partnerships. The SDLP is anxious about any possible reconfiguration of the Patten arrangements. Throughout the peace process, those arrangements have been one of the anchors of political development. Even when the Assembly was suspended and not all parties were on board in supporting policing, the Patten arrangements stood us in good stead.

The district policing partnerships (DPPs) and community safety partnerships (CSPs) are an important part of the entire policing project and are an aspect of policing in which the public have great faith. The arrangements have led to stability and accountability, and it would be neither helpful nor healthy to tinker with them in any way that might reduce that element of accountability. I believe that, if the role of the DPPs or the CSPs were to be diminished in any way, there would be a danger that those who wish to exploit such a situation — the people who advocate violence — would take solace from it.

Today is a good time to pay tribute to the members of the first DPPs and CSPs, who, despite intimidation and harassment, had the courage of their convictions and ensured that those important accountability mechanisms became embedded as part of policing here. The SDLP is of the strong view that the Policing Board should have primacy of accountability for new partnerships. We believe that the partnerships should be democratically accountable in the way in which the current membership and composition of the DPPs is.

Notwithstanding what I said, we are in favour of fully integrated single partnerships that will

enable local policing and community safety functions to operate and be delivered more effectively and efficiently. That can be achieved by building a model that ensures a clear accountability arrangement for the delivery of local services and improves the connections among the public, the police and the other agencies involved.

We are dealing with the Bill's general principles, which, as I said, my colleague Alban Maginness comprehensively addressed on behalf of our party. I will leave it at that for today.

Mr B McCrea: I declare an interest as a member of the Policing Board.

My colleagues talked about some aspects of the Bill, but I will focus on areas that particularly pertain to policing. It is true that the public have high expectations of us and are relatively impatient. Some feel that, despite the Bill's complexity and size, we ought to do more and that many things in our society need to be resolved. However, it may be better to get one Bill through first and see where we go from there.

The inordinate delay in delivering justice to anybody is the most important thing that I hope the Minister will tackle. Only today I heard about cases that were adjourned. They were not particularly large or important cases, but people went to give evidence, and the court then said that the case would be adjourned and that it was going to do something different and all the experts went away. The result of such incidents is that justice takes longer to be arrived at. I have had a look at all the work that Keir Starmer did with the Crown Prosecution Service in England and Wales, and, indeed, he was greatly associated with the board for many years. I am really interested to see whether there is a way that we can improve the timeliness of getting some form of decision.

I listened to Alban Maginness talk about the PPS. It seems rather strange that we do not have some sort of democratic accountability for that institution, given the importance of its impact on the flow of the delivery of justice. Perhaps the Minister will address that point in his summation.

I also listened to what Dominic Bradley said about the Patten initiatives. There is something of a danger in remaining fixated on things that were developed many years ago in completely

different circumstances. Now that the board has taken control of the oversight of the Patten process, the only outstanding area in which we do not appear to be doing terribly well is neighbourhood policing and community engagement. Something is not working correctly in some of our areas, and many people will look at DPPs as something of a failure and a waste of time. They see them as something into which an inordinate amount of time and effort has gone for very little outcome, frankly. I accept that other communities that have not perhaps had such a good working relationship with the police in the past may find DPPs useful. However, there is no getting away from the fact that ensuring that we get community buy-in to policing and justice in general is central to our ability to develop our communities and democratic institutions. We have to find a way of resolving that issue.

I know that the Minister is aware that there has been lots of discussion on the board and in the DPPs about how and why the community safety partnerships and the DPPs should come together as proposed. There is general agreement that we do not want unnecessary duplication. However, as has been made clear by other Members — I wholeheartedly support this — direct involvement in the DPPs or whatever they will be called is fundamental to the continued good governance of the Policing Board. That is the only way that we can get local accountability, local interaction and confidence-building measures. I notice that the Bill states that some form of joint committee will oversee those matters, but I am not sure whether that has been worked out yet.

I am also mindful that a White Paper on policing is going through Westminster. Perhaps the Minister will think about the issues related to that when he is talking about the matter, or perhaps the Committee itself will take it up. The White Paper proposes the direct election of some form of policing commissioner as a way of restoring democratic accountability. Given that we have a Policing Board and various other bodies, that may not be appropriate, but there is something about how we get a wider range of people directly involved in our community engagement to consider. We may have to look at some way of ensuring that the DPPs or whatever they are called now — I have forgotten their name —

Mr Cree: PCSPs.

Mr B McCrea: We have moved to four-letter acronyms; I will never be able to manage those. I can do three-letter acronyms easily, but four letters are too difficult.

There is a serious issue about how we ensure that we get people involved. Perhaps directly elected people should come on board. I do not just mean that they should come from the councils — Paul Givan mentioned his concern about that in relation to the democratic deficit — but there needs to be some way of ensuring that we get balance on those issues.

I will move on to the issue of alternative forms of justice, particularly fixed penalties. I am on record as saying that I believe that that is the appropriate way to move forward, because many misdemeanours could and should be dealt with in a less bureaucratic manner. Of course, that raises the issue of how much we trust the police. The PPS has said that, because of the changes that have been brought through under Patten, the PSNI is a relatively inexperienced and new police service and that it has some concern about those issues.

After more than 10 years of change, we are now getting to the stage where there are appropriate oversight mechanisms for the PSNI, both from the Policing Board and the Police Ombudsman, and we really ought to understand that the professionalism that we require in the police is in place and we can therefore start to let them use their discretion a bit more. I realise that that is a significant step to take, given that certain people have had concerns in the past, but I was interested to hear the submission from the Sinn Féin Deputy Chairperson of the Committee, who stated that we were bringing the Bill forward in the best interests of all the people of Northern Ireland and that there is a basis to move forward on that.

If we were able to have some meaningful engagement, as we have on the Policing Board, we could reduce bureaucracy at the same time as increasing accountability and reducing risk, but it takes political will and political cover from all sections of the community to say that that is what we would like to do. Nevertheless, in my experience it would be a good thing, and it would certainly show all our diverse communities that we support the PSNI.

I am interested in the issue of taking more money from offenders — the offender levy. It is not clear to me exactly how that will work. Will

it happen at the same time as other fines are imposed? Perhaps the Minister will clarify the position on that.

I will finish by saying that we are interested in the Bill as genuine and substantive legislation that will perhaps form the foundation of other legislation yet to come. I think it is what the people of Northern Ireland expect us to be dealing with up here. Although we have all had fairly benign and kind words to say at this stage in proceedings, when it gets to the Committee I am sure there will be some very detailed discussions about the whys and wherefores of things.

I will offer an observation from my position as chairperson of the human rights and professional standards committee. On closer examination, the detail of the law is absolutely imperative. That is what is judged. Therefore, the work that the Committee will undertake is not trivial. It is really important that we get the syntax exactly right. Many of the things that we wish we could do now we cannot do just because it is not drafted in current legislation. There is an excellent opportunity to do good work, and I am sure that the Committee, under Lord Morrow, will take that forward. The Ulster Unionist Party wishes it all the best.

Mr Buchanan: I became a member of the Justice Committee as recently as 13 September, and I am aware that there has been a considerable amount of work already carried out on this important and substantive Bill. When I spoke in the House on the Department of Justice addendum to the Programme for Government, I praised the Minister for the work that he was doing. Although I do not want to heap a lot of praise on him, I feel that he is to be commended for bringing this significant legislation before the House. That said, however, I have some reservations about the Bill, which I will come to shortly.

3.45 pm

It has been said in the press and even in the House today that this is the first justice Bill to be introduced in Northern Ireland for some 40 years; in a technical sense that is true, but it is also a bit misleading. We have had no justice legislation in the House simply because policing and justice powers were removed from Stormont in 1972 and all policing and criminal justice legislation since then has been passed at Westminster. However, there has been no

shortage of criminal justice legislation for Northern Ireland over the past 40 years. A series of criminal justice Orders was passed by Committee at Westminster, the most recent in 2008. That came at a time when the Labour Government were obsessed with criminal justice legislation. Such was the extent of that legislation that the criminal justice system struggled to cope. Although Northern Ireland legislation was tailored to some degree to meet our needs, it broadly reflected the prevailing mood of the Westminster Government of the day.

I am keen to ensure that we keep a close eye on all developments in England and Wales and that we do not allow our criminal justice regime to wander too far down a separate path. Under devolution, we have the opportunity to drive the vehicle and make the changes that we need to suit Northern Ireland.

I appreciate that at Second Stage we are meant to stick to broad principles and not get bogged down in detail, so I will keep my comments brief. I have no doubt that there will be plenty of time for detailed scrutiny in Committee, and I anticipate many hours of deliberation and discussion of the Bill.

I particularly welcome the Bill's focus on victims and witnesses; that has been expressed by the whole House. I welcome the Bill's aims of reducing delay and ensuring speedier forms of justice where possible and its proposals to contain the soaring cost of legal aid. However, I also feel that it is a missed opportunity, as it might have addressed some key community concerns. People are worried about crime in the community, robbery, thefts and assaults, especially on the vulnerable and elderly in their own home and elsewhere. They are worried about antisocial behaviour, and they often feel nervous when they go out and are confronted by gangs of young people hanging around street corners, in our parks and shared spaces.

I know that the Minister will point to the statistics and tell us that crime levels are falling. He will also argue that some of the provisions in the Bill address those very matters. However, he must understand that the perception is very different from what the statistics tell us. We need to take action that will build public confidence in the criminal justice system. The Bill goes some way to addressing those concerns, and the Minister said that it will start to make a difference. However, it could do more

than simply make a start; it could do much more to make a difference. Some important matters are conspicuous by their absence. Domestic violence is on the increase and needs to be tackled. We also face the growing menace of human trafficking, a matter that was debated in the House some weeks ago and must be tackled.

I want to look briefly at some of the key areas covered by the Bill, and I do so in the order in which they appear in it. The intimidation of victims and witnesses has gone on for far too long, and on far too many occasions it has prevented justice being done and being seen to be done in the Province. The Bill seeks to put victims at the heart of the criminal justice system, and we must do what we can to protect victims and witnesses.

I was interested in the offender levy and the victims of crime fund. Such schemes operate in England, Wales, the USA, Canada, Australia and New Zealand. I understand the logic of the levy; however, we need to know more about how it will work. Perhaps we can learn from the experience of those jurisdictions. For example, we have the ongoing problem of fine default. Is it likely that fine defaulters — those who refuse to pay any money — will cough up between £5 and £50 towards a victims' fund? How much will the levy generate, and how will it help victims? How will the scheme be administered? Many questions need to be answered as we go through the Bill. The Committee considered the levy at a meeting in June, before I was a member, when considerable scepticism was expressed.

The Bill contains a proposal to merge the district policing partnerships and community safety partnerships. Like others Members, I welcome that move, as it will produce a more effective use of resources. However, we need to be careful how those are set up and how they will seek to deliver. There is also the issue of how best to address the differing structure of local government districts and police districts. The police need to be fully committed to the new policing and community safety partnerships, and the attendance and performance of district policing partnerships leaves something to be desired at times. We may need to consider whether there would be merit in having a PCSP in each police district rather than in each council district.

I welcome some of the new provisions on sport, but I wonder whether disorder at sports

grounds is on a scale that requires such extensive legislation at this time. Perhaps it is. I understand that similar provisions are already in place in the rest of the UK. I know that there can be problems on the pitch at some GAA matches and that Glentoran versus Linfield matches are not for the faint-hearted, but I remain to be convinced that we need to devote so much of the Bill to that issue. However, I welcome the new controls over possession of alcohol at sporting events.

Part 5 proposes the enhancement of a range of sentencing powers. That will certainly help to improve public confidence. We will no doubt go through those in some detail in Committee, but I am glad that the sentence for common assault is to be increased from three months to six months. We often hear of assaults on people going about their work — doctors, nurses, healthcare workers, teachers and so on — and I am glad that the penalty for such attacks is to be increased. However, I wonder whether that increase is severe enough and whether we need to go further. The Minister has already publicised the fact that possession of a knife on school premises will attract a four-year maximum sentence. That is also to be welcomed.

In proposing alternatives to prosecution in Part 6, the Bill continues a trend towards more fixed penalty notices and conditional cautions. The aims are laudable: to free up police time for front line duties and to unclog the courts. I can see considerable merit in the idea. It will introduce a useful element of flexibility to the system, but I wonder how it will work in practice. We must ensure that we do not become too casual in our attitude to the administration of justice. The draft legislation is complex, and the detailed arrangements will be set out in guidance, so we will wait and see.

Finally, I wish to say a few words about the legal aid proposals in Part 7 of the Bill. I fully agree with the Minister that change is inevitable and necessary in that area. The whole system is costly, bureaucratic, slow and inefficient. Legal aid costs were in the region of £104 million last year, while the budget sat at some £85 million. That is simply not sustainable. Means testing is a start. It already exists in relation to legal aid for civil cases, and, although I support the proposal that wealthy offenders should be required to pay back legal aid on conviction, surely proper means testing would ensure that

wealthy defendants did not qualify for it in the first place.

I note that most of the provisions in Part 7 are enabling powers and that the detail remains to be worked out in guidance or subordinate legislation. I await, with interest, the remainder of the debate and look forward to engaging with my colleagues on the Committee and departmental officials on the finer points of the Bill. I welcome the Second Stage.

Mr Ross: I declare an interest as a member of the Policing Board. There are certain elements of the legislation that will impact on some of the areas in which the Policing Board has authority, such as the DPPs. The Member for Lagan Valley Mr McCrea mentioned that this afternoon. I also speak as a former member of the Justice Committee. I was a member of that Committee when it received a number of briefings on the legislation and what was to be included in it.

The Bill is a fairly significant piece of legislation. The road to the devolution of policing and justice was a long one. We had to make sure that we got it right. We wanted those powers so that we could have a tailored approach to issues specific to Northern Ireland. That is something from which we can benefit in future. It is also true to say that much of the Bill is a sort of catch-up, which demonstrates that, before we had the devolution of policing and justice, Northern Ireland was not keeping up to speed with some of the legislation that was being progressed in England, Scotland and Wales. The Bill will bring us up to speed with some of the advances that have happened in GB. Therefore, there is nothing particularly radical in the Bill. There are no big surprises. The biggest surprise that we have heard in the debate was that my colleague Paul Givan watches the GAA on television. However, since he is not here to defend himself, we shall sweep over that.

I do not want to go into too many details — the Committee will look at the Bill thoroughly — but there are a few issues that I will mention. The first is the use of fixed penalty notices as an alternative to going through the court system. There has been some criticism outside the Chamber of that as a soft approach, but it is not fair to say that. My colleague Paul Givan said that first-time offenders who go through the court system often receive just a warning and a slap on the wrist, so fixed penalty notices are not a softer way of dealing with what are

described as — I do not like the phrase — lower-level crimes. Of course, those crimes are not victimless; they are very serious. Indeed, the impact of shoplifting, for example, on many small businesses can be quite dramatic. It is important that those are dealt with as serious crimes but, nonetheless, that the punishment fits the crime.

Mr I McCrea: I thank my honourable friend for giving way. Does he agree that the Committee must look at the levies for young people who are under 18? The Minister will be aware that I have raised that matter with him before in respect of antisocial behaviour. Does the Member agree that the Committee should look at that in the context of how those young people are fined, whether there should be parental responsibility for paying those fines and the outworkings of that? I am sure that there are also difficulties in that regard in his constituency.

(Mr Deputy [Mr Molloy] in the Chair)

Mr Ross: I thank the Member for that. I will come to the issue of offender levies, but he raises a point that I am sure the Committee will want to look at in quite a lot of detail during the Committee Stage. The Minister made a statement to the House recently about youth justice. That body of work needs to be progressed.

Fixed penalty notices are beneficial in the sense that we do not want to clog up the court system and police time with low-level crimes. As I said, I do not like using that term. We need to look at other areas of the United Kingdom in which fixed penalty notices are used. They are used in Scotland and England. It is important that we identify the areas in which they are used and see how effective they are and whether first-time offenders who are given a fixed penalty notice will have a criminal record. I suspect that they will not. We must also investigate whether the reoffending rates of those who are given a fixed penalty notice as opposed to going through the courts are any different and whether the use of fixed penalty notices is a deterrent to those who would involve themselves in the types of crime that we have discussed, whether it be shoplifting or some of the other types of crime that the fixed penalty notices will cover. If it proves to be the case that those are successful, perhaps the Minister will look at whether other offences could be included in that provision.

4.00 pm

Mr Givan: Does the Member agree that the non-payment of fixed penalty notices causes a problem? Does he also agree that if we go down the route of introducing fixed penalty notices, individuals who fail to pay will have to serve a prison reception, which, in itself, adds a cost? It is important that we get this right, because last year there were 1,778 prison receptions for non-payment of fines.

Mr Ross: My colleague is right. Indeed, I serve on the Committee for the Environment, of which the Minister is a former member, and non-payment of fines was one of the biggest issues it faced, particularly around illegal dumping, and so on. There is a lot of concern in England about that. It is reported in the media that up to 50% of fixed penalty notices are not paid, which is in the region of £2 million in fines.

That issue has, perhaps, led to some in the retail sector in England saying that fixed penalty notices should be scrapped, and we should go back to the old system because the newer one is not working, which may be because the chasing up of fines is not enforced. Indeed, locally, the Northern Ireland Retail Trade Association's 'Programme for Prosperity' states that crime against business is having such a negative impact on the economy that fixed penalty notices could be one of the tools used by the police to combat some low-level crime against retailers, such as shoplifting.

It is a startling statistic that some 50% of small businesses in Northern Ireland do not now bother to report shoplifting because doing so takes up so much time. It takes a long time for the case to go through the courts, and often the shoplifter gets a slap on the wrist, so businesses do not think that it is worth their while. If fixed penalty notices can be a short, sharp fine and have some impact, local retail organisations will support them.

There has been a lot of discussion in the debate about the offender levy. In principle, I support that money going towards the victims of crime fund, which will help victims, albeit the amount is so small that it will not, as my friend Mr Givan said, have a huge impact. Nevertheless, we should, in principle, support it. As other Members said, it is important that the legislation puts victims at the very heart of its considerations. Often, victims have been

forgotten, so I am glad that the Bill seems to make them more central in the justice system.

It is also significant that there are to be changes in provisions regarding vulnerable witnesses and those who feel intimidated. My colleague Jonathan Bell, who sat with me on the Justice Committee and has vast experience in social work — as has the Minister because of his experience in a previous occupation — highlighted that as an area that needed to be addressed in Northern Ireland. Therefore, it is significant that it is in the legislation, and I am sure that the Committee looks forward to considering it in more detail. I listened to Alban Maginness's concerns over whether a supporting individual may have some impact on a witness. The Committee can look at that, but, in principle, I support the Bill's direction.

Sports offences have been discussed. I share the views of colleagues who mentioned the huge step forward that the IFA has taken in recent years. Windsor Park is a much different place now than it used to be. The atmosphere at Northern Ireland games is second to none. A colleague of mine said that Northern Ireland fans were voted the best in Europe; indeed, they are among the best in the world. Having said that, I think that legislation needed to catch up with GB, and it is sensible to introduce it. At Committee Stage, however, it will be important to address any concerns expressed by Northern Ireland and other supporters' groups.

Briefly, it is sensible to reform legal aid and to merge DPPs and CSPs. We need to make sure that we get value for money from all such bodies. Future work may include looking at what value for money we get from the new bodies when CSPs and DPPs are merged — this will also merge all the letters that confused previous Members who spoke and me. We must look at value for money and the outputs and future roles of those bodies. Indeed, the Policing Board should not escape that level of scrutiny to determine whether it is delivering value for money. If there is a better way to do things, it should not be off the table.

Nevertheless, we will certainly support the Bill, which contains a number of positive measures. Of course, Members across the Chamber would have liked other issues to have been addressed but, given the short timescale, it is important that this legislation gets through the House. As several Members said, we would have

liked legislation to address the recent rioting, which is a serious issue that is specific to Northern Ireland. In addition, human trafficking, unfortunately, has become more prevalent in Northern Ireland. There is also the issue of domestic abuse.

The prisoner issue could also have been addressed in the Bill. It costs much more to keep people in prison in Northern Ireland than anywhere else in the United Kingdom. Although we will never get costs down to the level of GB, perhaps we could build on progress that has been made already to reduce them. Those are the sorts of bodies of work that the Minister will want to bring forward in future years. Nevertheless, on principle, I am happy to support the Bill.

Mr McDevitt: I, too, am happy to welcome this stage of the Bill. As Mr Buchanan pointed out, it has literally taken my lifetime for any legislature in this part of Ireland to have the opportunity to debate any matter to do with justice policy —

Mr O'Dowd: It has been only 40 years.

Mr McDevitt: Then it has not even been my lifetime, although it might be yours.

The fact that we are now able to debate such matters is welcome. Nevertheless, it feels like — I am not sure which analogy to use — a broth of a Bill: one of those dishes that involves a hoke through the back of the cupboards for items that are about to go off and then, in order to save and make some use of them, putting them into the pot and giving them a good stew. I do not particularly blame the Minister for that; it is just a consequence of where we are, but so much of what is in the Bill feels like it could and probably should have been made law three or four years ago. It is a matter of regret that we are not discussing the more contemporaneous and pressing issues that we all feel deserve our attention.

The aspects of the Bill that are definitely welcome include updating our ability to manage victims and witnesses. As the Minister knows, he has my party's support on many of those provisions, which we feel are long overdue, so we are more than happy to welcome those measures. Dominic Bradley dealt at some length with our party's attitude to changes in police and community safety partnership architecture, with the proviso that I think we will

all support: that we must not depart from the Patten accountability mechanisms. We must ensure that future legislation does not, by intent or by accident, de-Pattenise the architecture around policing and community safety. As the Minister knows, we will be paying attention to that at Committee Stage, and I suspect that other parties will want to express their opinion on that.

A number of the provisions relating to sport are timely, if a little out of date, given how things have evolved in the past few years, particularly around soccer on this island, North and South. Those provisions probably reflect where the debate was five or six years ago. Nevertheless, no matter on what side of the House we sit, it is worth acknowledging the IFA's efforts to deal with behavioural issues among a tiny minority of people who supported the Northern Ireland team or certain clubs in the region. I have never been to a Glentoran v Linfield game, but I have been to a few Dublin v Kerry ones, and they can be rough and ready. However, on coming north in the mid-1990s, I began to enjoy Ulster Gaelic as a spectacle. The temperature was turned up a little bit, so maybe it does no harm that the body of legislation that we have is capable of reminding us all that when we go to watch or play a sport, there are certain basic rules within which we are expected to behave. I just hope that we never have to deploy the legislation —

Mr B McCrea: It is worth making a statement on that point. The Member said that we have to take on board and reflect the progress that has been made in the sporting venues and by the different sports. I wish to say to the Member in the gentlest possible terms that, although he talks about making sure that we do not de-Pattenise what has been achieved, our society has made huge advances. We need to make sure that we are not held hostage to a set of circumstances from the past, and, thankfully, now gone, but that we look to the future. I say that because the Member's party has made a point of reiterating the point. It is important now that we look forward to the future of policing and justice, and how we build a society in which we can all co-exist.

Mr McDevitt: I think that we are talking about the same thing. Everyone wants the administration of justice in this part of Ireland to be a progressive thing that builds on itself and gets better every year. We are saying that we should not accidentally make policy that creates the

opportunity not to build on where we are. There is, undoubtedly, an opportunity to have less bureaucracy. That is something that we will all be open-minded to and honest about, as long as the safeguards that we must keep in order to continue to build community confidence in policing and justice in this region of Ireland remain in place.

I will move on to the other sporting provisions. I noted in the Minister's opening remarks a commitment to the principles and values of a shared future. As he well knows, those are commitments, principles and values that the SDLP shares. However, I struggle to find anything in the Bill that would really help us to build a better and shared future in this part of Ireland. There are a lot of very good common-sense provisions in the Bill but nothing particularly that allows us to say that it helps to deal with some of the significant issues. The absence of such provisions is most notable in the clauses that deal with sports offences. At no point in the Bill, for example, will we make it illegal to behave in a sectarian way. We will make it illegal to behave in all sorts of ways that some people could construe to be sectarian, but we do not define the issue.

As we get better at doing our job, it is long past time that we have the courage to legislate for the elephant in the room. We should be able to say that there are certain standards of behaviour, certain language and other things that are simply sectarian and that we are happy to legislate to make being sectarian illegal in the same way as, in the 1940s and 1950s, people elsewhere had the courage to legislate to make being racist illegal. We are not there yet. I know that several of us on the Committee for Justice will continue to engage with officials to try to push on that conversation. We may not get there with this legislation, but every time that we debate a matter of criminal justice, we should take the opportunity to remind ourselves that the greatest crime that has been inflicted on our society is a pervasive and invisible crime, and one that, if we do not tackle it, can undermine the very many great provisions that we will put into other aspects of our criminal justice legislation.

The Bill does not deal with things that we would like it to deal with. It does not deal with youth justice. I know that yesterday we discussed the Minister's latest attempt at a review, and we want to acknowledge that progress is being

made there, but we wish to see a little more. We can definitely get greater cross-departmental involvement in the youth justice review, and we can move the debate on.

I was in the Library this morning and picked up a book on youth justice in the South. It contains a foreword by Father Peter McVerry, who is synonymous with the childhood of anyone who grew up in Dublin. He is a Jesuit who, in the 1970s and 1980s, made a habit of trying to provide homeless boys in Dublin with some structure in their lives. As a result, he has become the pre-eminent campaigner and authority, certainly in the Republic, on youth justice issues. In his foreword to the book, which is a pretty good read on the issue, he talks about a hypothetical boy called John, a 14-year-old from inner-city Dublin who happens to be homeless.

He thinks about John's day, were he to leave the hostel at 9.30 am and head off to a training course. That could happen in Belfast, where the hostel would probably be under the jurisdiction of the Department of Health, Social Services and Public Safety. If John were heading to a training course, he would be not be within the not in education, employment or training — NEET — category, and the course would be the responsibility of the Department for Employment and Learning. If John happened to get into trouble and was, for example, lifted by the police for shoplifting by 10.00 am, he would be, potentially, the subject of a fixed penalty notice under this Bill. However, under current legislation, he would fall into the criminal justice system. If, for whatever reason, he were detained, he would find himself under the responsibility of another organ of government.

4.15 pm

That observation is relevant to the Bill because criminal justice in the Republic of Ireland, Northern Ireland, Great Britain or anywhere is much more complex than merely the Department that is responsible for justice. A person on the fringes of society can be under the jurisdiction, so to speak, of a criminal justice process but be the responsibility of three, four or five different Departments that do not even agree with each other most of the time. During the Bill's passage, it would be welcome to hear a positive acknowledgement from the Minister that we will legislate for youth justice in the very near future.

I am slightly worried that the provision for solicitor advocates was dropped from the Bill, not because I think that it is a particularly brilliant idea — I think that it is a common sense idea, to be honest — but because I do not understand why we are not debating it. It appears, from the evidence that the Committee has received, that the reason is that there is a concern among some senior legal advisers to the Executive about the compatibility of such a clause with a European directive. However, it is worth noting that England, Scotland and Wales have legislated successfully for solicitor advocates without finding themselves — certainly not knowingly — in conflict with any European directive. To my knowledge, there has been no significant challenge in any of those jurisdictions to any possible practices of solicitor advocacy. Therefore, I welcome an indication from the Minister in his summing-up speech that we will be able to deal with that issue through the legislation. That would show openness to reform in the legal system. We all share that goal.

The Bill deals at some length with fixed penalty notices and alternatives to custody. Those proposals are generally welcome. I represent South Belfast, which includes the Holylands area, and nearly every weekend, there is an opportunity to see, at first hand, the potential value of such disposals in the criminal justice system. Those disposals will work, and Mr Givan makes a fair point. If there is an opportunity for those fines to be collected, and they subsequently fail to be collected, we should not end up with a revolving door prison solution because of the approximately 1,800 people who are committed to prison for non-payment of fines in this region every year. My understanding is that a very significant number of them do prison time without ever making it to prison.

It is not appropriate to put the system on the record of the House, but I have been told that a person who presents himself for committal on a certain day of the week and at a certain time will be released before the close of that day having fulfilled his sentence. That is bizarre. I am told that that approach still clogs up the same amount of processing time and still places a significant burden on the criminal justice system to administer this technicality of getting someone into prison and then releasing that individual. It begs the basic question: should we lock up people who are guilty of nothing more than not paying a fine? We all feel

that we should be talking more about the policy of legislating more for alternatives to custody, the role of probation and the role of other disposals in our system.

We will deal with our specific concerns on fixed penalty notices at Committee, as we will with other disposals that are outlined in the Bill.

We all support the Minister in his attempts to bring some reform to the legal aid system. What is being legislated for in the Bill is not the substantive reform that we will be looking forward to discussing with the Minister in the months ahead, but, undoubtedly, it makes some sense. A major issue in legal aid is family law. In fact, family law per se is a significant issue. If I were to start making too deep a comment about it, I would be pulled up for straying from the Bill. However, it is worth noting that the House must return to that policy area at an early stage.

Mr Bell: There is much in the Bill that is useful, and other aspects of it are not ambitious enough. Over the past 13 years in Craigavon and Ards, I have seen the work of community safety partnerships and district policing partnerships at close hand. It is logical to bring those together and to see the collective benefit that both can bring.

I will pick out only the Bill's highlights. I agree with the comments that my friend from South Belfast made a couple of moments ago on solicitor advocacy. *[Interruption.]*

Mr McDevitt: Do not get distracted.

Mr Bell: I will not be distracted or put off.

For many years, certainly over the past decade, I spent a lot of time with young people in court. They were represented by their solicitors, who, in general, did an excellent job on their behalf. The House had the chance to be innovative and to look at solicitor advocacy. I spoke to one solicitor in Newtownards in my constituency of Strangford whose legal aid bill runs at, I think, £40 an hour. That is massively cheaper than barristers. If we can get a high level of representation from solicitors and get access to justice from solicitors at £40 an hour, should we be paying massive figures to barristers when the same service can be provided at another cost?

Schools, hospitals and everything else can only get their slice of the cake after the legal aid budget, which all Members will agree is bloated, has had its slice of the cake. Therefore, if there

was a way to proportion those resources better, we should have taken it. I hope that, at some stage, the House will come back to look at solicitor advocacy.

We see the legal aid budget. When policing and justice was devolved, it rightly came to the House with the expectation that we would have an accountable structure. Before devolution of policing and justice, we had the information on who the barristers who were claiming public money were. If memory serves me correctly, since the devolution of policing and justice, at least one barrister lifted £1.4 million of public money in 12 months. However, under the accountable structures in the House, we still do not know who that barrister is. Is there any other area where someone could lift £1.4 million of public money and still not have to declare their identity to the House? That is a sore that is beginning to fester because of the lack of information.

We have to seriously ask: is it genuine access to justice for the people of Northern Ireland that one individual can lift £1.4 million in one year and have their anonymity protected, for whatever reason? There may be legitimate reasons for that. However, it is time that those reasons were explained in detail to the House and that the issue of that person's identity was resolved, otherwise the House's ability to hold people to account will genuinely be called into question.

I am glad that victims have been addressed in the Bill. However, like everything else, the proof of the pudding is in the eating, and we will wait and see what comes out. There is every reason why those who have perpetrated crimes against innocent people should have their assets levied and used to help the people whom they have traumatised through their crimes. That will receive universal support.

Mr McNarry made some interesting points about football, sport, chanting, sectarianism and alcohol. It is worthwhile pointing out to the House that many football clubs have already made this a priority, in advance of the legislation. My son plays for Ards Rangers, and its players must sign a policy document before they can play for the club saying that they will not use racist, sectarian or bad language. They must also sign up to the FIFA plan on racism and sectarianism. Children come into that system at four, five and six years of age and learn how to play properly.

I want to put on record my congratulations to Ards Youth, Ards Rangers, Ballywalter Rec and all the teams within the Irish FA that have brought that policy right down to the earliest level and are training children how to play properly. On a bigger level, Linfield Football Club, of which I am a season ticket holder, has had a points plan in place for years to reduce sectarianism and to ensure that it keeps to the UEFA rules on that. Larger clubs are to be commended for the actions that they have taken in advance of this legislation.

There is one thing that does concern me, and it may be something that we cannot legislate for. A lot of the young men and women in my area of Strangford have put away £20 or £30 a week to go to the Northern Ireland football match against Serbia. The Northern Ireland fans won an international award for being the best in Europe, because of the lack of sectarian, racist and offensive chanting, because they clap other teams off the pitch when they are heavily beaten, and because of their general sporting nature. We should celebrate that. However, some fans who had already paid for their tickets and booked their flights, hotels and coaches to and from the match, have been banned through no fault of their own from attending the match by FIFA, and now they cannot get any of that money refunded. That is absolutely shameful. What are those people to do? Are they to travel and not get through? I appreciate that we cannot legislate for that, Mr Deputy Speaker.

Mr Deputy Speaker: The Member is straying slightly from the detail of the Bill.

Mr Bell: I just wanted it written into the record that we should support what people are doing in advance of the Bill. When they have done it, the innocent should not be penalised.

One issue that should have been brought into the Bill is rioting, about which I am concerned. I have checked the Bill, and I cannot see it in there. People who riot in other parts of the United Kingdom are liable to get a severe sentence. However, we seem to have let that slip in Northern Ireland and in the Bill. We have to raise the law in relation to rioting and say to people that if they go out deliberately, with petrol purchased in advance — and I do not care what section of the community they are from or where they are from — to injure public servants in the Police Service or anything else, they can expect to face the same severe penalties as in other

parts of the United Kingdom. That should be included in the Bill.

If someone pushes a concrete block on top of a female public servant in the police, they should face the severest penalties.

4.30 pm

The House will have to come back to that. Hopefully, we will not need to. However, we have to deal with the situation as it is, not the situation as we want it to be. Rioting has occurred. Rioting is dangerous and puts people's lives at risk. Those who choose to engage in rioting, regardless of which section of the community they come from, must realise that we, as a society, will not tolerate such behaviour. The severe penalties faced elsewhere by those engaging in such behaviour should be faced and feared by those who riot here.

I agree with what my friend from south Belfast said about youth justice. I would have liked it if some of the issues that were included in yesterday's debate had been brought forward, particularly that of the voluntary youth sector, which has done a huge amount of work in reducing young offending. Colleagues whom I used to work with, such as Liz Greer and others, did a massive amount of work in that area. That is not included in the Bill as yet, but a review is under way. Hopefully, at some future stage, we can include the good work of not only the community-based statutory services but of the voluntary sector.

I welcome the provision to allow witnesses proper protection when they go to court. Looking back over 20 years, I remember children being brought in to the High Court. I saw young children, who had been the victims of rape, having to give evidence. Progress has been made, but the Bill provides for continued progress. We owe those young people a huge debt of gratitude for their courage in being able to give, in court, the necessary information on the personal and intimate trauma that they suffered. Many victims told me afterwards that the Court Service was, by and large, extremely accommodating and helpful. Nevertheless, that is still a very difficult process, and one which I had hoped many of those perpetrators would not put their victims through. Having seen young people aged 11, 12 or 13 go in to a separate court to give video evidence of personal injury and trauma, I know that no service can be good enough to give them the assistance that they

need. Providing help for those young people is included in the Bill. For that, the House can rightly declare that it has done something of immense value.

Ms Lo: I support the Bill. Stephen Farry commented comprehensively on a number of aspects of the Bill. Therefore, I will concentrate on one issue that is of great interest to me and to the residents of south Belfast.

I particularly welcome Part 6, which relates to fixed penalty notices. Fixed penalty notices have the ability to seriously discourage people from partaking in the offences of drunkenness, breach of the peace, disorderly behaviour, obstructing the police, criminal damage, petty shoplifting, and indecent behaviour, which is limited to incidents of urination in the street.

In my constituency of South Belfast, the number of occasions in the past few years on which fixed penalty notices could have been used to quell riotous behaviour is clear. We all recall the disgraceful scenes on St Patrick's Day two years ago, when drunken young people created mayhem in the Holylands, costing the PSNI £35,000 to police the area throughout the day and to make numerous arrests.

Since the students returned during fresher's week in September this year, there have been 16 arrests, although only one of those was of a student, so we obviously cannot blame everything on students. However, over 50 reports were made to the PSNI about antisocial behaviour by students in the area. The long-suffering residents of south Belfast — not only those from the Holylands area, but those from Stranmillis, Annadale, Belvoir and many other areas — have asked for years for effective actions to deal with antisocial behaviour. I thank the Minister for responding to their calls for effective measures, which will give them back some peace and tranquillity in their neighbourhoods.

Residents have also experienced a great deal of frustration after reporting antisocial behaviour incidents to the police or to Belfast City Council, only to find that no legal action was taken or that it took a long time for prosecutions to be progressed through the legal system. The fact that the penalty notices in the Bill will deal with offenders instantly will, I hope, help to restore some sense of control to local residents and let them see justice being done.

The prospect of being fined £40 or more will also make many think twice before becoming drunk, urinating in the street or engaging in the other forms of antisocial behaviour that are covered in Part 6 of the Bill. It is obviously much better to deter crime by encouraging people to behave responsibly, rather than hauling them through the courts. The penalty notices will also remove up to 2,000 cases from prosecution each year, which will free up police and court time to deal with more serious offences.

Finally, I commend the Minister, his staff and the Committee members for bringing forward this very comprehensive Bill so swiftly.

Mr Cree: At this stage of the debate, everything has been said at least once. Before I make my remarks, I declare an interest as a member of the Northern Ireland Policing Board.

I welcome the Justice Bill and like other Members from my party, I commend the Minister for the speedy process that has led us to this stage. The Justice Bill is a vital piece of legislation for all those involved in the criminal justice system and for the people of Northern Ireland as a whole. For that reason, we must take the opportunity to ensure that the Bill is as good as it can be, and the debate is significant in that respect.

The main issue that I want to address is in Part 5 of the Bill, which concerns the treatment of offenders and, more specifically, knife crime. The Bill creates the same sentencing powers for two additional offences for knife crime: possession of a knife with intent and possession of a knife on school premises. Both offences are punishable with up to one year's imprisonment summarily or four years' imprisonment on indictment for knife and weapons offences. I welcome those provisions and commend the Minister for addressing the issue of knife crime. The extension of the length of sentence that can be used for the possession of a knife with intent is much needed given the recent incidents of serious knife crime in Northern Ireland. The provision that deals with possession of a knife on school premises fills a gap in the law as regards that offence.

Very recently, the Assembly supported a motion that called on the Minister to bring forward a strategy to deal with knife crime, and the sentencing powers outlined in the Bill are the first step in that strategy. However, I urge the Minister not to be content with his work, and

to push on with the formulation of an effective strategy to reduce knife crime throughout Northern Ireland. Indeed, I seek assurances from him that he intends to do that.

The Minister is on record as saying that the provisions of the Justice Bill complete the knife crime sentencing package. Although that may be the case, I remind the Minister that, aside from sentencing, work needs to be done to change the culture and attitude around knives, especially among young people. A criticism of the Bill's knife crime provisions may be that they do not go far enough. Education and early intervention are vital in deterring individuals from crime. In that regard, the police have done an excellent job in tackling drugs. I encourage those involved to do something similar to address knife crime.

I welcome the Bill's increase of the maximum penalty for common assault to three months' imprisonment. I sincerely hope that that will act as a very real deterrent to people who use violence against others in society. Police statistics show that 7,386 incidents of common and aggravated assault occurred in Northern Ireland in 2009-2010. That statistic highlights that the issue is a serious one.

In conclusion, I welcome the provisions in Part 3 for a new arrangement for district policing partnerships. As a member of the Policing Board, I am fully aware of the importance of involving the public in a two-way dialogue with the police. Partnership between the two is essential. There is little argument that the current system, in which DPPs and CSPs exist alongside each other, is far from ideal. I hope that the new proposal on policing and community safety partnerships can deliver an improved model. However, I ask the Minister to assure me that he sees the primary function of the new PCSPs as being a mechanism to obtain the views of the public and to act as a forum for discussion and consultation. I look forward to hearing some answers from the Minister on those issues.

The Minister of Justice: I welcome the general support for the Bill that has been expressed by Members throughout the House. I did not suspect that we would have had such unanimity when we got to Second Stage. That unanimity started with Lord Morrow and Raymond McCartney, who spoke as the Chairperson and Deputy Chairperson of the Committee

for Justice, respectively. They indicated the Committee's broad support for the Bill, which I appreciate very much. I want to put on record the appreciation that I and my officials have for the positive level of engagement that Committee members have had in considering the proposals thus far. I look forward to the Committee carrying that role forward to Committee Stage. The support that the Committee has given to date bodes well for the future.

The debate has been interesting, wide-ranging and, at times, challenging, in respect not just of the Bill but the justice system as a whole. Indeed, at times, I began to think that more was being said about what is not in the Bill than what is. Those comments were largely couched in references to what should have been in the Bill, and, therefore, I presume that they were within the premise of a Second Stage debate.

I welcome Members' contributions and will attempt to deal with the many and varied questions that have been asked. I intend to deal with as many as possible, but, inevitably, I will miss a few. I will undertake to write to Members if there are any points that I have not covered. I will not refer to every Member who agreed with the Bill's provisions; otherwise, I would merely be cataloguing significant agreement.

Rather than referring to Members' contributions, it will be best if I try to deal with the issues raised in the sequence of the Bill's provisions and group those under themes. That will be more helpful to Members than if I were to move back and forth around the Bill. It should also assist Members better as we seek to move forward. I will consider each of the Parts in turn, giving a little detail of the provisions and dealing with the points that have been raised. At the end, I will say a few words about some of the items that I planned to include in the Bill but that did not make it in the end. Lord Morrow, in particular, was interested in a number of those.

First, I will deal with a number of the overarching issues. Some Members have concerns that the Bill is a read across from what has happened in other jurisdictions. I do not believe that that is correct. There are cases in which we have drawn on best practice in England and Wales and other places. However, the Bill is grounded firmly in the needs of Northern Ireland.

Some elements follow on from consultations that were carried out before 12 April, but that is not a criticism, because the Hillsborough

agreement highlighted the fact that we need to learn from the best of what is happening elsewhere without, I might add, slavishly following it.

4.45 pm

In the Bill, we have built on previous work and developed it in a devolved context. The work on PCSPs, to give them their correct title, is a good example. There are important policy areas that need addressing, and, although to some extent this is a miscellaneous provisions Bill, the provisions are not scraps from the table.

We have learnt from other jurisdictions, England and Wales among them. The idea of an offender levy was drawn from Australia and New Zealand. Where we have drawn from other jurisdictions, however, the provisions have been shaped to meet the needs of Northern Ireland. The sport provisions are another such example, and they cover the key sports for Northern Ireland. We are providing flexibility in how the alcohol powers might be delivered. The fixed penalty scheme has been included to address volume crime or minor matters that should not go to court.

There is experience to be learned from in England and Wales. We have learnt from their experience and from their mistakes, and we have consulted locally to ensure that the Northern Ireland voice is heard.

Mr McCartney raised the equality impact assessment. I want to make it clear to the House that, in the first case, the screening that was carried out on individual provisions led to the conclusion that a full EQIA was not needed. All the screenings that were done indicated that there were no significant adverse impacts. However, I recognised that there was value in an overarching assessment of the Bill as a piece. The full and detailed impact assessment has been published. The consultation on the Bill closes this week, at almost exactly the same time as the Bill goes to the Committee, and all the information will be available to the Committee from an early stage in its deliberations.

I will now deal with some of the individual provisions. As I said in my opening statement, the offender levy will be a means of making offenders accountable for the harm that they cause. It will be a statutory, mandatory and monetary order imposed on adult offenders. It will be applied to a range of court disposals and

non-court-based penalties and will be set at a fixed but tiered rate of between £5 and £50, proportionate to the disposal or the penalty given. In answer to Basil McCrea in particular, the levy will be assessed and paid along with the fine. It will not be something that lags behind. Indeed, it will be given priority over the taking of the fine.

The levy will be used directly for a victims of crime fund, which, in full operation, could realise around £500,000 per annum. Allocation of that fund will be prioritised by the Victim and Witness Task Force (VWTF). The levy will add to the funds available for victims' services. Although we have to acknowledge that all budgets are under financial pressure in the times that we live in, the fund will certainly not be used as a replacement for existing statutory funding but will be in addition to that statutory funding.

A number of Members — Alastair Ross, Tom Buchanan and Paul Givan in particular — raised the payment of fines and whether it will be possible to gather the levy appropriately. In recent years, fine default reforms have started to drive up early payment rates, they have reduced the number of warrants issued and they are reducing default rates on fines. We have a very successful fine collection scheme, which has led to a 30% reduction in the number of warrants issued to police. That equates to more than 7,000 more fines being paid without the need for police intervention. That is an indication of positive work being done on fines, and that work can carry forward into the offender levy.

As I said, a number of Members felt that there was a need to ensure that the money would not be absorbed into wider budgets. I assure Members that the victims of crime fund will be maintained entirely separately. For example, Lord Morrow highlighted independent sexual violence advisers, and that is exactly the kind of scheme for which the fund is designed — developing new methods of supporting victims. There will be close scrutiny of budgets, but the victims of crime fund will remain separate.

Some Members also raised the issue of prison earnings. Prison earnings are used as an incentive and form part of offenders' rehabilitation. Where an offender levy is charged against prisoners, the levy will be deducted, and prisoners will be notified of the weekly deductions for that levy so that they are aware

of where it is being applied against them. Similarly, there will be a clear statement in court so that the victim and the offender are both aware that the levy is part of the measure being taken against the offender.

Mr Ian McCrea raised the issue of an offender levy for those under 18 years old. That was considered in the public consultation. However, there was a general feeling that, in many cases, parents would end up paying, and that it would not have any real effect on the offenders themselves. The majority of those consulted took the view that the levy should apply only to adult offenders.

The standard way to deal with young offenders is through the youth conferencing system, which is about making young offenders accountable and bringing home to them the harm that they have caused. I believe that that system is working well, though, of course, that is an issue that will be followed up in the youth justice review.

I think that every Member who spoke raised the issue of vulnerable and intimidated witnesses and victims. The aim of the provisions for vulnerable witnesses is to improve the legislation to enable them, by way of special measures, to give the best possible evidence in criminal proceedings.

A number of Members highlighted the trauma that young people or those who have suffered a sexual offence can, in many cases, go through in giving evidence. It is entirely right that we should seek to make whatever efforts we can to make that traumatic process less damaging. So, among other things, those provisions will raise the upper age limit under which a young witness is automatically eligible for special measures from 17 years to 18 years, while allowing a young witness's views to be taken into account when special measure applications are being made, subject to certain safeguards.

The provisions mean automatic entitlement for adult complainants of sexual offences to give video-recorded evidence in chief and formalise the presence of a supporter in the live link room when a witness is giving evidence. They also allow for intermediaries to be made available to vulnerable defendants.

There was a specific question on that issue from Mr Maginness about ensuring that those measures apply to the right people. He wanted assurance that there would be discretion on the

part of the courts with regard to adult victims of sexual offences giving video-recorded evidence in chief. I confirm that that is the case. With regard to Mr Maginness's concerns about the supporter and the live link, it is expected that a volunteer from Victim Support's witness services would act as a supporter for an adult witness, and a volunteer from the NSPCC's young witness service would act as a supporter for child witnesses. Those are subject to training and other issues, including how to behave in the video room.

To improve court services, we are extending the use of live links in court proceedings. The aim of the live link provisions is to extend the range of matters that can be dealt with by a video link, whereby evidence is given from outside the courtroom via a live television link into the courtroom. The live link provisions will be extended to allow the definition of a vulnerable accused to include physical disability and physical disorder, and will allow live link connections between courts and psychiatric hospitals. They also include technical improvements to fill gaps in existing law, where those are beneficial.

When used for defendants, live links help to avoid the need for remand prisoners, some of whom may have a history of dangerous offending, to be moved around the country. I welcome the general endorsement of Members for the provisions to extend the use of special measures and live links. I can advise Mr Elliott in particular that live link facilities are already available in 18 out of 20 courthouses, and special measures facilities are available in 14 of the 20. The Juvenile Justice Centre, the Young Offenders' Centre and Maghaberry Prison also have live link facilities. I think he will agree that that is a good spread throughout Northern Ireland.

Live links are a cost-effective and secure means for patients and prisoners to participate in hearings without the cost and risk associated with transportation to and from court. There will be savings for the Prison Service and for health and social care organisations. There is an additional capital cost for health and social care in setting up live links with psychiatric units. We understand that that is already in the Programme for Government and that the budget has been agreed.

As part of the Courts and Tribunals Service's business modernisation strategy, we are committed to considering the feasibility of a specialist domestic violence court. We are considering what form that court may take and will evaluate the potential benefits.

Mr Basil McCrea referred to the concern that victims have about delay. The Criminal Justice Board is spearheading a new programme on speeding up justice, which includes close working between the PSNI and the PPS on issues such as shorter files for many cases, and quick out-of-hours prosecutorial advice. A new delivery group, which I will chair, will monitor progress across the system as we move to a more victim-focused approach to speeding up justice.

Tom Buchanan rightly highlighted issues about tackling crime and antisocial behaviour and their impact on local communities. We need to acknowledge that there are falling crime levels, but we also need to acknowledge that every crime has an impact. I will be consulting soon on a new community safety strategy to help to create a safer, shared community through providing local solutions to crime and antisocial behaviour. Officials will continue to liaise with the Committee on that, and I believe that there is considerable scope to increase community confidence.

Also on the issue of victims, Alastair Ross and other Members highlighted the importance of dealing resolutely with human traffickers while being sensitive in the approach to their victims. I believe that we already have that in place. Women's Aid works with the Department, and it has huge experience in looking after women who have been subject to abuse. Migrant Helpline has a wealth of experience in dealing with trafficked victims, especially victims of labour exploitation, and it is highly thought of right across the UK for the good work that it does. Both those organisations work in partnership. At this stage, I do not see the need for legislative change, but I will bear in mind any proposals put forward.

One area that probably attracted most attention today concerned plans for restructuring district policing partnerships and community safety partnerships into policing and community safety partnerships. The aim of the PCSP changes is to provide a more joined-up approach with better local delivery and accountability, targeting the real issues of concern in local neighbourhoods

by integrating the roles of community safety partnerships and district policing partnerships to create one single partnership for each district council.

PCSPs will comprise councillors, independent members and representatives of designated statutory and voluntary organisations. They will contain a policing committee, comprising councillors and independents, which will perform specific functions inherited from the DPPs. As a whole, they will deal with all the other functions of DPPs and CSPs and will report to the relevant council, the Department of Justice and the Policing Board. I believe that the restructuring will make better use of the resources available for partnership working and, therefore, will direct more of the funding to projects and initiatives on the ground.

Basil McCrea referred to the proposals for an elected police commissioner in different areas of England and Wales. I must say that having 10 MLAs on the Policing Board and a significant number of councillors on each DPP, and, therefore, on each PCSP, is significantly more democratic than the proposal for a single elected police commissioner, which is being discussed across the water.

In the context of the discussion around PCSPs, Mr Maginness, Dominic Bradley and Mr McDevitt all expressed concerns about what they see as a potential diminution of the Patten report, feeling that the critical partnership between the police and the community may be reconfigured in a less effective manner and that the Policing Board is being diminished. However, that is not the case. DPP mechanisms will continue with the policing committee as a key part of the partnership. At the same time, we have looked at wider models, and I stress to Members that, in their development, proposals to bring together DPPs and CSPs have been consulted on at length and in some detail with key stakeholders before and after public consultation. The Policing Board has been instrumental in the policy development to date, and it will continue to be so.

I believe that there is no diminution of the Patten responsibilities. What we are seeking to do is to establish a wider partnership that will fully involve the range of other agencies to provide the kind of joined-up thinking that a number of Members have emphasised at different times during the debate.

Mr Buchanan asked about the potential to configure the partnership areas to reflect the existing police district command areas. The simple answer to that is that current legislation governing DPPs states that there should be a DPP for each council area as well as the subgroups in Belfast. I believe that that is the appropriate provision to maintain for future partnerships. It will obviously be an issue of potential change if changes come forward under the RPA. However, those important proposals for partnerships in the justice field cannot wait until the RPA issues and wider community planning issues are resolved. We need to forge ahead with those proposals to secure the greatest benefit from the partnership on policing and community safety issues.

As Stephen Farry noted, the arrangements have been developed with an eye towards changes in community planning. They will tie in well with whatever arrangements come out of the review of public administration.

I suspect that the second largest group of comments were about sporting provisions. The aim of that package in the Bill is to help to deter disorder and to promote a safe and welcoming environment at key sport events.

Proposals include new offences inside grounds — the major grounds for football and GAA, and Ravenhill for rugby — and of offensive chanting; missile throwing; unauthorised pitch incursions; and possession of alcohol, bottles, fireworks and flares at matches. There is also a new offence of possessing alcohol on dedicated match buses.

5.00 pm

For football, there is the new offence of ticket touting and the creation of court orders to ban attendance at football matches in Northern Ireland. A number of issues arose from that. Mr McNarry set the ball rolling by suggesting that the Department was targeting football unduly. That is not the case. I note, for example, that similar legislation across the water is targeted entirely at association football or soccer, or whatever one wants to call it, whereas the Bill deals with the three key sports in Northern Ireland.

I want to echo comments that were made by Mr McNarry and many others about the good work that has been done by the IFA in recent years to target sectarianism and other bad behaviour. There is absolutely no doubt that what is now

seen at Northern Ireland international football matches is a huge improvement on the position some years ago. I noted that Jonathan Bell, in particular, referred to the work that is being done by the IFA right down to local teams and youth teams.

Almost all supporters want their experience of attending a match to be family friendly and enjoyable, so that they can show support for their team in a happy atmosphere. Our community safety unit is a key partner in the Unite Against Hate campaign, which is supported by the GAA, the IFA, Ulster Rugby and the Northern Ireland international soccer squad, among others. It is not the case that the Department unfairly targets football. All three sports are included because they link directly to DCAL's safety legislation. Sectarian chanting may well be limited largely to football. However, pitch incursion and alcohol, for example, are wider issues. Although the Department intends to apply, for example, alcohol powers flexibly to tackle problems as they present themselves, particular issues relate to football. Therefore, the banning regime will apply solely to that sport. That contrasts with England and Wales, where the entire package relates to football.

With regard to concerns about ticket touting, I agree with Mr McNarry that it is regrettable that the segregation of fans is still required for safety reasons at a small number of matches. We all agree that, hopefully, that will not be required in the future. In the meantime, however, it is important to be able to deal with situations as they arise. Some Members feel that the package is overkill and suggested that the problem does not exist in sport in Northern Ireland. However, the package has been developed jointly with DCAL. I particularly appreciate Minister McCausland's support and the joint working that has taken place to date. I am pleased that the Bill complements the safe sports grounds initiative. Together, they will enhance supporters' enjoyment of major sporting events in Northern Ireland.

There was considerable support for our package in public consultation, not least from the three sporting bodies. The Assembly debated the matter pre-devolution and called for stricter powers. I am pleased to bring that forward now. Mr McNarry and Mr McDevitt both raised the issue of sectarianism and whether it should be mentioned specifically in the legislation. Currently, it is not. In the creation of the legislation

as proposed, I believed it to be more effective, given the difficulty of definition, to cover that issue by reference to race, colour, nationality and religious belief; basically following the section 75 model, which will cover our needs. The word “sectarianism”, as we might refer to it locally, has not been defined in law. However, I will take that issue on board as the Bill proceeds through Committee Stage, with a view to improving the legislation in that area, if possible.

Mr McDevitt: I appreciate the Minister’s giving way. On the point that sectarianism is not defined by law, can the Minister tell the House whether he believes that it is time to start a serious debate on doing just that, so that we do not simply rely on sectarianism being caught in a general body of discriminatory behaviour and we actually move to specify what sectarianism is, and what it is not, in a legal sense?

The Minister of Justice: I am grateful to the Member for giving me a chance to take a sip of water. I agree entirely with him. Yes: we should seek to define sectarianism in a way that makes it absolutely clear where the Assembly stands on behalf of all Northern Ireland’s people. I have no difficulty with that point at all. The practical reality is that it would take some time to agree that definition. In the context of taking the Bill forward, I believe that adequate cover is provided by using the section 75 categories, which I described, to ensure that we can make progress into the future. However, it is an issue that, I suspect, needs to be addressed; regrettably, not just in the field of sporting events.

I believe that that largely covers points that were raised on sporting matters. Most Members who raised them are not in the Chamber. Therefore, I take it that no one else will want to intervene.

I will now deal with the treatment of offenders. The Bill is largely not about new sentencing powers, because there was a major overhaul of sentencing in the Criminal Justice (Northern Ireland) Order 2008. The focus of the Bill is on victims, community safety and doing our business better.

Having said that, I am taking the opportunity to make a small number of improvements to sentencing arrangements. The aim of the sentencing provisions, or “Treatment of Offenders”, as Part 5 is titled, is to adjust and to improve existing sentencing powers that address problems that are caused by gaps

or inconsistencies in existing laws. The first provision is an increase in the maximum penalty that is available to Magistrate’s Courts for the offence of common assault from three months’ imprisonment to six months’ imprisonment. There is also a clause to increase the maximum penalties that are available for the offence of possessing a weapon on school premises — for example, a knife — to four years’ imprisonment. A number of Members commented on those two points, and their comments were generally favourable.

The third provision is an increase in the maximum period of sentence deferment to 12 months, with one exception, which is for interim driving disqualifications. That will allow a judge to see, for example, how someone responds to a programme that addresses behavioural problems or addiction before passing final sentence, and that could give an offender the motivation that he or she needs to address the problem. Some Members suggested that that could increase difficulties for victims. I am not sure that that is necessarily the case. I believe that the clause will provide a way of ensuring a longer period on trial for any individual who receives that deferment.

Part 5 also includes an enhancement of the powers to address a breach of licence by a sex offender who lives outside the jurisdiction and a provision to extend the court sentencing powers by including the offence of hijacking in the public protection sentences regime.

There are three somewhat technical amendments. The first concerns closure orders, which, for up to three months, close premises that are being used for activities that relate to certain prostitution or pornography offences. The second is to fill an existing gap in financial reporting law, which will include the offences of money laundering, corruption and fraud within the remit of a financial reporting order. The final technical change will allow Northern Ireland to comply fully with the EU framework decision on the mutual recognition of fixed penalties. I suspect the fact that no comments were made about any of those points indicates how technical they are.

I welcome Members’ support for the points that I highlighted earlier, particularly about knives and offensive weapons. That completes our package of sentencing powers in that area, and

it means that sentences will be even higher than those in England and Wales.

Mr Elliott and other Members raised the deferment of sentences. I believe that there are real prospects for getting offenders' behavioural issues sorted out and for better engagement by allowing for the longer time before sentencing and that, in the end, it will be a better prospect for victims.

Jonathan Bell raised the issue of what he saw as inadequate sentencing for rioting. The law does take sentencing for rioting extremely seriously. It is possible to get a public protection sentence with the maximum penalty of life. Attacks on police or firefighters, even at the lower end of seriousness, can attract up to two years in jail in the Crown Court. An assault occasioning actual bodily harm could attract a sentence of up to five years in jail. We will continue to keep the law under review to ensure that appropriate sentences are available to courts.

A number of Members raised issues about the plans for alternatives to prosecution. The aim of the alternatives to prosecution powers is to create new diversionary disposals; to create wider fixed penalty notice powers to deal effectively with minor offences outside the courtroom, thereby maximising the time that is spent on front line policing duties; to contribute to reducing avoidable delay in the justice system; to assist in the rehabilitation of offenders; and to improve the response to victims. Offenders will retain the right to ask to have their case heard at court.

Fixed penalty notices will be available to first-time or non-habitual offenders from the police without direction from the Public Prosecution Service, thus offering the opportunity to discharge liability for the offence by paying a fixed penalty within 28 days. The penalty will be fixed at £40 or £80, depending on the offence. The eligible offences are simple drunk; breach of the peace; disorderly behaviour; obstructing police; indecent behaviour; criminal damage, the guidance for which will state for damage that is valued at less than £200; and petty shoplifting, the guidance for which will state for a first-time offence involving goods of up to £100 in value. Failure to take action will result in the notice being registered as a court fine, with the value uplifted by 50%.

Conditional cautions will enable prosecutors to attach rehabilitative and reparative conditions

with which the offender must comply or face reconsideration of prosecution for the original offence. Various forms of guidance and codes will be produced to deal with each of those options. My Department can issue guidance to police on the fixed penalty notice scheme. It will state that damage offences should be limited, as should petty shoplifting, as I outlined. I will develop and lay before the Assembly a code of practice for conditional cautions. The Director of Public Prosecutions will also produce guidance for prosecutors on the type of offence for which conditional cautions might be usable.

I welcome Members' acknowledgement that alternatives to prosecutions are not about being soft on the offender. I note in particular the comments made by Conall McDevitt and Anna Lo, wearing their South Belfast constituency hats, about certain elements of antisocial behaviour. As Anna said, antisocial behaviour does not occur in the Holylands alone. I think that the alternatives will have importance in other places, including, dare I say it, South Antrim. The alternatives are largely aimed at first-time and non-habitual offenders. Being caught and interviewed by the police will have a sobering effect in its own right. That will be reinforced by the need to make immediate restitution for their actions through paying a financial penalty or by making reparation to a victim.

I agree with the point, which was made by Tom Elliott, that England and Wales were overly ambitious about fixed penalty notices. There were proposals to extend them to a much wider range of offences. There was a realisation that they were going too far and bringing into the regime matters that should have gone for prosecution. We have learnt from that. Although our proposals will have a big impact on releasing police resources, we are being careful about the choice of offences suitable for fixed penalties. In that context, Carál Ní Chuilín suggested that more work be done on restorative justice and that it was a place where alternatives may not fit or work. I agree. We have restorative approaches where those are appropriate. There are issues that are part of our youth justice system, and the Bill will increase the options by way of the conditional cautions that we are creating.

Although I welcome the general endorsement for alternatives to prosecutions from, amongst others, Mr Givan, I need to refer to his

comments on sentencing and on the role of the judiciary. Members will appreciate that we, as the legislators, need to be careful, even in general terms, in what we say about the responsibilities of the judiciary. We are under a duty to uphold the continued independence of the judiciary. Our role is to ensure that the right legislation arrangements are in place. The Lord Chief Justice's recent initiative to bring more transparency to sentencing will help to demonstrate the range of considerations that judges need to take into account, and the Department's consultation on sentencing guidelines mechanisms seeks to build further on that.

Members were broadly supportive of the proposals for the reform of legal aid. The changes are to provide a rule-making power for a means test for the grant of criminal legal aid and a separate enabling power to allow courts greater power to recover costs from legally aided defendants who are convicted. The provisions also remove the restriction on the Northern Ireland Legal Services Commission from establishing or funding services under litigation funding agreements. There are a series of miscellaneous amendments, which fill the small gaps in the existing law. That issue did not attract a huge amount of comment. There was broad support for the proposals in the area, and Alban Maginness, in particular, noted that they were overdue.

Agreement about the importance of ensuring that there was fair and effective access to justice was forthcoming from a number of Members. Lord Morrow, Mr McCartney and Alban Maginness drew attention to the need to set any new financial eligibility threshold for criminal legal aid at a level that will not diminish access to justice. Tom Buchanan also pointed out the need to ensure that, if they were wealthy, defendants should not be supported by taxpayers. I agree with those points and with the underlying principles that any means test must ensure that those who genuinely need financial support to secure effective access to justice should have access to that support. However, Mr McCartney noted the importance of the full equality impact assessment of any fixed means test.

The detail of the operation of any fixed eligibility threshold in criminal legal aid will be the subject of further public consultation and scrutiny by the Justice Committee, as subordinate legislation

will be required to implement it. I take this opportunity to confirm that a full equality impact assessment will also be carried out.

Mr McNarry asked whether I would provide the Assembly with figures on eligibility and costs. I have commissioned detailed research on the impact of introducing a fixed eligibility threshold to establish what proportion of people in Northern Ireland would have to contribute to defence costs, depending on the level of the threshold. I will be happy to share the results of the research with the Assembly. I expect to have those results next month.

Mr McNarry also asked about support for those victims of domestic violence who seek non-molestation orders. A number of other Members raised domestic violence, and the issue has been raised with me by Women's Aid also. I have asked my officials to examine whether it would be possible to adjust the arrangements for civil legal aid in such cases to allow a victim of domestic violence immediate access to legal aid to seek a non-molestation order before a means test is carried out to ensure that person's immediate safety, with any possible contribution being pursued at a later stage. I hope to be able to bring a proposal on that to the Assembly and, subject to the approval of the Justice Committee and the Assembly, it should be possible to take any necessary subordinate legislation through the Assembly early next year. I believe that that will answer Members' concerns.

5.15 pm

A number of Members asked why the public purse should pay the defence costs of those who can afford to pay their own. I agree; those costs simply should not fall to the public purse. That is what the provisions for the recovery of defence costs orders (RDCO) are intended to achieve. Each case would be assessed individually. Our intention is that only convicted defendants who have ample means to pay for the cost of their defence will be the subject of an RDCO. Members asked about the timescales for the introduction of those and whether they can be applied retrospectively. The Bill will provide the enabling powers for subordinate legislation, which will require consultation and scrutiny by the Justice Committee in the normal way, but it is hoped to bring forward that subordinate legislation during 2011. As Members are aware, there is a general

presumption that legislation should not be retrospective, particularly when it imposes a penalty on any individual.

Mr McNarry asked why civil legal aid could not fund itself, given that cases are usually settled or won. It is not the case that most civil cases result in payment of damages. Many other actions are funded by legal aid; for example, some court orders to protect victims of domestic violence and court actions to secure proper access to children after divorce. However, we are proposing to facilitate the setting up of a civil legal aid fund for money damages cases, which would be largely self-financing. The provision in the Bill removes an existing prohibition that would prevent government contributing to the start-up costs for such a fund.

Jonathan Bell also made a number of points on legal aid. Although I accept that legal aid expenditure must be cut, it is not quite accurate to suggest that solicitor advocates would necessarily be paid at lower rates than barristers. There are a number of different rates, and I will write to him setting out the detail of that. The publication of the list of high-earning barristers that he referred to has been delayed because of issues raised by the Bar, but I understand that those issues are close to resolution. In addition to those points, the review of access to justice in Northern Ireland, which is under way, will look at other areas of civil legal aid and consider whether we are getting the best value out of the available resources.

Part 8 deals with a number of miscellaneous matters to make improvements to the powers available to courts, along with several other business improvement matters. The miscellaneous provisions include opening up the court tiers to which a compassionate bail or repeat bail application can be made; adjusting the membership of the Crown Court Rules Committee and the Court of Judicature Rules Committee; allowing a Magistrate's Court in criminal proceedings to consider applications for witness summonses in respect of any evidence likely to assist a party to the proceedings in presenting their case; allowing court rules to be made specifying the circumstances in which the disclosure of information relating to family proceedings concerning children is permitted; improving arrangements for appeals and the proceeds of crime law; adjusting the processes around the preparation of Northern Ireland

Law Commission accounts; allowing Access Northern Ireland to issue a copy of a criminal record certificate or basic disclosure to an employer where that employer was specifically identified within the application; and repealing an existing offence under the Vagrancy Act 1824; and creating a more modern equivalent free-standing offence and penalty for being armed with a weapon with intent to commit a serious offence.

In my opening speech, I mentioned that a number of items that I had intended to bring forward in the Bill had not been included. Those were proposals relating to solicitor advocates, adjustments to court funds legislation, and provisions for enhanced powers for the police in relation to cross-border travel of sex offenders and how reporting and monitoring might be improved. There are two additional issues relating to some late changes that I made to my sports law package, and some further engagement with the Executive relating to clause 34.

Lord Morrow, along with a number of other Members, commented on the removal of the solicitor advocate powers. I was certainly disappointed that those clauses were not in the Bill on its introduction. I was advised that the clauses as drafted may be outside the competence of the Assembly. My officials are working with the Attorney General's office, and my aim is to bring back at Consideration Stage a provision that allows for solicitor advocacy in the higher courts, but addresses any concerns about competence, particularly about European legislation. That may involve putting additional procedures in place, which we are considering. The Law Society is understandably disappointed that the clauses were removed from the Bill. It has been advised that I hope to table an amended clause in due course.

Also, with respect to what is not in the Bill, Mr Maginness referred to the relationship between the Public Prosecution Service and the Assembly and to wider issues of sentencing, and Ms Ní Chuilín referred to restorative justice, as I highlighted earlier. On the first of those, I have been in discussion with the First Minister and deputy First Minister about the new arrangements grounded in the Justice (Northern Ireland) Act 2002, which we inherited. I assure Mr Maginness that we intend to consult in the new year on the right balance of arrangements, as we are currently consulting on the other

issue that he raised, that of sentencing guidelines mechanisms.

On restorative justice, Members should bear in mind that this Bill is only a part of wider work. In meetings recently, I have been glad to hear first hand of the work of Community Restorative Justice (Ireland) and of Northern Ireland alternatives. I am aware, too, of how the Northern Ireland model of youth conferencing, with restorative justice at its heart, has been recommended by independent experts for adoption elsewhere. Probation Board and Prison Service staff have also been trained in restorative practices. I look forward to further discussion on the role of restorative approaches, including their reference to victims of crime.

Other issues that were highlighted as not included in the Bill are youth justice and family law. I am open to hearing Members' comments on family law. I suspect that if they want a consultation, we are too late for this Bill. I announced a review of arrangements for youth justice only yesterday, so it would be difficult to include any provisions in the Bill if we are to have a meaningful consultation on them.

I indicated at the outset that if there are matters that I have failed to address — and I am sure that there are, given the breadth of today's debate — I will respond to Members. There will also be further opportunities during the Committee's detailed scrutiny of the Bill. I am grateful to all the Members who have contributed in this helpful debate. I am pleased by the broad support given to the Bill, especially by members of the Justice Committee. Clearly, bringing such a large Bill to fruition within the current Assembly mandate will be a significant challenge, but Members' comments today give me confidence that it can be achieved. I will pay particular attention to all that has been said in the debate.

I am confident that this first Justice Bill before a devolved Northern Ireland Assembly, the first such legislation in almost 40 years, will be a major step forward for Northern Ireland. It comes in the wider context of capitalising on the benefits of devolution and, not least, as has been highlighted, on the importance of a partnership approach with other Departments and sectors as we tackle offending. This is a significant step for devolution and for this Assembly. It is also a significant step for

community safety, victims of crime and setting in train a process to deliver a better justice system for all the people of Northern Ireland. I commend the Bill to the House.

Question put and agreed to.

Resolved:

That the Second Stage of the Justice Bill [NIA 1/10] be agreed.

Committee Business

Public Accounts Committee Reports and Memoranda of Reply

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 15 minutes to propose and 15 minutes to make a winding-up speech. All other Members who wish to speak will have seven minutes.

The Chairperson of the Public Accounts Committee (Mr P Maskey):

That this Assembly takes note of the following Public Accounts Committee Reports:

Report on the Investigation of Suspected Contract Fraud (01/09/10R)

Report on the Management of Social Housing Rent Collection and Arrears (16/09/10R)

Report on Bringing The SS Nomadic to Belfast – The Acquisition and Restoration of The SS Nomadic (17/09/10R)

Report on Public Service Agreements - Measuring Performance (22/09/10R)

Report on Irish Sport Horse Testing Unit Ltd: Transfer and Disposal of Assets (25/09/10R)

Report on Review of New Deal 25+ (26/09/10R)

Report on the Performance of the Health Service in Northern Ireland (35/09/10R)

Report on the Performance of the Planning Service (36/09/10R)

Report on the Pre-school Education Expansion Programme (43/09/10R)

Report on a Review of the Gateway Process (47/09/10R)

Report on the Management of Personal Injury Claims (48/09/10R)

Report on the Resettlement of Long-stay Patients from Learning Disability Hospitals (53/09/10R)

Report on Transforming Land Registers: The LandWeb Project (56/09/10R)

Report on Combating Organised Crime (63/09/10R)

Report on North/South Bodies (70/09/10R)

and the following Department of Finance and Personnel Memoranda of Reply:

Report on the Investigation of Suspected Contract Fraud

Report on the Review of Assistance to Valence Technology

Report on the Management of Social Housing Rent Collection and Arrears and Report on

Bringing the SS Nomadic to Belfast – The Acquisition and Restoration of The SS Nomadic

Report on Public Service Agreements - Measuring Performance and Report on Irish Sport Horse Testing Unit Ltd: Transfer and Disposal of Assets and Report on Review of New Deal 25+

Report on the Performance of the Health Service in Northern Ireland and Report on the

Performance of the Planning Service

Report on the Pre-school Education Expansion Programme

Report on a Review of the Gateway Process and Report on the Management of Personal Injury Claims

Report on the Resettlement of Long-stay Patients from Learning Disability Hospitals

Report on Transforming Land Registers: The LandWeb Project

Report on Combating Organised Crime and Report on North/South Bodies

Go raibh maith agat, a LeasCheann Comhairle.

The details of the motion give some indication of the wide range of work undertaken by the Public Accounts Committee in its contribution to a better and more efficient delivery of public services. There is not time for me to go into all the items listed in the motion, but I would like to remind Members of the role of the Public Accounts Committee and the scope of the Committee's work.

The Committee is a Standing Committee of the Assembly set up under the 1998 Act to consider accounts, and reports of accounts, laid before the Assembly. The accounts of all the Departments and most public sector bodies are prepared and laid by the Comptroller and Auditor General (C&AG), the head of the Audit Office. The C&AG may also make value-for-money reports and reports on efficiency and effectiveness. The Audit Office's role is

to closely examine public expenditure from a position independent of government. I commend the Audit Office for the excellent support it provides to the Committee. I have in the past described the Audit Office as a natural scrutiny partner to the Assembly, complementing the system of checks and balances fundamental to a healthy democracy. That scrutiny role will be all the more significant in today's economic climate as value for money in the public sector becomes even more important.

A LeasCheann Comhairle, a group of Turkish interns, who are interested in financial governance, is visiting today — they are in the Public Gallery. They are here with the Department of Finance and Personnel and are very welcome.

The Audit Office reports enable the Public Accounts Committee to focus on experiences in public expenditure from which lessons must be learned. This year, the Committee has again worked to reinforce the standards required of people in public life; to prevent fraud and to encourage whistle-blowers; to improve processes, checks and controls for managing public money; and to promote good governance, accountability and value for the taxpayer.

The Committee is dogged and creative in its role and has this year identified ways in which Departments can improve data sharing in public bodies to communicate better about public money and to make savings. The Committee has also reinforced messages about the accuracy of information provided to Committees and MLAs, revisiting the findings of its 2008 report into the use of consultants to do so. It has taken a close interest in what constitutes a centre of procurement expertise (COPE). It took evidence from the Commissioner for Public Appointments, Felicity Huston, whose office's role in improving accountability is vital to good governance.

This year, the Committee joined the debate about how devolved justice powers might impact on public expenditure by working on the Comptroller and Auditor General's memorandum on combating organised crime. It heard from the PSNI and Departments about counterfeit goods, fuel laundering and people trafficking, and it made recommendations for improved inter-agency working before referring the report to the Justice Committee.

The Committee addressed some of its business in a composite report, as it has done previously.

That report examined five key issues of concern by correspondence and has been circulated to Members, who will no doubt be familiar with the contents. The Committee published its first thematic report this year, which was debated in the Chamber in June. The Committee also selected 14 Audit Office reports to deal with as its priority business; I will address one or two of them before other Members address the motion.

The review of Valence Technology and the report on suspected contract fraud demonstrate important lessons about individual responsibility for financial management as well as the danger of having a lax organisational culture. From the smallest repairs contracts to major inward investment awards, transactions made with taxpayers' money must be taken seriously. A contract should not be given to a family member just because it is a small contract, and a big contract does not mean that all preliminary checks can be short-circuited to fight off competition.

The Committee examined the 14-year history of Valence, a major inward investment project that was handled by the Industrial Development Board (IDB). It was the biggest single investment ever made here. The IDB offered Valence over £30 million in assistance to establish a new large-scale battery manufacturing facility at Mallusk; in return, Valence was to invest £147 million and create 660 jobs. Although the size of the investment is memorable, what really sticks in my mind about the project, and in the minds of many Committee members, is that the IDB kept funding it, even though the company hoped to manufacture a battery at a cost of \$57 and then sell it for \$12.

The project experienced persistent difficulties, and the breakthrough product did not materialise. In 2003, some 10 years after its first contact with the IDB, Valence relocated its manufacturing operation to China. After a prolonged clawback process that concluded in July 2007, Invest NI recovered only £5 million of the £15 million that had been spent on it.

The Committee was profoundly concerned by how the Valence project was handled by the IDB. In particular, the Committee was disturbed at the range of project shortcomings occurring over such an extended period of time. Well-established procedures designed to protect taxpayers' money were repeatedly ignored, there was a worrying lack of transparency on several

issues, and there were gaps in the documentary records. In addition, the work of the board casework committee, a key control in the risk management process, was undermined by the IDB's over-optimistic and ambiguous submission in support of the project.

The head of the economics branch also said that the assumptions that were made in the economic viability test were not realistic, but that was never reviewed.

5.30 pm

At several key points, the IDB failed to take the opportunity to either renegotiate its offer or withdraw from the project and invoke clawback, even when the evidence pointed overwhelmingly towards the need to do so. Instead, the IDB gave in to the company's demands and failed to take the hard decisions when required. Therefore, it is not surprising that, in the final analysis, the project represented a very poor return on taxpayers' money.

At project appraisal, which is a key stage of the support process, the IDB failed to apply many of the most fundamental elements of its own guidelines. The evidence clearly shows that corners were cut. For example, at the time at which the project was assessed, Valence had not even developed a commercial product and so could not produce a proper business plan, even though no meaningful appraisal of viability could be carried out without one. It was of particular concern that the project was scrutinised at the highest level in the IDB, yet despite the many warning signs, it was still recommended for assistance. That suggests that, institutionally, a blind eye was turned towards the very obvious limitations of the project. The Committee found that to be a disturbing insight into the management culture at that time.

Over the nine-year period to 2003, there were several critical points at which the IDB should have called a halt to the project to reappraise it and, if necessary, either renegotiate the contract or terminate it. However, on each occasion, the IDB failed to do so and continued to provide funding. Our Committee recognises that calling a halt to a major project is a difficult step and one that requires careful judgement. Nevertheless, it seems staggering that, for so long, the IDB maintained an almost blind faith in a project that was obviously in a great deal of trouble. The Committee was disappointed to learn that only

around one quarter of the Valence workforce came from areas and backgrounds of economic and social disadvantage. The Committee agreed that Invest NI must do much more to ensure that people from disadvantaged areas have an opportunity to benefit from its inward investment programme.

Before Valence, there were other high-profile inward investment failures, including DeLorean and Lear Fan. The Committee was extremely disappointed that the IDB blatantly disregarded lessons from those cases in its handling of the Valence project. Despite those criticisms, the Committee wishes to make it clear that it does not want Invest NI to be a risk-averse organisation. It is a question of balance. The Committee supports risk taking, but only where it is properly assessed and effectively managed. Supporting industrial development is a risky business, and good judgement has to be exercised. Some projects are likely to fail. However, the appraisal guidelines and past experience are key elements of the risk assessment and management process and must never be ignored or sidestepped. The Department has given an assurance that lessons have been learned, and that is crucial if Invest NI is to earn the confidence of elected representatives.

I am aware that I am running out of time. I will wrap up my remarks very shortly, but I want to mention the Committee's 'Report on the Investigation of Suspected Contract Fraud'. That report really resonated with me, given that some libraries in my constituency have now closed because some of the necessary work was not carried out. Public money for the upkeep of public libraries is scarce. In fact, many libraries have closed. As I said, some in my area have closed, and parts of east Belfast were particularly hit by some of the library closures. Libraries are a wonderful resource for the young and old and for the new people who come to live in our society. However, the value of libraries to the community was lost completely in the culture that had grown up in the Belfast Education and Library Board. Money was paid out to keep the buildings in good repair, but the repairs were not done or were done dangerously. The Audit Office report even reproduced photographs of the work to show how shoddy it was.

The officials who were supposed to safeguard the public interest by securing good contractors

competitively and by monitoring their performance instead selected contractors from a favoured few and routinely paid for work without checking that it had been done in the first place. I found it staggering that so many of the problems that arose could have been very simply avoided and were due to the failure to take the most basic good practice measures. No finding of fraud was made in that case. However, as in the Valence case, the culture of the organisation was alarming. Leaders must ensure that an ethos of responsibility for taxpayers' money is shared throughout public sector organisations. Whistle blowers were ignored, procedures to address conflicts of interest were not followed, basic checks and supervision were not carried out, and duties were not segregated to prevent the opportunity for fraud. A LeasCheann Comhairle, I will leave it there, because I know that other Committee members wish to speak.

Mr McQuillan: As a member of the Public Accounts Committee, I will speak on the report on North/South bodies, which was completed on 17 June 2010. I point out that I was not a member of the Committee until September 2010.

This was the first time that the Committee looked into how the North/South bodies operated. North/South bodies are engaged in a range of areas including tourism, trade and development, food safety, the promotion of Irish and Ulster Scots, and the administration of EU funds. Their activities are funded jointly in varying proportions by the Northern Ireland Assembly and the Irish Parliament.

Areas of interest overlap between Departments here and in the Republic. The Committee decided to take oral evidence regarding the unique financial accounting and reporting arrangements of the bodies. The Committee made a useful first contact with North/South bodies at the InterTradelreland premises in Newry on 12 March 2009. InterTradelreland and the Special EU Programmes Body (SEUPB) gave evidence to the Committee, which examined the financial accounting and reporting arrangements and issues of general application to all North/South bodies.

Owing to the overlap between Northern Ireland and the Republic, the Committee's work was co-ordinated with work carried out by the Irish Parliament. The counterpart Public Accounts Committee of the Irish Parliament took evidence from Waterways Ireland, the Food Safety Promotion Board and Tourism Ireland. The Committees

met in Dublin to discuss the bodies' financial governance systems and overall accountability in North/South bodies. The report of the Public Accounts Committee to the Assembly made important recommendations on promoting accountability and good governance in those bodies. The Committee wants to make sure that North/South bodies keep up with standards of best practice.

In these difficult economic times, the Committee examined whether InterTradelreland was working effectively with the other development agencies. The Committee was determined to ensure that there was no wasteful duplication of effort and that resources were concentrated on schemes with the best payback.

The Committee went on to scrutinise how the Special EU Programmes Body operates in its important but complex and highly regulated field. The Committee wanted to make sure that every attempt was being made to streamline structures further without compromising accountability. The Committee looked at the support arrangements to help community groups frame high-quality proposals that would be accepted. The Committee found that only 52% of applications for EU funding under Peace II were successful, which indicated that 48% of applications by community groups and others were fruitless. The Committee emphasised that SEUPB should exercise strict quality control over consultations and frame its contracts to enforce rigorous quality standards.

The report was agreed by the Committee in June 2009 and launched on 17 June 2010, following consultation with the Irish Parliament. The reports of both Committees were published separately at that time and can be read together to provide a full analysis of the bodies. All eight of the recommendations in the Committee's report were accepted by the Government in their memorandum of reply on 13 September 2010.

Speaking as a Member of this House, I believe that there is significant wastage in the North/South bodies. It is clear from the report that savings can be made in administration. With reference to the Special EU Programmes Body, it was projected that administrative savings of £1.4 million could be made over seven years. During these tough economic times, particularly considering the comprehensive spending review, Committee members must decide whether it would be better to spend money

currently invested in North/South bodies on our Health Service, schools and social housing. The report also referred to overlap between InterTradeIreland and other investment bodies such as Invest NI. We must keep tabs on that to ensure that efficiencies are made and accountability is maintained.

Mr Beggs: I will reflect on a particularly busy year for the Public Accounts Committee, which has met weekly and, as can be seen from the motion, has produced 15 reports. Over that period, there has been a change of style in our reports; they are generally shorter, and, in an effort to create an efficient format for ourselves, we have introduced key recommendations. Each report includes records of evidence sessions in which permanent secretaries and key senior civil servants were held to account for their expenditure of public funds, on issues that were highlighted as questionable in the audit process and on which lessons needed to be learnt and, on occasion, on instances of good practice when it was thought worthwhile to share experience so that others might benefit.

As Members will have noted in the latter part of the motion, a memorandum of reply is part of the process. That is when the departmental response comes back to the Committee and we determine whether our recommendations have been addressed satisfactorily and, on occasion, go back to issues about which we have concerns. Therefore it reflects a considerable body of work, and I put on record my thanks to the staff of the Public Accounts Committee and, indeed, the Northern Ireland Audit Office for their support in the process.

I shall concentrate first on the pre-school education expansion programme. I declare an interest as a governor of Glen Primary School and as a committee member of Horizon Sure Start, which assists parents of children in the nought-to-four age group in parts of Larne and Carrickfergus. The Department of Education recognises that effective preschool education helps children's personal and social development, ensuring that they come to primary school ready to learn because they have appropriate cognitive and social skills. That was the basis of the preschool education programme that commenced in 1998.

The Committee acknowledges that there has been great progress in increasing the benefits from and access to preschool education. However, we concluded that geographical gaps

in supply and demand still need to be tackled, although we must reflect the challenges due to population shifts. Nevertheless, for several years, a number of my East Antrim constituents' children failed to be offered pre-school places in their immediate preschool year. I am sure that other Members have been contacted about the same matter, so that issue needs to be addressed.

Another key recommendation was that the Department identify where and why parents do not avail themselves of preschool education, particularly in disadvantaged areas, where taking up such places produces the maximum benefit to children's education. Recommendation 2 also expressed concern that the curriculum needs to be age-appropriate in order to meet the needs of all pre-school children. In particular, we recommended that the Department consider carefully the findings of the report on the Sure Start curriculum from the inspectorate, which may already be out.

I note from the reply to an Assembly question that 1,202 children failed to get into pre-school in their immediate preschool year. Subsequently, the Minister produced additional money, although that did not solve all the problems, so I await information on those who were unsuccessful. Due to a legal loophole in the programme, the Department spent £10 million to provide 1,500 preschool places for two-year-olds, many of whom do not benefit fully when they mix with older children. Indeed, trying to educate and work with such an age range creates difficulties for staff, so spending money on such places produces relatively poor outcomes. That issue still has to be resolved. There are also questions about the quality of education in some reception classes.

Another area in which I am particularly interested is the need to manage effectively personal injury claims due to potholes or holes in footpaths. Effective information gathering and managing that information are key aspects of ensuring that an accurate record is kept of what has been done to address the issue and of when inspections have been carried out. Public funds are limited, so we must ensure that they are not spent purely on compensation. If there is a fault, that is what should happen, but it would be much better if the situation were managed and repairs were carried out in a timely fashion so that people were not injured in the first place.

5.45 pm

Recommendation 3 of that report was interesting. The Committee indicated that there should be a flexible approach to what is regarded as an actionable defect. I was able to give a classic example from Larne, in my constituency, from where I was receiving regular complaints from people who were tripping on a particular manhole. The manhole was sitting at just below the required 20 mm level, so nobody was doing anything about it, but people were still tripping. It is important that faults such as that, in a busy town centre area, are repaired, otherwise someone will be injured, and further costs to the public sector — in the Health Service, for example — will be incurred. I am pleased that that recommendation has been accepted.

The high legal costs of claims processes are an issue, as are the high compensation levels. Those lead to high insurance costs to pay for them, which causes particular difficulties for younger drivers. I am pleased that those issues were picked up by the Committee in recommendations 4 and 5 in the report.

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

Mr Beggs: I identified the fact that those who set legal fees seem, largely, to be from the legal profession. I am pleased that the Justice Minister has taken forward that issue, and I hope that legal costs will come down.

Mr Dallat: The motion covers a wide range of government services, many more than would have been dealt with when we were under direct rule and the work was done at Westminster. That is good, and I want to record my thanks to the Comptroller and Auditor General and his staff for the excellent working relationship that the PAC has with them.

It is very encouraging to have a comprehensive report that deals with so many issues. I am sure that the Minister of Finance and Personnel will agree that every penny of public money should be traced from its source to where it is spent. Of course, fraud in public services is shocking, but there are many other ways to squander public money, provide a bad service and cheat the most vulnerable people out of their rights. That is not acceptable in any democracy that wants to hold its head high along with other European nations that are striving to eliminate

fraud, corruption, waste and bad practice wherever they rear their ugly heads.

There are times when Departments, their agencies and arm's-length bodies get tetchy when they are subject to criticism. We have had the occasional allegation that the Public Accounts Committee has strayed into policy areas, but, when its accusers are challenged to point out where, very poor evidence is offered. My plea to every Member — I note that we have 15 present — is to fully support the work of the Public Accounts Committee. All 108 of us rise or fall on the same tide of endeavour to achieve the best possible government and related services at the smallest cost to the taxpayers. It is as simple as that; Micawber had it all. By and large, that is happening, and it is good.

Let me make it clear: nowhere in those reports has the Public Accounts Committee set out to damn any Department where that is unjustified. On the contrary, the PAC has praised good government work where there is evidence of that and will continue to do so. However, there will be no let-up in our determination to eliminate fraud, shoddy service and poor delivery of objectives. The report on the investigation of suspected contract fraud illustrates some of the worst practices, which allowed a contractor to be paid for work that he never did. What sort of example is that for other contractors who continually complain that they never have the opportunity to get involved in government contract work? Does that not make a complete mockery of the public procurement process from beginning to end? I am sure that you agree with that, Mr Deputy Speaker.

I want to touch on the report on the performance of the Planning Service. That report is shocking by any comparison, and it helps to explain the low level of confidence in the Planning Service, which has been a problem. However, at least the causes have been identified, and, hopefully, the appropriate steps agreed are being taken to ensure that the public are treated how they expect to be treated, enforcements are followed through and the service is never again described as not fit for purpose. That is what the public want, and the vast majority of dedicated people in the Planning Service undoubtedly want that too. If the Planning Service does not promote good planning laws and fails to ensure that those laws are respected and not abused by speculators and developers, our environment suffers irreparable damage that future generations

have to live with. Many will claim that it has been a free-for-all that has been full of corruption and abuse, and people will willingly highlight where that has happened, not only in Belfast but across the North.

Perhaps the most shocking report under consideration is that on the resettlement of long-stay patients from learning disability hospitals. Where in the world would you have people institutionalised for 30 years or more when there is no good reason to do so other than a failure to provide the proper community support that is needed to repatriate those people in the community? That is a shocking indictment of society, and no argument about funding can in any way justify keeping people in institutions for the best part of their life. Let me make it clear that I am in no way suggesting that patients are not well cared for. Of course they are; I saw that for myself when I visited Muckamore Abbey Hospital. It is their choice and right to be rehabilitated into the community, but there has been a wholesale failure to grant them one of the most basic and fundamental human rights of all, namely the right to freedom. In the past week, an answer to a question from my colleague Thomas Burns disclosed that some of the worst criminal elements serve very few years in jail, if they go to jail at all. Yet the innocent are locked up for 30 years or more without having committed a crime. What a shame.

Let me make it clear that, where standards of performance fall below the agreed levels, those in senior positions of responsibility are held fully accountable and have to justify their good salaries and, indeed, their jobs. The practice of switching accounting officers to another Department just before the Public Accounts Committee decides to have a public hearing must end, and those who have been moved should be asked to come back to account for their stewardship. I am confident that the PAC will demand that in the future.

In the future, it may be necessary for the Assembly to increase the PAC's powers to ensure that earlier intervention is possible and that greater resources are available to investigate bad practice. The reports represent important work by the Public Accounts Committee and serve as a reminder of the need to scrutinise every penny of public money that flows through government Departments and their agencies. That is particularly true at this time, when there

is an urgency to uncover savings, eliminate waste and ensure best practice everywhere.

I began by thanking the Audit Office, and I will end by thanking the staff of the Public Accounts Committee, who have been outstanding in their support to the Committee.

Mr Lunn: I will speak on the report and the investigation into suspected contract fraud, which the Chairman and Mr Dallat have already touched on. The Committee examined the failure of the Belfast Education and Library Board to recognise the extent to which it was vulnerable to fraud of that kind and its slowness to act in the face of growing evidence of malpractice. The Committee warned that the Belfast Board was not unique in that, and, given the evidence now emerging from the Housing Executive and other public bodies, we may, unfortunately, have been proved right.

There is a £200 million maintenance backlog in our schools, and, in the current economic circumstances, it is essential that the limited funds that are available are spent for the benefit of children and do not find their way into the pockets of corrupt contractors and officials. The Committee found evidence of a long-standing culture in the board's property services unit that favoured certain contractors and had no regard for proper procurement procedures.

We noted a wide range of examples of alarmingly poor value for money. For example, as the Chairman said, the Belfast Board paid £80,000 for work to improve disability access at Whitewell and Oldpark libraries, and the work never started. On investigation, it was found that a further £110,000 had been paid for similar work at 14 other libraries and that that work was either incomplete or not to the required standard. The work at Whiterock library was so poor that it created a health and safety hazard and may well have damaged the structure of the building.

The Committee considered that the key to improving value for money in procurement and safeguarding against fraud is to ensure that there is genuine competition between contractors and that contracts are awarded fairly. We spent some time on that in yesterday's debate on external consultants. It is also important that any whistle-blower concerns about suspected wrongdoing are investigated thoroughly and quickly. The Belfast Board has failed to investigate properly whistle-blower allegations of price fixing and collusion in

schools maintenance expenditure. It has also failed to take effective action, even when its own internal auditors raised concerns about how maintenance contracts were awarded.

The Committee found that the Belfast Board had good procedures for dealing with conflicts of interest, but those were ignored. As a result, we found that one board maintenance officer put £64,000 worth of maintenance work to a firm owned by a member of his family, despite senior management being aware of the connection. Another maintenance officer accepted a four-day trip to Italy from a contractor. That was presented as work-related, and, in the Committee's view, it was no such thing.

The Committee was particularly shocked to discover the absence of proper procurement procedures, given that the Belfast Board is an accredited centre of procurement expertise and has been since 2002. The Housing Executive and Northern Ireland Water both have that status. The Committee considered that the public would have drawn confidence from the award of COPE status, and it is vital that the assessment of that status is independent and rigorous. If the concept of centre of procurement expertise is to mean anything, we want COPEs that demonstrate persistent poor practice to have their status removed.

A number of Belfast Board maintenance staff were disciplined as a result of the cases that the Committee examined. The Committee's view was that the penalties that were imposed were too light and amounted to nothing more than a slap on the wrist. If I remember correctly, one of the penalties was the insertion of a letter in the staff file for 18 months, after which time it had to be taken out and ignored.

The Committee praised the work of the Department of Education in commissioning and overseeing an independent investigation into the board's maintenance unit. We were also encouraged by the fact that the Department had sought to learn lessons from its performance in this case and to reflect those in its procedures.

The problems that the Committee found with the Belfast Board stemmed from a long-standing culture that placed little emphasis on achieving value for money. In such cases, fixing the problem is not only about improving procedures but about addressing the underlying culture. The Committee recommended and DFP has accepted that management must ensure that

staff are alert to the need to challenge any instances of poor value for money and are encouraged and empowered to do so. In the Committee's view, the key to addressing such cultural problems is leadership to drive up standards, good supervisory management and appropriate disciplinary action when failures occur.

At the time, the annual procurement spend by government in Northern Ireland was £2.2 billion. I am not sure what it will be next year, but, if even a small proportion of that spend is fraudulent, significant sums of public money are being lost. I believe that the Belfast Education and Library Board has learned a lesson from the episode and that it has not so much tightened its procedures as taken steps to ensure that they are adhered to.

The PAC returns regularly to instances of bad practice, malpractice and fraud. Indeed, only yesterday, we debated the subject of external consultants. The use of external consultants is not a sin in itself, but the PAC report of 2007 flagged up flagrant disregard of procurement procedures. That resulted in the doubling of the costs, and, yesterday, a number of Members expressed their misgivings about the relationship between Departments and external companies. The report on the Belfast Education and Library Board highlights the same thing.

The PAC has had a useful and productive year. We were prompted initially by the excellent reports of the Northern Ireland Audit Office, which is now under the new management of Kieran Donnelly, who has maintained the high standards set by his predecessor, Mr John Dowdall.

We have continued to expose wasteful and lax procedures and have stressed the need for balance and the necessity not to stifle initiative and, where appropriate, job creation, as in the case of Invest Northern Ireland. I have enjoyed my three and a half years as a member of the PAC, which has been largely harmonious and non-partisan, and I look forward to the rest of the term. Like other Members, I express my thanks to the staff who have looked after us expertly and diligently.

6.00 pm

Mr McLaughlin: Go raibh maith agat, a LeasCheann Comhairle. I thank the Comptroller and Auditor General and the Audit Office team, which is a dedicated, diligent and expert group

that performs a remarkable task. I also thank my colleagues who sit on the Public Accounts Committee, which is very productive. Some 15 reports are being considered today, but that is by no means the full volume of work that the Committee has addressed in this term. I join others in expressing my sincere appreciation of the secretariat, because the quality of its preparations for the various investigations and evidence sessions that are held here is reflected in the efficiency and effectiveness of the Committee's work.

I want to address the resettlement of long-stay patients from learning disability hospitals, which has already been referred to during today's discussions, because it is an issue that is close to my heart. I have no family connections to the issue; rather, I was drawn to it because, as a public representative in the council and the Assembly, I saw the profound love, devotion and commitment that people have in dealing with what, at times, appear to be insuperable challenges and how they have risen to those challenges. That has been a very inspiring experience. However, it was difficult for those people to see individuals at an institutional level not being as successful as they were entitled to expect them to be. It was also difficult for them to see people with an administrative or clinical responsibility not realising the aspirations that they had set for themselves.

The term "learning disability" describes a lifelong condition, arising before the age of 18, which significantly reduces an individual's ability to learn new skills, to understand new or complex information and to live independently. Across the North, a significant figure of 16,400 individuals — 1% of the population — have a learning disability, and more than a quarter of those people have severe or profound learning difficulties.

Historically, when individuals with learning disabilities were unable to remain at home — there may have been a variety of reasons for that crisis — they were offered accommodation and care in long-stay hospitals. In 1995, the Department of Health, Social Services and Public Safety took a policy decision to offer all long-stay patients at the three remaining learning disability hospitals — Muckamore Abbey, Longstone and Lakeview — a better life through resettlement in the community. That reference to a better life has given rise to one of the principles applied in the criteria of

betterment, and the option of resettlement must pass that test.

The Department's initial target was to resettle all long-stay patients by 2002. However, the Department failed to achieve that, as was demonstrated in the evidence that was presented and reflected in our report. Although the number of patients in long-stay hospitals halved in the period up to 2002 — we should acknowledge the effort that was involved in achieving that — the Department has failed to maintain that momentum or to allocate sufficient funding to deliver the strategy. A strategy without the necessary resource is not a strategy, and that term should, therefore, not be used. A strategy has to be an achievable objective that is properly thought-out, planned and resourced.

By 2009, over 250 long-stay patients remained in learning disability hospitals. The latest target that we have been informed of is full resettlement by 2013. Therefore, I think that we are entitled to be concerned that there will continue to be slippage in pursuing that strategic objective. The evidence suggests that careful attention must be paid to the terms of resettlement and that we must ask whether we are meeting, in all circumstances, the best clinical needs and pursuing the principle of betterment. The failure to resettle those who have been assessed as fit to be discharged and are willing to leave hospital is unacceptable, but the statistics persist. However, any departure from the best standards is also unacceptable.

We will all have come upon cases of patients who finished their treatment, for example, five years ago. Five years after all treatment has ceased, those patients are still residing in long-stay disability hospitals. That is a clear failure to deliver policy, and it should be dealt with. From personal experience, I know of other examples in which people have been settled in old people's homes, even though they were not in that age bracket. I question whether anyone would consider that to be betterment. Is an old people's home really the best environment to send someone from a long-stay or learning disability hospital, given that such an environment could turn out to be detrimental in the long term? That particular example was a failure of resettlement, which does not always succeed.

In spite of that, I caution against being afraid of failure. In this matter, we have to be brave, imaginative and at all times seek to achieve the best clinical outcomes for all.

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

Mr McLaughlin: The Committee came to the clear view that those targets require detailed planning and resources. I urge the Department to bring forward that strong commitment to demonstrate that it will put aside resources to achieve those objectives. I do not think that it has done that up to now.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. Thank you, Mr Deputy Speaker. As it has for all other members of the Public Accounts Committee, this year has been a learning curve for me. Along with the Civil Service — I will come to it in a moment — and the Comptroller and Auditor General, I have learned lessons through the Committee. As my colleague Mr Dallat said, we usually witness the regular pattern of accounting officers being shifted before the principal offenders can come before the Committee. We see the usual things, such as poor management and, usually, overspending. We see a Civil Service characterised as a body in which reasons are given for not doing things.

Mr Lunn referred to the centre of procurement excellence, in which, to my mind, a clear conflict of interest was manifest when a private company, PWC, assessed an agency of government, Northern Ireland Water, even though that private company was one of the agency's best customers. Another example is Translink. To me and without getting into whether the agency in question delivers procurement excellence, that is not a good way to achieve centre of procurement excellence status. Therefore, there are lessons for us all.

Having been a member of the PAC this year, I have one fundamental thing to say: the credibility and standing of the Civil Service has to be rescued by the clear actions of the head of the Civil Service. At certain senior levels, the integrity of its work has been brought into serious question, as was highlighted by the NI Water debacle and the issues with DRD. Public confidence can be restored in the senior management of the Civil Service only if the head of the Civil Service, whoever that might be, takes clear, transparent and effective action.

The past year has been a learning curve for me, and scepticism has been raised about the actions of senior civil servants that I have never witnessed before nor could have believed possible in the Assembly in times of devolution. However, one could argue that, had it not been for devolution, those antics — at least those that have been discovered so far — would not have been uncovered. It would have been easy for those senior civil servants to fly to London, sit in front of a few Tory and Labour MPs, give them the spin and jump on a flight back home and forget all about it. Therefore, one positive is that accountable democracy has shone the spotlight on those nefarious black areas on which it needed to be shone.

Moving on, the Committee report that I want to speak about is on the performance of the Health Service. I found that inquiry detailed and interesting because it related to the most significant area of expenditure in the North and to the service that is most significant to my constituents. During the evidence sessions, I focused on the effectiveness of the service provided to patients requiring ambulances because that impacts urgently on people who are at their most vulnerable. I must place it on record that the local effect of the closure of the A&E department at the Mid-Ulster Hospital and the lack of ambulance provision in that area has not been properly and adequately addressed. That gives me great concern as a representative of a constituency that the Deputy Speaker and I share, and I am sure that he would join me in those concerns.

I followed a line of questioning to try to gauge the effectiveness of the Health Service response to the heartbreaking rise in suicide rates in the North, particularly among our young adults. Again, that relates to issues close to the area that I represent, and I note that there has been a further outbreak of suicides in the Chairperson's constituency, which is a sad loss to us all as a community and a society. It is a difficult issue to deal with, and I hope that, as a result of what we do here today, we will be able to put some resources in place for those who are at the end of a very dark tunnel to help to bring them back from the brink.

I also raised an issue that was raised during a previous evidence session on a report by the RQIA. That issue seems inexplicable and unacceptable in this day and age. I refer to the standards of cleanliness required to make

hospitals a safe place to go for treatment, rather than a refuge for devastating infections. It is awful to think that people who should be going into hospital to get better go into hospital and get sick. That is incredible, particularly for older people who are at their most vulnerable and weak.

Overall, the Committee considers that there is much about the Northern Ireland Health Service that is very positive. Key achievements highlighted by the Committee include a reduction in patient waiting times in both primary and secondary care; falling death rates from big killers such as cancer and heart disease; improved life expectancy; decreasing levels of smoking; falling rates of teenage pregnancy; and lower levels of hospital-acquired infection in some areas. However, the Committee concluded that some areas of concern remain. Although overall measures of life expectancy are heading in the right direction, inequalities in health status between those in the more affluent and most disadvantaged parts of the North persist. In addition, obesity remains a major concern that is storing up health problems for the future. Furthermore, suicide reduction targets are becoming increasingly difficult to meet, and poor hospital hygiene persists in some trusts.

The Committee considers that an invest to save culture is essential for the future, with more funding for preventative measures and health promotion activities. The Committee agrees that early educational interventions —

6.15 pm

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

Mr McGlone: There are some big questions for us and for society about how to improve health equality for people of all socio-economic groups, guarantee Health Service funding, prevent slippage and creatively enable the service's skilled and dedicated personnel to continue their good work.

Ms Purvis: I wish to associate myself with the remarks that were made about the Comptroller and Auditor General, the Audit Office and, indeed, the Committee Clerk and Committee staff, who all worked with great professionalism over the past year. I will address the Committee's 'Report on the Management of Social Housing Rent Collection and Arrears', a subject that is

all the more topical given the recent Budget announcement.

The Housing Executive and housing associations are responsible for collecting some £350 million of rental income a year. Failure to maximise that income has serious implications for their ability to carry out property maintenance and provide other services to around 115,000 tenants. The Committee recommended that the Housing Executive review its arrears-prevention activities in line with best practice to assist its tenants in avoiding debt. We welcome the Housing Executive's subsequent introduction of specialist staff, who were trained by Citizens Advice to advise tenants on managing their finances, and of a long-overdue facility to allow them to pay online by direct debit in addition to existing payment methods.

The social housing tenant population is characterised by high levels of financial vulnerability. Around 70% of the Housing Executive's rental income is derived from housing benefit. The Committee considered the Housing Executive's slow rate of processing housing benefit claims to be alarming, given the obvious potential for that to create or increase debt for individual tenants. The Committee recommended that the Housing Executive should subject the ongoing improvements being made to its processing of benefits, which include a new IT system and a more holistic approach to assessing overall benefit eligibility, to a formal review to ensure the delivery of sustained performance improvements.

Deficiencies in the accounting systems that were used to record housing benefit overpayment before 2004 meant that the Housing Executive could not determine how much of the arrears, either in total or in individual cases, was true rent arrears and how much was housing benefit overpayment. However, the Housing Executive stated that 32 high-value arrears cases, each owing more than £10,000, related either to benefit fraud or error. The Committee found it unacceptable that those and other large debts were allowed to accumulate without the Housing Executive having acted sooner to recover them. We recommended that the Housing Executive routinely produce an aged debtor profile to assist it in identifying the nature of the arrears problem and targeting recovery action more effectively. That recommendation was accepted, and the Housing Executive has reorganised

its debt management service with the aim of improving efficiency.

The high levels of arrears in individual cases tied in with the findings of the Housing Executive's own inspectors, who reported many examples of poor compliance with rent procedures by staff at local offices. Information provided to the Committee showed that that was an ongoing problem. The Committee concluded that the Housing Executive had not been successful in ensuring that staff understood and applied arrears procedures correctly. The Committee recommended, therefore, that senior management should regularly review the communication of policies and related staff training, as well as ensuring that the inspection regime is designed to identify problems quickly. That recommendation was accepted, and the Housing Executive introduced revised performance review and inspection regimes from January 2010.

Despite its fundamental importance, only one of the Housing Executive's corporate targets related to rent collection. It simply required that arrears should not deteriorate year on year. The Committee considered that that was not a meaningful measure of performance and was capable of manipulation. Indeed, without high levels of arrears write-off, the Housing Executive would have failed to meet the target for several years in succession. Furthermore, measurement of performance against a broader range of indicators revealed other concerns, including shortfalls in rent collection, a high proportion of former tenant arrears and a large number of high-value individual arrears cases. The Committee recommended the establishment of new and more comprehensive targets and performance indicators for rent arrears, against which future performance can be measured and reported. Fortunately, that recommendation was also accepted.

The Housing Executive regularly benchmarks its performance against that of other housing organisations in HouseMark, which is a large benchmarking group. Although it performed well in recent years when compared with that group, the Committee was concerned that its performance was less encouraging when compared with a group comprising all the English local authorities. Despite the Housing Executive's assurances that it compared its performance with that group as well as with HouseMark members, the Committee saw

little point in that exercise, since its results were not reported. Therefore, the Committee recommended that the Housing Executive establish a formal benchmarking strategy, identifying actions required in relation to performance and process benchmarking. That recommendation was accepted.

Until comparatively recently, the Department for Social Development did not give sufficient priority to oversight and scrutiny of housing associations' rental income and arrears management performance. For example, the Department's internal checking procedures had failed to detect deficiencies in the information supplied by associations, including incomplete or missing returns and incorrect data transcription. Given that associations are a growing proportion of the social housing sector, the Committee recommended that the Department subject its regulatory framework for associations to regular review. Those reviews should identify areas for improvement and be used to adapt the framework in light of evolving risks in that sector. That recommendation was accepted, and amendments have been implemented to the framework and to checks on data received from associations.

The report is comprehensive and contains practical recommendations that should ensure good value for money for the public by improving the management of social housing, rent collection and arrears for tenants and social housing providers alike.

The Chairperson of the Committee for the Environment (Mr Boylan): Go raibh maith agat, a LeasCheann Comhairle. I did not know that you were saving the best until last; you put me to the back of the class, and I have been waiting around to speak.

I am glad to have the opportunity to speak about the reports, but I want to speak specifically about the Public Accounts Committee report on the performance of the Planning Service and the DFP memorandum of reply.

The performance of the Planning Service is an issue that my Committee has taken a keen interest in over the course of this mandate. We all know that the Planning Service is capable of making a major contribution to the North's economy. I do not think that many Members will disagree that an effective and efficient Planning Service is an integral part of reviving and maintaining growth in our economy. We also

know that, for too long, our Planning Service has underperformed. We have seen that particularly with regard to targets for the processing of planning applications and the delivery of a full suite of planning policy statements.

Although improvements have been made in the past few years in getting to grips with the backlog of applications, I am concerned that the recent redeployment of Planning Service staff will have a detrimental impact on workloads and will take us back to the days of lengthy delays in the processing of applications. The Committee has pressed the Department and the Minister to produce a financial workload model for the delivery of planning services, and members remain concerned that the redeployment has occurred without an appropriate workload model in place. The Planning Service is, as its name suggests, a service. We cannot simply let a lack of funds dictate the number of staff, without any indication of how planning services in the North will continue to be provided. How will businesses and industries respond quickly to any upturn in the economy if fit-for-purpose planning services are not there to process new planning applications rapidly and efficiently? Therefore, I wholeheartedly concur with the report's recommendation that the staffing model for the delivery of planning services should be completed as a matter of urgency. I look forward to a chance to scrutinise it with my fellow Environment Committee members.

The other major concern that the Committee has had with the Planning Service, which the PAC report also highlights in great detail, is the issue of the Electronic Planning Information for Citizens system. We all know that the system was meant to speed up the planning process, but four years later we still await the full roll-out of the project, which has gone considerably over budget in that time. The report highlights the project management failures from the very start and the fact that improvements and changes were not made despite several interim health checks. Despite all that, some officials were awarded bonuses amounting to £60,000. That is completely wrong; we should not reward failure.

I am pleased to report that the DOE accepted most of the recommendations made by the PAC, but I am extremely concerned that, with regard to the payment of bonuses, the Department defends its management system, saying that it feels it to be robust. It argues that bonuses are paid on the basis of output. We have yet to see

the e-PIC output, yet rewards have been dished out. That is totally unacceptable.

The Environment Committee was given a brief update on the project at a meeting in September and has requested a full briefing at the end of this month. The mistakes in that project must not be allowed to happen again. Lessons must be learnt, and my Committee will be asking officials what measures the Department is putting in place to ensure that such a situation will never happen again.

On behalf of the Environment Committee, I commend the Public Accounts Committee's report and its recommendations to improve the performance of the Planning Service. I hope that the Department takes all the recommendations on board and implements the necessary changes as soon as possible.

The Minister of Finance and Personnel

(Mr S Wilson): My notes say that I am delighted to be here to respond to the Public Accounts Committee debate. Therefore even though it is half past six in a half-empty Chamber on a Tuesday night, that is what I had better say.

First, I want to acknowledge the roles played by the Chairperson of the Committee, Paul Maskey, and the Deputy Chairperson, Roy Beggs, in providing leadership for the Committee in its work. I also commend the work of Kieran Donnelly, the Comptroller and Auditor General, and his staff in the Northern Ireland Audit Office in supporting the Committee.

Strengthening financial management is something that we should all take seriously. I am sure that you will be interested to know that my Department is hosting interns from Turkish Ministries and sharing with them our good practices and the lessons learnt thus far. I commend them for their tenacity and dedication in sitting through this lengthy debate at this hour, and I hope that they have a good meal afterwards. However, it is important that we pass on what lessons we can learn here, and, of course, any lessons that can be learnt from how others do things are important for us, too.

The Committee, through its recommendations, has sought to help Departments to improve their financial management and to strengthen transparency and accountability in our public bodies. Although it is no surprise, there is no doubt that the recent spending review outcome presents a serious challenge to the Executive.

We all recognise that the strong growth in public expenditure in recent years cannot continue. On the current side, we face an 8% reduction in real terms between now and 2014. Given the inflation and pay pressures that we face, there is no doubt that that will be difficult to manage. There will be a 40% reduction in capital investment by the end of this spending period in 2015. Therefore, fewer resources will be available than was originally envisaged under the investment strategy. That means that the Executive will have to take difficult decisions about what projects will be funded. It also means that we have to ensure that services continue to be delivered as effectively and efficiently as possible. Key to that is improving our financial management and looking for better ways of doing things. We need, therefore, to focus seriously on the three Es — economy, efficiency and effectiveness — as we move ahead.

Therefore, it will be essential for us to have a strong Public Accounts Committee. The focus of the Public Accounts Committee's recommendations on the three Es will become even more important if we want to secure the maximum benefit possible for the taxpayer. We must also ensure that Departments learn lessons from the past; we do not want to see mistakes repeated and money wasted.

6.30 pm

I support the Committee's recent decision to publish a thematic report. It was a very good way of reinforcing the lessons that have been learnt. When it is accepted, Departments will have a responsibility to ensure that PAC recommendations are implemented without delay, and it is understandable that the Committee wishes to have the information that it needs to satisfy itself that that is happening. However, we must also minimise the burden on public bodies in our quest for information, because every request for information requires time and resources that cannot be used for other things.

I will address, in chronological order, as many issues that were raised by Members as possible. Paul Maskey raised the issue of Valence Technology and the concerns about the amount of money that Invest Northern Ireland put into the firm, only for the jobs and the firm to disappear from Northern Ireland. DETI has acknowledged that the former IDB made mistakes in handling that case, but the

important thing is that it has learnt from those mistakes and taken appropriate action.

I understand that Invest Northern Ireland conducted a comprehensive review of the shortcomings in that case, and it now considers that its guidance has been enhanced significantly. With regard to the key areas that were highlighted in the report, robust procedures are now in place for project appraisal and for monitoring, and the lessons learned have been incorporated into Invest Northern Ireland's internal training programmes.

It is about getting the balance right all the time, and the Chairperson made a very important point that when IDB moved into the field of attracting investment or supporting investment projects, there was always an element of risk. We have been careful not to become so prescriptive that we reduce people's willingness to take the risks that are sometimes required.

Paul Maskey and Mr Lunn also raised the issue of suspected contract fraud in the education and library boards, which affects us all by robbing us of scarce resources. Therefore, it is encouraging to note that the Department of Education and all the education and library boards are working to enhance and to improve their fraud management processes.

I am advised that all the education and library boards have introduced new procurement systems, including the development of measured-term contracts. My Department has issued new guidance on tender-evaluation procedures; it has reviewed its contract management guidance, and a final draft will be tabled to the procurement board, which I chair, later this month. We have sought to learn lessons from that case by highlighting the whistle-blowing case in the annual fraud report and by discussing it at the Northern Ireland Civil Service fraud forum.

Mr McQuillan asked about the Committee's report on North/South bodies. My Department, in conjunction with the Department of Finance in Dublin, is undertaking a review of the financial memoranda applied to North/South bodies to ensure that they remain fit for purpose. That review will address issues raised by the Committee, including the disclosure of remuneration in accounts, conflicts of interest and whistle-blowing.

In relation to the Special EU Programmes Body, my Department has undertaken significant work over the past year to enhance and to streamline arrangements for joint committees administering Peace III moneys.

DETI has confirmed that it will continue to work with its counterparts in the Republic to ensure that InterTradelreland's cash balances are minimised. I am also pleased to say that a clear timetable has now been established for the finalisation of the language body's outstanding accounts; an issue that, I know, has concerned a number of Members.

Mr Beggs raised the issue of the pre-school education expansion programme. The Committee will be aware that the Department of Education issued its draft early years strategy for consultation in June 2010. The consultation process includes issues such as age-appropriate provision, which Mr Beggs raised; workforce development; quality and effectiveness of provision; and changes in how special and additional education needs in early years are addressed. The Department of Education has advised that it is seeking to match supply and demand for places and that it is working closely with transfer officers for 2011-12 to ensure that the take-up of places for children of the correct age is maximised.

Although we understand that not every youngster can get into the particular establishment of their choice, I am sure that Mr Beggs is as aware as I am that it is unacceptable to ask a parent to take their child to a facility in another town or for a youngster to be placed in an Irish-language facility when his or her parents have not expressed that preference. The Department of Education advises that children from socially disadvantaged circumstances should be given priority in the preschool expansion programme. It has initiated research to identify why an estimated 10% of parents chose not to avail themselves of free preschool places for their children.

Mr Beggs also raised the issue of the management of personal injury claims. I am pleased to note that DRD has confirmed that the adequacy of information that has been provided by its central claims unit now fulfils all Roads Service requirements. I understand that the Committee raised concern about locations where there was a high number of claims. DRD has confirmed that Roads Service will identify the locations

where there has been a high number of claims and where no statutory defence was available and it will consider whether internal controls need to be altered to ensure that inspection and maintenance are carried out to the required standard.

Mr Dallat raised the issue of whether some of the reports that were produced contained policy issues. I raised that point during the previous debate, mainly because I was concerned when I saw the number of responses that were going back in which no recommendation had been made. Therefore, rather than the Committee feeling that issues were simply being dismissed, where it is a policy issue, that, of course, remains an issue for the Minister and the Department. I had a useful meeting with the Committee Clerk and the Chairman to discuss occasions when that has happened. If that helps to avoid misunderstanding in the future, it was worthwhile. I hope that that was reported back to the Committee.

Mr Dallat and Mr McLaughlin also referred to long-stay patients at hospitals for people with learning disabilities. Mr McLaughlin brought the degree of emotion that can be attached to that very important issue. The Health Department has confirmed that it is committed to helping people with learning disabilities to live as independently as possible in the community. The process of resettling those people remains complex. They cannot be abandoned; that is important. The Department has said that it will ensure that patients' needs and well-being are at the forefront of the process. Resettlement is pursued only where it offers betterment for a patient. That is important. It would be wrong to simply tick a box and say that someone has been taken out of an institution and resettled and leave that person in conditions in which he or she feels vulnerable and his or her quality of life is not appropriate.

Therefore, resettlement must be clinically appropriate, clearly meet patients' needs, and have the potential to better the lives of patients. Importantly, DHSSPS has confirmed that no one will be forced to leave a long-stay hospital against their or their family's wishes. That is important because that is the other side of the coin. DHSSPS also considers that, with careful and sympathetic management, resettlement can be successful for all patients, regardless of the length of time that an individual has spent in hospital.

Mr Dallat and Mr Boylan raised the performance of the Planning Service, and the Committee's report on that issue was wide-ranging, comprehensive and covered a number of important areas, including the infamous IT e-PIC system. DOE has accepted that certain aspects of that project could have been handled more effectively, but it has confirmed that robust programme management arrangements are now in place. I am sure that a careful watch will be kept on that. Although the full implementation of e-PIC was overdue and over budget, DOE has confirmed that there have been early releases of elements of the new system, and the public are getting the benefit of those. I know that the Ballymena office has now moved over to the new system, and it has proved beneficial.

In response to the concerns of Committee members on propriety, I can advise that my Department is in the process of revising the relevant instructions to ensure that all staff who leave the NICS are aware of the rules about taking up employment within two years of leaving.

Mr McGlone, who is not —

Mr Deputy Speaker: Bring your remarks to a close.

The Minister of Finance and Personnel: I will. Mr McGlone is not here, so I do not have to respond to his comments anyhow. Everybody else went over their allotted time a bit, so let me just finish.

Ms Purvis raised the issue of social housing rent collection and arrears. I am pleased to note that DSD's debt management service has been modernised. It has been relocated across six centres, and the Housing Executive has implemented several initiatives to improve debt management. There is some sign of success: the debt has gone down from £14 million to £13.3 million. I will leave it up to the Member to judge whether that is a success.

I thank all Members who participated in the debate. As I said, I look forward to the next one, though I hope that it is not at this time of the evening.

The Chairperson of the Public Accounts Committee: Go raibh maith agat, a LeasCheann Comhairle. Hopefully, you will not have to shout at me for speaking for more than 15 minutes, because I will be finished well before that.

It has been a positive debate, and I also thank all Members who spoke, including those

who are not members of the PAC, such as Cathal, who is Chairperson of the Environment Committee, which made a contribution to what I believe has been valuable work by the PAC. In the months ahead, we will be looking at working together on different issues.

The remarks clearly demonstrate the value of work that has been carried out by the Public Accounts Committee, not just in identifying and criticising inadequacies in the management of public funds but, perhaps equally as importantly, in offering positive, considered recommendations and in paving the way to improve effectiveness.

The debate demonstrated my commitment and that of my Committee colleagues to rigorously challenging the rare instances when public funds have not been spent well or wisely. The Committee exercises its role on behalf of the Assembly, and I welcome the opportunity to present the Committee's work to it.

You will be glad to hear that I will not go over all the points that were raised by Members, because the Minister has already covered them. A wide range of issues was touched upon, including those about the SEUPB, North/South bodies and health. The PAC has dealt with a number of issues that relate to the Health Department, which is a massive Department with a lot of responsibilities. The Committee appreciates the time spent by all the Departments that gave evidence. John O'Dowd, the previous Chairperson of the PAC, said that we are not involved in blood sports but that we are there to get things done and to proactively ensure that things work out well for the future, which is an important message to get across.

6.45 pm

I was glad and interested to hear what the Minister said today, because his remarks were among the more positive that we have heard in such situations. We usually have a slightly challenging back-and-forth discussion. It is early yet; perhaps you want to do that, Sammy.

The Minister of Finance and Personnel: I would love to do that.

The Chairperson of the Public Accounts Committee: I hope that you do not want to do that, because it is as late for you as it is for me. Perhaps we have small challenges. John Dallat spoke about stepping over into policy. Our Committee tried to stay away from that, and John mentioned that in his comments. We

are committed and dedicated to the process of ensuring value for money and the effective delivery of services. We have taken some criticism on board. We met the Minister and his Department, and we worked closely together to make sure that we can get it right. We will make mistakes from time to time, but we want to make sure that we are getting it right. If we are levelling criticism at anyone, we also have to accept it. To be bold about it, we must meet and challenge that. If we think that someone is telling us something that is wrong, that person should be challenged.

We established a good working relationship with the Treasury Officer of Accounts, who attends Committee meetings when we are looking through some of the memorandums of reply. We invite her in the hope that her attendance will reduce the amount of time that is spent in sending letters and correspondence back and forth to Departments, when there are issues related to some of our recommendations.

I put on record my thanks to the Comptroller and Auditor General and the Audit Office, because they do a tremendous job. They assist our Committee greatly. The Assembly secretariat also does an important job and keeps us well in place. We have been a very busy Committee. Roy Beggs, the Deputy Chairperson, pointed out that we produced 15 or more reports. That is not the only work that we are doing. We meet constantly. In recent times, we have been meeting twice a week to catch up on other issues.

It is a tough job for the members of the PAC, and we all have to do it. The challenge function is not easy. It is crucial to that job that those who participate in its inquiries have proper regard for the parliamentary process, the authority of the Committee and the challenge function of elected representatives on behalf of their constituents. Everyone in the North has the right to expect the Government to spend public money efficiently, to manage public assets responsibly and to account truthfully for those decisions. I do not underestimate the responsibility that civil servants bear to do that.

I am glad that the Minister said that many of the recommendations had been taken on board and implemented. That sets us up well for the future, because we are in a time of economic uncertainty. We want to save and to protect front line services and jobs. If the recommendations from all our reports are taken on board, I hope

that there will be more effective government and delivery and better value for money. That is what we are about.

I am glad that the debate has taken place. I hope that the next debate will not be as late in the evening and that our Turkish visitors are not fed up with us talking at this time of the night. I thank all those Members who spoke for their participation. Go raibh míle maith agat, a LeasCheann Comhairle.

Question put and agreed to.

Resolved:

That this Assembly takes note of the following Public Accounts Committee Reports:

Report on the Investigation of Suspected Contract Fraud (01/09/10R)

Report on the Management of Social Housing Rent Collection and Arrears (16/09/10R)

Report on Bringing The SS Nomadic to Belfast – The Acquisition and Restoration of The SS Nomadic (17/09/10R)

Report on Public Service Agreements – Measuring Performance (22/09/10R)

Report on Irish Sport Horse Testing Unit Ltd: Transfer and Disposal of Assets (25/09/10R)

Report on Review of New Deal 25+ (26/09/10R)

Report on the Performance of the Health Service in Northern Ireland (35/09/10R)

Report on the Performance of the Planning Service (36/09/10R)

Report on the Pre-school Education Expansion Programme (43/09/10R)

Report on a Review of the Gateway Process (47/09/10R)

Report on the Management of Personal Injury Claims (48/09/10R)

Report on the Resettlement of Long-stay Patients from Learning Disability Hospitals (53/09/10R)

Report on Transforming Land Registers: The LandWeb Project (56/09/10R)

Report on Combating Organised Crime (63/09/10R)

Report on North/South Bodies (70/09/10R)

and the following Department of Finance and Personnel Memoranda of Reply:

Report on the Investigation of Suspected Contract Fraud

Report on the Review of Assistance to Valence Technology

Report on the Management of Social Housing Rent Collection and Arrears and Report on Bringing the SS Nomadic to Belfast – The Acquisition and Restoration of The SS Nomadic

Report on Public Service Agreements – Measuring Performance and Report on Irish Sport Horse Testing Unit Ltd: Transfer and Disposal of Assets and Report on Review of New Deal 25+

Report on the Performance of the Health Service in Northern Ireland and Report on the Performance of the Planning Service

Report on the Pre-school Education Expansion Programme

Report on a Review of the Gateway Process and Report on the Management of Personal Injury Claims

Report on the Resettlement of Long-stay Patients from Learning Disability Hospitals

Report on Transforming Land Registers: The LandWeb Project

Report on Combating Organised Crime and Report on North/South Bodies

Mr Deputy Speaker: I ask Members to take their ease until Mr Dallat takes the Chair.

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

Motion made:

That the Assembly do now adjourn. — [Mr Deputy Speaker.]

Adjournment

Alcohol and Drug Abuse Rehabilitation Services in Upper Bann

Mr Deputy Speaker: The proposer of the topic will have 15 minutes to speak, and all other Members who wish to speak will have approximately six minutes.

Mr O'Dowd: Go raibh maith agat, a LeasCheann Comhairle. I can assure the House that I will not be taking 15 minutes, so Members can all rest at ease.

The purpose of the debate is not to reinvent the wheel as regards drugs and alcohol rehabilitation, nor is it to lambast the Health Minister, who is present, or other Ministers who have responsibility in the broader field of drug rehabilitation or the prevention of drug and alcohol abuse. The purpose of the debate is to highlight the issue of drug and alcohol abuse in Upper Bann and to commend those from the community and voluntary sector and the statutory sector who are involved on a daily basis with those who have succumbed to drugs and alcohol abuse.

I deliberately included alcohol abuse in the title of the debate because we can become fixated with illegal drug abuse, which is a sexier headline for the media, but we cannot ignore the fact that alcohol abuse is the main factor in problems in our society and the cause of many issues in family homes. Indeed, the most recent census of drug and alcohol treatment, which was carried out on 1 March 2010 on behalf of the Department of Health, Social Services and Public Safety, shows that 57% of those in treatment at the time were there because of alcohol abuse, 22% were there because of drug misuse and a further 21% were there because of both. That shows that, on 1 March 2010, 78% of those using rehabilitation services, either residential services or community care services, were receiving treatment for drug and alcohol abuse. Therefore, it is important that we factor alcohol into the equation.

Of the overall numbers in treatment, the Southern Health and Social Care Trust had the lowest proportion — around 13%, or 789 individuals. Of course, that trust covers a much wider area than Upper Bann, but the figures have not been broken down any further. Perhaps the Minister will be able to make the figures available to Members.

The figures that I am quoting cover formal treatment, the minority of which is residential treatment. The majority of people are receiving treatment through the statutory agencies or the community and voluntary groups within the community. They are based at home and receive treatment daily. However, it is much more difficult to assess those people who are not in formal treatment; those who are accessing support either from family members or community groups, such as mental health and well-being groups or suicide prevention groups. Unfortunately, many people who suffer from poor mental health turn to alcohol or drugs. Sometimes people turn to drugs and alcohol as a result of other issues, and that then affects their mental health, their stability and their view of their future well-being, which means that some, therefore, come into contact with suicide prevention groups.

The other area that I would like to touch upon involves those who are either directly or indirectly involved in preventing young and old from turning to alcohol and drugs abuse. There are many activities that may not be directly set up for that purpose but that do, in fact, turn young and old away from such abuse. Our youth clubs and youth centres are to the fore in that work. Community work across a wide range of issues is also to the fore, as are sporting organisations. Much of that work goes unrecognised, and the people involved do not seek recognition, but they are ensuring, on a daily and nightly basis, that people, particularly our young people, have diversionary activities that keep them from abusing alcohol and drugs.

I know that many sporting organisations are involved in such work, but I am aware of a particular programme that is being run by the GAA in the Lurgan area. Those running the project are involved not only indirectly in diversionary tactics but directly in prevention tactics. They are meeting the young people involved in the clubs and talking to them about drug and alcohol abuse. Equally as important, they are meeting the parents and guardians and

explaining to them how to broach the subject of drugs and alcohol abuse with young people, how to approach it in an informed way and how to look for the signs of drug and alcohol abuse among our young people and in the broader community. The signs can often go hidden for many months, and young and old are being damaged constantly while that is the case.

Upper Bann is both urban and rural, but neither urban nor rural communities have escaped the plague of substance abuse. Isolated rural communities and villages are faced with the consequences of alcohol and drug abuse, whether it is visible in the family home or on the streets and street corners where people drink openly and abuse alcohol. It is important to stress that people who abuse alcohol and drugs out in the open are not always young.

Over the summer of 2010, rural and urban communities in Upper Bann were also touched and severely beaten by mephedrone, which had no regard for class, colour or creed and affected the community on a wide scale. Many families who never thought that their homes would be touched by drug abuse had to come forward to seek help. There is no doubt that the intervention of the community, voluntary and statutory sectors saved lives in the summer of 2010. They acted immediately and they went in there and helped people. They helped families and those, young and old, who were affected by the plague of mephedrone.

That brings me on to the subject of drugs. I said that this debate is not simply about drugs, but I want to speak about illegal drug seizures. Upper Bann includes two local council areas. The figures are hard to break down because parts of the Banbridge District Council area are included in the Lagan Valley and South Down constituencies. Drug seizures in the Banbridge District Council area were up by 6.5%, which sounds impressive. However, when one looks at the actual figures, the number of seizures is only up by six. That can be regarded as good, because there may be fewer drugs in circulation. The opposite side of the coin is that the PSNI may be failing to intercept drugs. Arrests are up by 21% in the Banbridge area, but, again, that is only an increase of five arrests.

Craigavon Borough Council area falls completely into the Upper Bann constituency. Drug seizures there are down by over 100%. I ask whether that is because there are fewer drugs about,

or because the PSNI has failed to intercept them. I must put on record, however, that there has been a number of major drug seizures in the broader Craigavon area, especially of mephedrone over the summer of 2010. That has to be welcomed, and there has been a number of significant arrests in that area as well. The number of arrests of those suspected of being involved in the illegal drug trade has also risen in that area.

When I started speaking in this debate, I said that I would keep to the time limit of 15 minutes and I intend to keep that promise. I also said that I was not here to lambaste the Minister or his Department, or any other Minister or Department for that matter. However, that is not a “get out of jail free” card. Good work is being done in Upper Bann by the statutory, community and voluntary sectors, but their resources are stretched, possibly to breaking point. They got through the summer very well, despite the upsurge in drugs usage. However, we cannot become complacent or ignore the work that is going on. I emphasise that we must work to an informed agenda. That is why I use the figures on alcohol treatment and drugs treatment.

When issues reach the media, people tend to jump on the bandwagon, which is sometimes a funding bandwagon. Some act out of proper cause. However, we cannot look at an area and say simply that there is a drugs problem there. I do not know any area where there is a drugs problem but not an alcohol problem, so we have to deal with both those issues in an informed way.

I commend the work of all those across the community and voluntary spectrum and in sports who have been involved in drugs and alcohol rehabilitation work. No doubt they have saved lives, and, not only that, they have improved the lives of family members who have to work and deal on a daily basis with people affected by drugs. On that note, I will wind up and allow others to contribute.

7.00 pm

Mr Moutray: I congratulate Mr O’Dowd on securing this debate on a very important and timely issue. I also commend the people among our many churches in Upper Bann who go out on weekend nights and talk to young people about alcohol and drugs problems. I am thinking particularly of Seapatrik Parish Church in Banbridge; First Presbyterian Church, Edenderry, in Portadown; and the Emmanuel

Church in Lurgan. There are many more across the spectrum that I am not familiar with, but I congratulate them on the difficult work that they do.

In July, the You, Your Child and Alcohol campaign was launched in partnership with Craigavon Borough Council’s community safety partnership. Leo Foy, the drug and alcohol co-ordinator with the Public Health Agency and the southern drugs and alcohol co-ordination team said:

“The ‘You, Your Child and Alcohol’ campaign highlights the need for parents and carers to be aware of the effect of alcohol on young people, to be able to talk to them from an informed viewpoint and to lead by example by adhering themselves to sensible daily and weekly alcohol consumption guidelines.”

That drive is supported by the PSNI, the Northern Ireland Policing Board, the Northern Ireland Office, the Public Health Agency and the Department of Health, Social Services and Public Safety. It is about prevention as much as about recognising early stages of abuse and is a very welcome initiative.

Craigavon Borough Council has worked in conjunction with other agencies on numerous initiatives in recent years. I pay tribute to the council staff and departments that have shown such determination in that respect. However, darker and more troubling events have occurred in Upper Bann. Only a few weeks ago, two patients were assaulted by another patient in Craigavon Area Hospital. The assailant had presented at the hospital showing signs of alcohol abuse. After being admitted, his behaviour deteriorated with the result that two patients, one of whom was in his 90s, were attacked. My colleague Sydney Anderson and I recently met hospital staff and senior management to raise our concerns about that worrying attack.

Such a troubling and potentially serious occurrence highlights the need for a proper, coherent, integrated approach to the treatment of dependency and the harm done by the abuse of alcohol and drugs. It ought to be obvious to everyone, as this is a growing problem with immediate treatment and long-term rehabilitation aspects, that it must be prioritised. We should not be surprised that it is a growing problem when we have multinational supermarkets selling alcohol as a loss-leader — often cheaper than bottled water.

I do not want to get into claim and counterclaim on the issue. I know that the Health portfolio is far from easy. I also know that a massive fund of hitherto unknown finances is not going to magically appear and be made available to the Health Minister, but I have to ask whether efficiencies can be made to allow for a swifter, more comprehensive, integrated treatment of this important issue.

Mr Gardiner: I welcome the opportunity to debate alcohol and drug abuse rehabilitation services in the Upper Bann area. I have often expressed my concern about the ticking time bomb that alcohol abuse represents for the Health Service's budget, quite apart from the terrible human cost.

It was after the open sale of legal highs in my home town of Lurgan that I first raised the issue with my colleague the Health Minister. Members will be aware of the enormous public reaction that followed, ending with the banning of legal highs. I am still concerned that that ban does not go far enough and that a real risk remains that cloned substances that are almost the same in chemical make-up as banned substances but are still technically legal are still out there, and so the problem remains. The amazing professionalism and dedication of our healthcare staff helps us to rise above some of those difficulties.

I am particularly concerned about the links between drug and alcohol abuse and youth unemployment and suicide rates. Sadly, there is an increasing demand from people of all ages for access to addiction services, as there is an increasing impact from alcohol and drugs on the fabric of our society. Health professionals tell me that, although there are increases in the misuse of drugs and other substances, with new drugs emerging, the biggest single drug of concern remains alcohol as regards availability and impact. All the evidence shows that the most effective way to combat drug and alcohol misuse is through effective partnership, working with statutory bodies in health and social care, the police, criminal justice and so on, and with the voluntary non-statutory agencies through consistent engagement with individuals, groups and communities.

The Upper Bann constituency is in the area of the Southern Health and Social Care Trust, which is responsible for delivering mental health services for children and adults, including access to

addiction services. Recent developments in that area have been progressed through the Department of Health, Social Services and Public Safety strategy entitled 'New Strategic Direction for Alcohol and Drugs', which was launched in May 2006. In response to that strategy, the Public Health Agency has worked with the southern drugs and alcohol co-ordination team and the southern area addiction service of the Southern Trust, supported by a broad range of community alcohol and drugs projects across the Southern Trust area. That has resulted in the development of an integrated, four-tier alcohol and drugs support service across the whole of the Southern Trust area. Following a review of counselling services, a dedicated service for those under the age of 18 has been developed to include counselling, mentoring and guidance support for young people. That service is currently being delivered by Opportunity Youth, with four staff employed in the Southern Trust area.

The service for the Upper Bann area is provided by Opportunity Youth from its offices in Mount Zion House, Edward Street, Lurgan. Additional specialist posts have also been funded, as well as the Southern Trust's services, including a child and family care liaison practitioner in the southern addiction team who specialises in providing more intensive services to patients with child and family concerns, and two hospital-based addiction liaison practitioners, who will offer advice and guidance to patients who are presented for services at Craigavon Area Hospital or the Daisy Hill Hospital in Newry.

In the first 18 months of the operation of the hospital addiction liaison service, more than 900 people were referred to and assessed by the addiction liaison practitioners in the Southern Trust area, over 600 of whom were then referred to addiction services for further treatment. A child and youth substance misuse practitioner, which is a dedicated post, was also funded to work with child and youth mental health services in acknowledgement of the need to improve access to dedicated treatment services for young people in that area. I hope that we can ring-fence as much of the health budget as possible to support that important work and to confront and defeat that set of evils.

Mr S Anderson: Will the Member give way?

Mr Gardiner: I have finished, Mr Deputy Speaker.

Mrs D Kelly: I am grateful to the Minister for attending this evening's debate, and I thank Mr

O'Dowd for securing it. Alcohol and drug abuse is not unique to Upper Bann. It is rife not only here in the North but in most of Western society, particularly on the islands of Ireland and GB. We seem to have a very poor relationship with alcohol in particular. Recent publications have suggested that alcohol is a worse drug and has a more devastating effect than many of those on the illegal market. I am sure that all of us have seen at first hand the devastation that drug and alcohol addiction can and does inflict on families, individuals and communities.

I worked in health and social care for more than 22 years. Throughout that time, I worked with people with alcohol and drug abuse and addiction problems. One of the big changes in the late 80s was the mental health legislation on admissions. People could no longer be admitted while inebriated, and that has caused difficulties. It will be interesting to hear what the Minister has to say about how effective the change in the mental health legislation since then has been. From a personal perspective, having worked with some families in which a person was under the influence, had an alcohol addiction problem and was a danger to themselves and a risk to their family, I know that, at one stage, we could have got them admitted to hospital, even though they were still drunk. That is no longer the case. I understand the rationale that people must want to seek treatment and so on, but the change has made it difficult, particularly when people are not reasonable and their ability to rationalise and to see what they are doing as harmful to themselves is impaired.

That leads me to the work that, as other Members said, is being done in the community, including the GAA and the churches. I am very familiar with a lot of the work that the churches have done, and I commend those involved for it. However, in a survey of 50 people aged between 15 and 18 that Craigavon Community Safety Partnership completed last year, 26% said that they drank alcohol every day. Their main reasons for drinking alcohol were to be sociable, to have more fun, to get drunk or because they liked its taste. Of the teenagers surveyed, 61% said that their parents did not discourage them from drinking alcohol, and 21% had been in trouble with the police due to alcohol. Those statistics are very concerning and raise the question of whether adults realise the physical, emotional and mental impact that alcohol abuse has — how alcohol can destroy a person's ability to

think coherently, as well as damaging organs such as the liver. I remember a patient bleeding to death as a result of alcohol abuse. That individual had a horrendous death. Not many people are aware of the consequences of long-term, chronic alcoholism.

The Minister may acknowledge that the ages of people admitted to hospital for alcohol-related reasons are getting lower. Younger people are being admitted to psychiatric care with a history of alcohol and drug addiction than would have been seen even 20 years ago. Some in the medical profession say that today's generation will be the first since the early part of the twentieth century to die before their parents. That statistic should shock us all into action.

I am aware that the debate is not just about young people. It is also about older people, and I think that there is an unhealthy relationship with alcohol. Many people's approach is *laissez-faire*. Unless people have personal experience of an alcoholic in their family, they do not really understand or appreciate the messages that they are giving to their children and family members. That is because they contain it within their home. Nowadays, many people drink at home, purchase alcohol from supermarkets and so on. A huge piece of work needs to be done to create greater awareness.

I am sure that the Minister will inform us of the cost to the Health Service. Other Members have indicated that there is also a cost to the criminal justice system and the police. Communities suffer. In the past two years, in Craigavon and Banbridge, up to 5,000 crimes have been reported under the heading of antisocial behaviour. That is a huge cost, not only in policing but in the damage done to local communities and individuals. We all see young people in particular drinking vast amounts. They do not drink to be sociable but to be what was called "paralytic" when I was going about, although I understand that it is now known as being "bladdered". Nevertheless, some young people have that concept of drinking. Therefore, to get to grips with what is a serious and worrying trend in our society, affecting the community and the lives of families, there must be not just a response from the Health Minister, although he could take the lead, but a co-ordinated response across the Executive.

7.15 pm

Mr S Anderson: Like my party colleague Stephen Moutray, I welcome the opportunity to speak. Stephen mentioned our recent meeting with senior representatives from Craigavon Area Hospital in the aftermath of an attack on patients. As he pointed out, one of the patients who was attacked was over ninety years of age, and the attack came from another patient. During the meeting, it emerged that, as many of us already suspected, there has been a significant increase in the number of people who appear at the hospital's accident and emergency department displaying symptoms of alcohol and/or drug abuse. Of course, that is not a factor for Craigavon Area Hospital alone to contend with but is common across the Province.

The trade in illegal drugs continues to expand. So, too, does the number of new so-called legal highs, with a new one appearing as soon as an existing drug is banned. Indeed, a new drug is often ready to replace another drug before the latter is banned. That trade is expanding, as is the availability of cheap alcohol, which Stephen also referred to and which we all recognise as a real danger and are understandably concerned about. We need to look at how society should respond to and deal with the trend. A number of matters need to be kept to the fore: abuse prevention and early education about the dangers of abuse; the early identification of dependency and abuse; and immediate, short-term treatment and, indeed, long-term help.

Mr Moutray: The Member mentioned various aspects of alcohol abuse, and obviously costs are incurred when prevention measures are rolled out. Does the Member believe that the health budget should be ring-fenced, as Sam Gardiner advocated?

Mr Deputy Speaker: The Member will have an extra minute in which to speak.

Mr S Anderson: My colleague raises a specific point, and it is a big and very real issue. If we are to deal with alcohol and drug abuse, the solution will come at great financial cost. In the past couple of weeks, the previous UUP leader, Sir Reg Empey, said that, although he hoped that he would get preferential treatment, the Health Minister could not expect his budget to be ring-fenced. In calling for money to be ring-fenced, Sam Gardiner is at odds with Sir Reg over the health budget, but I say to Mr Moutray

that Sam Gardiner is the only person who can answer his question. I certainly cannot answer it.

I pay tribute to groups such as the Stauros Foundation, which has organised groups in Banbridge and Portadown. Again, my colleague and other Members referred to the good work going on in Upper Bann. Stephen Moutray touched on the good work being done by the community safety partnership. Nevertheless, much more work can and should be done. Although not from Upper Bann, Arthur Williams, the long-time general director of the Stauros Foundation, has done tremendous work to deal with alcohol abuse, solvent abuse and legal and illegal drug abuse.

I too want to pay tribute to the work carried out at Mount Zion House in Lurgan, which spans far and wide and incorporates all ages and all sections of our community. It is clear that Upper Bann is not unique in its scale of addiction and abuse. It is also clear that there are social issues that need to be addressed. Although it is true that much excellence can be seen day in, day out, this is a problem that is not simply going to go away, and long-term strategic action is needed.

Mr Savage: I thank Mr O'Dowd for securing the debate, which is timely. I declare an interest as a member of Craigavon Borough Council and as a board member of Adapt, a drugs awareness project based at Mount Zion House. I am deeply concerned about where Mr O'Dowd is coming from on these issues, as they fall under the remit of the community safety partnership, which was chaired by one of his party colleagues last year.

Drugs are the scourge of our society, a cancer that eats away at the lives of many of our young people, whether it is methadone, LSD, cannabis or an unhealthy addiction to prescription drugs. I am not on the side of prohibiting alcohol, but there must be a happy medium. If people want to go out at the weekend or any other time to drink, they must drink responsibly. The Health Department has played a pivotal role in getting that message out over the past number of years. Too many hospital visits in Northern Ireland are due to the overuse and abuse of drugs and alcohol, all of which serves to put added pressure on the resources of the Health Service and those who work in it.

We must ensure that there is access to services for those with addictions to drugs, alcohol or, perhaps, both. Although we accept that there

may be those who, through no fault of their own, manage to escape the system and slip through the net, we must ensure that remedial plans and speedier and more adequate provision of services is in place to meet the needs of those persons.

There is an issue about where the drugs come from. Although I commend the PSNI in Lurgan and Banbridge for their sterling endeavour in taking drugs off the streets, it is clear that we, in post-conflict Northern Ireland, have a long way to go. There are those who are firmly connected to groups that still cannot get away from criminality and still insist on bringing heartache, misery and pain to people in their communities. Last week's violence in Newtownabbey is an example. It is up to the PSNI and the Justice Minister to ensure that those who peddle death and destruction via drugs are met with the full force of the law.

I am content with the provisions that the Health Department has put in place in Upper Bann. As always, I would like to see more being done, but the Assembly needs to look at the Budget and secure as much funding as possible for the Health Service. I do not care whether it is ring-fenced or not; all I am concerned about is making the funds available so that our Minister can carry out his job. Let us not forget that it was Sinn Féin, among other parties, which voted to slash the health budget. The challenge now is to secure as much funding for health as we can in the next few difficult months. I trust that all parties will be fulsome in their support for the Health Minister's efforts to attract as much Executive funding as possible for the Health Service here.

Last weekend I was asked to visit Banbridge. It was not what might be called a regular visit but was with a number of people to see what goes on there at the weekend. Mr Moutray mentioned the work that is being done by the churches. At 1.45 am on Sunday I saw the work being done by those who engage with young people and some who are not so young. One could not speak highly enough of the work that those people do. They are aware of the problems that are out there. No matter who those organisations help and no matter what age they are, they are somebody's child.

Upper Bann has very attractive facilities that young people can come to enjoy. Unfortunately, events at those facilities all happen at the

weekend. However, at 2.00 am on that Sunday in Banbridge, you would have thought that it was the middle of the day because of the rows of parked buses. Unfortunately, all the people came in from a wide area, and I am sure that some were trying to peddle their wares. However, we must make our young people aware of the dangers, and that can happen only through parents, community workers and so on. I cannot speak highly enough of the people I saw with my own two eyes last weekend. They have to be given every encouragement to do what they do, and, if they need resources from the Health Department, those should be made available. We must remember one thing: every person whom they help is somebody's child.

The Minister of Health, Social Services and Public Safety (Mr McGimpsey):

The debate reinforces the view that alcohol and drug misuse has an all too real impact on Northern Ireland, and research that my Department recently commissioned placed the total cost of alcohol abuse in Northern Ireland as high as £900 million a year, with a cost of up to £160 million to the Health Service. That is a shocking figure, and the cost to society of drug misuse undoubtedly adds to that figure. That money and those resources could and should be spent to provide front line services to local communities, particularly considering the likely impact of any cuts. Of course, individual tragedy is at the core of those figures.

I am particularly conscious of the links between alcohol and drug misuse, domestic violence and poor mental health and the impact that those have on child protection and child neglect. Those links are a key driver on which my Department has taken action to tackle hidden harm to children who have been born to and brought up by parents or carers who have substance misuse problems. We also know that a large number of people who attend A&E units at weekends do so as a result of alcohol misuse. The link between substance misuse and suicide is equally concerning, and everyone in the House is aware of the recent tragic suicides among young people. Any strategic planning on alcohol and drug misuse and suicide prevention should reflect and acknowledge that link.

Compared with the rest of Northern Ireland, the Upper Bann area reports fewer adults and young people in treatment for alcohol and/or drug misuse. Figures also show a lower prevalence

of the use of alcohol and drugs. However, there are slightly higher rates of cannabis misuse compared with the Northern Ireland average, and that is reflected in the treatment and prevalence figures. However, we are aware that those figures often do not seem to reflect the situation on the ground in local communities, and that is why preventing and addressing the harm related to alcohol and drug misuse has been and will continue to be a key priority. To that end, my Department leads on the cross-departmental, cross-sectoral new strategic direction for drugs and alcohol. Work is under way to renew and extend that strategy up to 2016, and it will be ready for consultation in the very near future. I am very conscious that that issue must be addressed and identified at local level in partnership with all the key agencies and stakeholders.

In the Public Health Agency, there are four local drug and alcohol co-ordination teams (DACTs), which have been set up specifically to identify local needs and to put in place relevant local services to meet those needs. The four drugs and alcohol co-ordination teams were allocated just over £5.5 million in 2010-11 to implement their plans, and the Southern DACT, which covers the Upper Bann area, was allocated around £1.2 million in 2010-11. In addition to the funding allocated in support of the new strategic direction for alcohol and drugs, funding is available through the mental health services budget for the provision of addiction services and related mental health services.

7.30 pm

The services that are in place include a community alcohol and drugs support service, including a service to address the needs of the black and minority ethnic population; family support services; child and family care liaison practitioners; hospital liaison practitioners; a dual diagnosis service for substance misuse and mental health; a specialist treatment practitioner for under-18s; a 10-bed inpatient provision at St Luke's Hospital for people suffering from severe and complex substance dependence issues; and a hidden harm service supporting the needs of young people born to or living with substance-misusing parents or carers.

I have also tasked the agency and the board to develop new commissioning frameworks for addiction services. Those frameworks will be built on an assessment of need and current

evidence of what works. One issue that we are aware of is the need to address the complex needs of under-18s, and I want the board and the agency to consider that area as part of their framework. Counselling and mentoring services have been put in place already for under-18s across Northern Ireland and in the Upper Bann area. That is provided by the counselling health information lifestyle (CHILL) project, which is directed particularly at under-18s. In respect of mental health tier 4 inpatient services for under-18s, we now have an 18-bed unit for 14- to 17-year-olds and a 15-bed unit available for young people under 14 at Forster Green. Those units were opened during the summer.

I appreciate that complex cases, especially those involving alcohol and drug misuse, present their own unique pressures, and I want that issue to be considered in the commissioning framework. In a new area of work, I have tasked the Public Health Agency to bring forward a one-stop shop pilot project for young people. Those services provide information, advice, support and signposting to young people who are affected by substance misuse. They should also address related issues such as suicide and self-harm; mental health and well-being; sexual health; relationship issues; resilience; and coping with school and employment. The Public Health Agency has established four pilot projects to test a range of potential models, and I am delighted to see that being taken forward in Banbridge through the REACT project. The next step is to evaluate the projects, and, subject to positive outcomes, I want the one-stop shop model to be rolled out.

I will take a closer look at alcohol misuse. It should be noted that alcohol is still our drug of choice in Northern Ireland. As well as ensuring that there is a clear focus on prevention and on enforcement of licensing legislation, we must address how alcohol is promoted and sold. Research shows that alcohol is now 62% more affordable than it was in the late 1980s; it is cheaper to buy than bottled water. The affordability of alcohol is directly linked to levels of consumption. Therefore, through the young people's drinking action plan, I established a subgroup involving my Department and DSD to look at alcohol pricing and promotions. That group made the case for action now on irresponsible promotions and for further consideration to be given to issues such as minimum unit pricing and below-cost selling in due course. That work is being taken forward as a priority, and a

consultation, which is being led by DSD, is under way. I ask that we all provide further support work in that area.

Another issue that I am keen to address as a priority is so-called legal highs. I am aware that that has been a significant issue in the Upper Bann area and across Northern Ireland. In March this year, I wrote to the Advisory Council on the Misuse of Drugs and the former Home Secretary on the issue. I also spoke directly to the former Home Secretary asking for consideration to be given to the introduction of a new classification in the Misuse of Drugs Act 1971. That would allow emerging substances to be banned while full consideration is given to their potential to cause harm. In other words, rather than waiting to prove harm before we ban them, we would ban them when they are issued and determine whether or not they are harmful in due course. The coalition Government in Westminster are now proposing to bring forward such legislation as soon as possible. However, there is evidence that mephedrone misuse is continuing. We, therefore, need to work at a regional and local level to prevent those new drugs from further damaging our communities.

The new strategic direction for alcohol and drugs, which was published in October 2006, will now be updated and extended for a further five years. The areas likely to have additional focus in the revised document include legal highs, prescription drug misuse, cocaine misuse and improving family support and involvement.

I wish to take this opportunity to acknowledge the commitment and dedication of all the individuals and the community and voluntary organisations working in this area. They perform difficult jobs, often with little recognition or reward, but they have a real impact on the lives of some of the most vulnerable people in society and help to make our communities better places to live. We will begin to truly have an impact on drug and alcohol misuse only when we take a holistic, integrated and co-ordinated approach. Let us be clear about this: we all have a responsibility to tackle the issue, and we need to work together across Departments and sectors in order to do so.

It would be remiss of me not to point out to Mr Anderson — I see that Mr Moutray has departed from the Chamber — that the Northern Ireland Health Service is the worst funded Health Service in the whole of the UK. People in Northern Ireland

do worse than those in any other part of the UK. The Health Service has recently been battling with a £160 million cut, which this House voted through. It is very difficult to fund the sort of activity that we need to fund against that background. I ask Mr Anderson to consider carefully his approach to protecting the health budget. The amount spent on health provision here is over £600 million behind what is spent in England, and we are falling further and further behind. It is up to the House to determine whether the issues that we are talking about here are a priority, and, if they are, we need to fund them properly. We are talking literally about life and death issues for large numbers of our population, particularly youngsters.

Adjourned at 7.37 pm.

Northern Ireland Assembly

Monday 8 November 2010

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

Members observed two minutes' silence.

Ministerial Statements

North/South Ministerial Council: Agriculture Sectoral Format

Mr Speaker: I have received notice from the Minister of Agriculture and Rural Development that she wishes to make a statement.

The Minister of Agriculture and Rural Development (Ms Gildernew): Go raibh míle maith agat, a Cheann Comhairle. With your permission, and in compliance with section 52 of the NI Act 1998, I wish to make a statement on the fourteenth meeting of the North/South Ministerial Council (NSMC) in the agriculture sectoral format, which was held in Farmleigh, Dublin on Wednesday 13 October 2010.

Minister Edwin Poots MLA and I represented the Executive. The Irish Government were represented by the Minister for Agriculture, Fisheries and Food, Brendan Smith TD, and the Minister for Community, Equality and Gaeltacht Affairs, Pat Carey TD. The meeting was chaired by Minister Smith. This statement has been agreed with Mr Poots, and I am making it on behalf of us both.

The Council welcomed the ongoing progress on the delivery of the initial activities of the all-island animal health and welfare strategy and noted an action plan for 2010-11. Ministers looked forward to receiving a further progress report at the next NSMC meeting in agriculture sectoral format.

We noted the progress made by Departments on the development of a work programme for a joint strategic approach to plant health and pesticides and looked forward to that being presented to a meeting of the NSMC in agriculture sectoral format in early 2011. We also noted the ongoing co-operation between

the Departments in dealing with a number of outbreaks of *P. ramorum* in Japanese larch forests.

The Council noted the European Commission's upcoming publication of its communication on the future of the common agricultural policy (CAP). It also welcomed the improvement in the dairy market situation.

On international trade, the Council noted the absence of developments at the World Trade Organization (WTO) Doha round of trade talks and the relaunching of trade negotiations with the Mercosur group of South American countries.

The Council welcomed a presentation by officials from the Department of Community, Equality and Gaeltacht Affairs and the Department of Agriculture and Rural Development (DARD) on their approach to their respective rural White Papers and the cross-border dimensions to that work.

Ministers formally endorsed the rural enabler project, which seeks to address issues of sectarianism and racism in a rural context, and which has been given funding of £2.7 million under the Peace III programme. The Council noted the launch of local action group guidance on North/South co-operation projects, which will be used by both Departments for the LEADER elements of their respective rural development programmes, and the planned seminar for early December whereby local action groups will be invited to network and to develop potential cross-border projects.

The Council noted the high level of interest in the €10 million that is available from the rural development element of the INTERREG IVA programme to address rural disadvantage and deprivation through strategic cross-border actions within the eligible area of the North of Ireland, the border counties of the South of Ireland and western Scotland, and that it is expected that funding awards will be made later in 2010. Moreover, the Council noted the

upcoming conference on combating rural poverty and social exclusion, which Minister Carey and I subsequently attended.

As part of the NSMC business continuity arrangements to deal with urgent decisions, the Council approved the 2010 business plans and budgets for the Foyle, Carlingford and Irish Lights Commission and the Food Safety Promotion Board. The Council agreed to schedule its next meeting in agriculture sectoral format in January 2011.

The Chairperson of the Committee for Agriculture and Rural Development (Mr Moutray):

I thank the Minister for her statement to the House, which I note welcomes the ongoing progress of activities in the animal welfare strategy. I would be grateful if she outlined what those activities involved, particularly in the eradication of TB. Will the Minister also advise whether that strategy seeks to save face by removing failed targets that are aimed at reducing TB in Northern Ireland, as she did with the Executive's Programme for Government?

Will the Minister advise the House whether the Republic of Ireland has made any proposals or held any negotiations on the CAP that would provide its farmers with a competitive advantage over ours? What efforts will the Minister make to ensure that that does not happen?

I note that the European Commission announced a new round of penalties or CAP disallowances last Friday, which totalled some €578 million. Will the Minister tell the House what proportion of that disallowance is allocated against her Department?

The Minister of Agriculture and Rural

Development: I will take the Chairperson's questions in reverse order. Our CAP disallowances have been discussed previously in the House. I am not aware of whether Friday's announcement will significantly change those figures, but I will get back to the Member. However, our disallowances have been dealt with and are up to date.

I understand where the Chairperson is coming from on the CAP proposals. I am also concerned about how the CAP and the roll-out of its reform will affect farmers. I had a very worthwhile and useful teleconference call on Friday with Mr Georg Haeusler, the chef de cabinet to the Directorate-Generale agriculture and rural development, and I made exactly the same point as the Chairperson. I fear that a situation

could develop. The discussion that we had on the talks that the Department for Environment, Food and Rural Affairs (DEFRA) held with the Commission did nothing to disabuse me of that notion. The Council touched only briefly on the CAP at its meeting, but I make no bones about the fact that the Department's position on the CAP is much closer to the South's than it is to DEFRA's. We will continue to lobby and to engage with DEFRA and Europe to ensure that they understand our position.

Mr Haeusler took the message back that we are on the island of Ireland and our farmers are competing with farmers in the rest of Ireland. I also impressed on him that I would be very concerned if the trade conditions on the other side of CAP reform ultimately disadvantaged farmers in the North. That topic took up quite a part of that conversation and it is part of our ongoing engagement with Europe. I am disappointed that DEFRA has taken that line and that the British Government and the Treasury have robustly attempted to diminish the CAP budget. Ultimately, that will take money out of the pockets of farmers in the North of Ireland.

The Member is aware that the targets for ongoing progress on animal disease were changed because, following the Public Accounts Committee report, we changed the way in which we work on TB and tried to ensure that we got part of the money for the EU TB eradication plan. Total funding is now proposed from the TB veterinary fund for England, Scotland, Wales and the North of Ireland. We had to change our figures to enable us to extract an amount of that funding to help us in the fight against TB. I know that the Chairperson will want us to do everything that we can to tackle this costly and complex disease. Changes were made to the targets to address the fact that we can draw down that money.

There has been considerable progress on animal health and welfare. Full co-operation on animal health is a big issue for us. It has the potential to help to reduce and to prevent animal disease spread to facilitate trade and to improve the sustainability of farming in the North. The ultimate objectives of the all-island animal health and welfare strategy are to facilitate trade through the free movement of animals on the island and to optimise the animal health status of the island through the alignment of policies to control animal disease. The island of Ireland should be recognised

internationally as a separate unit for disease control purposes to ensure effective traceability of livestock in the event of an outbreak. Now that the strategy has been agreed by the NSMC, I will work closely with Minister Brendan Smith to secure that recognition from Brussels and London.

Mr Doherty: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for her statement. Will she elaborate on the cross-border stakeholder event: when did the meeting take place, and who attended it?

The Minister of Agriculture and Rural

Development: The cross-border event took place in the Slieve Russell Hotel in Cavan on 12 April. The event was co-hosted by Minister Brendan Smith and me, and I was delighted that EU Commissioner John Dalli agreed to speak at it. The event was attended by key animal health and welfare stakeholders from across the island. I have been greatly encouraged by the constructive and helpful comments from organisations such as the Ulster Farmers' Union (UFU) and NIMEA (Northern Ireland Meat Exporters' Association) since the event. The event was a good kick-start, and I hope that we will see great progress over the coming months.

Mr P J Bradley: I thank the Minister for her statement. As someone who has worked on all-island animal health since as far back as 1994, I certainly welcome its inclusion in the report. I thank our Minister and Minister Brendan Smith for ensuring that the matter is debated, and I want an assurance from the Minister that it will continue to be debated until a satisfactory outcome is arrived at. Will the Minister give me an example of what kinds of issues were discussed during the talks on the rural enabler project? I am not very familiar with that subject.

The Minister of Agriculture and Rural

Development: I assure the Member that all-island animal health will continue to be debated. It has been a key piece of work since I came into office and, indeed, before that. It will be worked on continually, and we will see great benefit to farmers across the island.

Last Wednesday, I spoke at the launch of the rural enabler project in the Cavan Crystal Hotel. I attended that meeting on behalf of DARD, and Minister of State Mary White represented the Irish Government. Many of the rural enabler stakeholders were there.

To give the House the context: some of the £2.7 million INTERREG funding is being spent on training people to be able to work in every county. There are six rural enablers in the North, and I think that there are also six in the border counties in the South. Rural communities have changed significantly over the past decade. We hope that we have welcomed people from different parts of the world and made them feel at home in our rural communities, but that is not always the case.

The rural enablers are trying to ensure that issues of sectarianism and racism are dealt with at a rural level. Although sectarianism and racism can be very obvious in an urban setting, like poverty, they may not be so obvious in a rural setting. However, that does not mean that they are not there. The project will, hopefully, enable those discussions and ensure that our rural communities are upfront and very much part of the development of a more welcoming approach to people from other areas and that there are no no-go areas in rural communities.

12.15 pm

Mr McCarthy: I thank the Minister for her statement. My question is about rural poverty. Paragraph 12 of the Minister's statement says that she attended a conference on rural poverty with Minister Carey. Were any dramatic remedies to overcome rural poverty adopted at the conference? Was there at least a positive way forward agreed for our rural communities?

The Minister of Agriculture and Rural

Development: I really believe that there is a way forward. The fact that we are discussing the issue this morning is very helpful. The conference that I was at in Drogheda a couple of weeks ago was probably one of the best conferences that I have ever been to. A report was discussed that contained proof that rural poverty is under-reported and not as well recognised as it should be. Pride can get in the way for a lot of our rural dwellers when it comes to identifying their needs and being honest about those needs.

We recognised that rural poverty is a big problem in our communities. As part of the agreed Programme for Government, my Department delivered a £10 million package of actions to address rural poverty and social exclusion issues between 2008-09 and 2010-11. We consulted widely on that matter and commissioned independent research to

establish the priority issues that affect rural communities. As a result of that research and the subsequent consultations, a framework of actions to address poverty and social exclusion was developed.

The framework contains five strands: rural childcare, rural fuel poverty, rural transport, rural community development and a challenge fund for projects that address rural poverty or social exclusion. The intention of the anti-poverty and social inclusion framework is to identify key issues that affect rural communities, create a programme of actions that collectively address poverty and social exclusion and gather information from those activities. That is very important, because we need to gather information that will feed into policy-making processes across Departments. A number of focused actions are under way.

Given the week that is in it, there has been a lot of talk about benefits and about the most vulnerable people and the actions that could occur as a result of cost-saving measures across the water. My concern is that vulnerable people will be hit by those measures and that vulnerable rural people will be hit by them more progressively. If people are affected by social exclusion issues in an urban setting, at least they are around other people. It is very easy to become isolated in rural communities if the infrastructure, such as community transport, is not in place. It is very easy to stay at home, not see anybody and not engage with anybody. That isolation affects both physical and mental well-being. I ask the House to work with us on that and to recognise the needs of rural communities when making decisions.

I apologise if my answer has been a bit long, but there is a piece of work on demographics in rural communities that found that although there are children and young people and elderly people in those communities, the people who need to look for work or to go to university have taken themselves off. That demographic trend means that the most vulnerable — our children and young people and our elderly — are living in rural communities without the same amount of working adults in them to make them sustainable. That demographic trend concerns me, and it is an issue for the House.

Mr Gibson: I note that the Council discussed trade with South American countries. Recently, there have been a number of takeovers of

significant Northern Irish companies by Brazilian companies. Is the Minister comfortable that that trend is in the best interests of local agriculture?

The Minister of Agriculture and Rural

Development: The Member is quite provocative in his questioning, and I will be careful how I answer, because I would not want anybody from, for example, Moy Park on the phone to me this afternoon.

I was concerned about the direction of the WTO talks and was relieved when they collapsed without progress being made. The reopening of negotiations with the Mercosur countries is of concern. The negotiations are about trade, and some of our European counterparts are looking to expand trade with South American companies, so South American companies are looking for a quid pro quo. It is a case of, "If you buy our cars, we will buy your beef".

Ultimately, that will affect farming in the North of Ireland and the price of beef that our farmers can get. Although import costs are high, prices need to reflect those costs. I am concerned that we could end up with a situation whereby our farming is badly affected. Again, we will keep a close eye on that. We talk not only to Brendan Smith but to other Ministers from Europe, where there is similar concern about, and fear for, the future of farming. Our farming industry cannot be sold off in the interests of trade. We have to protect farming at a European level, but very particularly at an Irish level, given that it is the backbone of the economy on the island of Ireland, and we want that to continue.

Mr W Clarke: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for her statement. In my constituency of South Down, members of the fishing and farming sectors tell me that they see sense in all-island co-operative working, and they want to move that further along. What are the positive outcomes to be achieved from all-Ireland co-operation?

The Minister of Agriculture and Rural

Development: Many positive outcomes are resulting from the process. Some to date include the development of a largely similar system of sheep identification on the island; co-operation on the exchange of data to facilitate trade in bovine animals, following the lifting of the BSE export ban; broad alignment of border control policies aimed at preventing the introduction of animal disease; and co-operation

on contingency planning for exotic disease outbreaks, including agreement on a common chapter on epizootic diseases contingency plans for, for example, foot-and-mouth disease, avian influenza, and, more recently, bluetongue.

We have agreement on a protocol for welfare during transport breaches, and co-operation on testing regimes for TB and brucellosis in border areas. That strategic approach will enable the achievement of further positive outcomes this year, all of which will help to contribute to the key aim of the free movement of animals on the island.

Mr T Clarke: The Council noted the launch of the local action group guidance on North/South co-operation projects. Although I am not particularly interested in North/South co-operation, does the Minister not share the disappointment of those on the ground that the guidance has taken so long to compile? We are two years or more into the programme, yet here we are again getting guidance only now to assist us — possibly — to get money. Why has that taken so long?

The Minister of Agriculture and Rural

Development: That guidance is separate but complementary to the work that is going on in rural development. I gave a robust answer at Question Time some weeks ago, when I said that I was taking a good look at how we are getting our rural development programme money out.

The guidance that I talked about earlier is to help local action groups along the border to develop ways in which to maximise spend. Therefore, although our rural development programme budget is reasonable, it is not nearly as good as the rural development programme budget in the South. If our local action groups on either side of the border can work together, that will maximise spend to rural communities. If we stop working back to back and start to work in a more integrated and cohesive way, we can help to get more money into border areas and into some of the projects that very much cross the border and do not recognise the border.

I absolutely agree that we need to maximise the spending, but if there is a way of further maximizing it, it would be silly to work on a back-to-back basis. We can work with the local action groups in the South to maximise the potential for rural border communities on both sides of the border.

Mr Dallat: My question is also on international trade, but I assure the Minister that it is in no way controversial.

When discussing international trade, are there opportunities to consider the plight of African countries that, under fair trade, are trying desperately to sell their products in a developed world? On a cross-border basis, are there opportunities, or will there be opportunities, to encourage fair trade, because it is my experience that the housewife and house husband are increasingly looking for fair trade products when out shopping?

The Minister of Agriculture and Rural

Development: The consumer is more minded to look for fair trade products and is increasingly aware of the need to get a fair price to farmers for their produce. I am keen that the ethos of fair trade is also extended to our farmers. We have seen a situation over the years where the input costs for producing beef or milk in this country were not reflected by the price that consumers paid. Charity begins at home, and we should not forget that sometimes the implications can be that our farmers are producing their produce at a price that does not reflect the cost that it took to get it there. Notwithstanding that, we want fair trade to be developed, and we want to encourage people to get a fair price for their product.

In the discussion that I had with Mr Haeusler on Friday morning, it was clear that it is recognised in Europe that its standards of welfare are extremely high, and it is difficult to compete on a global basis with countries whose standards might not be what European farmers are asked to meet. Therefore, there is recognition at a European level that our farmers are being held to a welfare standard that is higher than that in other parts of the world. We need to take into consideration that welfare standards must not override the need for a fair price for a product. In the Mercosur countries, such as Argentina, Uruguay and Paraguay, those talks have reopened.

The Member is probably also thinking of the trade that we could have with northern African countries. There is a need across Europe and across the world to recognise the input costs of a product. Consumers have had it good for a long time, and the fact that we can still buy milk in our local shop or supermarket for less than it costs to produce it is not a sustainable way to do business. Consumers are benefiting from

some of the policies that have driven down the price of food, while farmers are not getting a fair return for their effort and labour.

Mr Molloy: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for her statement. Will she explain what practical outworkings are expected in the short to medium term as a result of the new all-Ireland strategy?

The Minister of Agriculture and Rural Development: The practical outworkings in the short to medium term will be to continue with the fortress-Ireland approach. That is: to protect the island from the threat of serious animal disease; to work towards achieving brucellosis-free status throughout the island; to have further co-operation on strategies to tackle TB; to achieve Aujeszky's disease-free status throughout the island; to continue the ongoing work on EU animal health law and on animal identification; and to work towards broadly similar primary legislation on diseases of animals and welfare of animals. Therefore, there is a lot ongoing in the short to medium term, as well as recognising that there are more long-term benefits.

North/South Ministerial Council: Environment Sectoral Format

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

The Minister of the Environment (Mr Poots): In compliance with section 52 of the Northern Ireland Act 1998, I wish to make the following statement on the eleventh meeting of the North/South Ministerial Council in environment sectoral format, which was held in Armagh on Wednesday 20 October 2010. The statement has been agreed with the Minister for Regional Development, Conor Murphy, who also attended. As Minister of the Environment, I chaired the meeting, and with Conor Murphy MP, MLA, Minister for Regional Development, represented the Northern Ireland Executive.

The Irish Government were represented by John Gormley TD, Minister for the Environment, Heritage and Local Government.

12.30 pm

The Council received a joint presentation on environmental research by the Northern Ireland Environment Agency and the Environmental Protection Agency. Ministers welcomed proposed actions in areas including exploration of mechanisms to align and/or co-fund ongoing work; essential research into priority areas; data management and sharing of joint working by the Environmental Protection Agency and the Northern Ireland Environment Agency to enhance sharing of experience and knowledge between regulators and researchers in both jurisdictions; and the development of an application for a joint headline project by the Environmental Protection Agency and the Northern Ireland Environment Agency.

It was also reported that Northern Ireland's central statistics and research branch, on behalf of the Northern Ireland Environment Agency and the Environmental Protection Agency, has commenced work to develop a common set of environmental indicators, which include a web-based approach to presentation and the publication of a brief statistical bulletin. Ministers noted that the Environmental Protection Agency and the Northern Ireland Environment Agency are working together to access funding for priority environmental research under the Seventh Framework, INTERREG and LIFE programmes. They

welcomed the proposal from the two agencies to develop a candidate research project to be advanced for EU funding during 2011.

Ministers received a report on the progress of the repatriation of illegally dumped cross-border waste. They welcomed the successful removal of waste from the site at Slattinagh, County Fermanagh, and the commencement of work and good progress that has been made at a second site near Trillick in County Tyrone. It was noted that there are plans to commence work at the remaining 18 sites following an evaluation of work that has been conducted on the two priority sites.

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

Ministers welcomed the continued concerted enforcement actions to target shipments of waste and noted that future action is planned. Ministers also received an update on the waste framework directive and noted that regulations are being taken forward in both jurisdictions for the transposition of the waste framework directive. Ministers also noted progress in developing a resource management approach to waste management, which includes the launch of the £5 million Rethink Waste capital fund in Northern Ireland and the new waste policy statement in the Republic of Ireland, which is at public consultation stage. Ministers welcomed progress on the work programme of the North/South market development steering group and noted Northern Ireland's inclusion in the Plastics Arisings study.

The Council welcomed the publication of river basin waste management plans in both jurisdictions. A North/South working group on water quality will oversee co-ordinated implementation of the plans, including a joint document entitled 'Working Together: Managing Our Shared Waters', which will accompany the river basin waste management plans.

The Council agreed to meet again in the environmental sectoral format in March 2011.

The Chairperson of the Committee for the Environment (Mr Boylan): Go raibh maith agat, a LeasCheann Comhairle. On behalf of the Committee, I welcome the Minister's statement. The co-operation on environmental issues that he has indicated is constructive and productive, and it will continue.

The Minister has outlined work that is ongoing to repatriate illegally dumped waste. The Committee welcomes the successful removal of waste in Fermanagh. Will the Minister assure the House that a proper, agreed protocol will be in place before the Waste and Contaminated Land (Amendment) Bill becomes law, which will ensure that there is clear definition of responsibilities for local councils in dealing with illegally dumped waste in the North?

The Minister of the Environment: The Waste and Contaminated Land (Amendment) Bill will help us to establish the protocol that the Member has mentioned. It will also assist us in the development of a protocol for fly-tipping, which is a huge problem in Northern Ireland. Ultimately, the repatriation of waste is progressive. We need to ensure that waste is not illegally dumped again. In that area, we can work together for the common good of both jurisdictions to ensure that such dumping does not happen again and the public are not left to pay a huge bill because of the actions of criminals.

Mr Weir: I thank the Minister for his statement. He referred to the proposed joint research action. Will he outline the difference that will make or, indeed, the added value it will produce over and above what is being done at present?

The Minister of the Environment: Making decisions relating to the environment can, very often, be expensive, so we want to make decisions that are based on sound information. That will help us to make effective decisions and decisions that are more strategic by nature. Under direct rule, we had a habit of gold-plating European directives. I do not think that we should do that. We should implement them and do so efficiently in a way that achieves the outcome but does not impose unnecessary burdens on the public or on business. In the past, the South of Ireland's approach to that has been different to that of Northern Ireland. I would like to see this devolved Administration be much more progressive in how it responds to EU directives. Rather than say that we will apply an EU directive here better than any other that has been applied, let us make it more practical and deliverable.

Mr Kinahan: I thank the Minister for his statement. He referred to the river basin management plans. In Northern Ireland, we sometimes have three or four Departments,

along with various agencies and groups, involved with the management of rivers. Does the same apply in Ireland? Will the Minister be discussing with other Ministers how he can best reorganise Northern Ireland's river management and look at the use of our resources?

The Minister of the Environment: Waters and rivers do not stop at borders, so there is a practical benefit in managing our waters, particularly in border areas. The river basin management plans were required to be published in Northern Ireland and the Republic of Ireland in December. However, for internal reasons, the Republic of Ireland was unable to confirm its plans until July. That has delayed things.

Co-ordination at policy and technical level is taking place between the jurisdictions. A working group on water quality is considering the issues regularly, with advice from environmental agencies. On a technical level, co-ordination of a practical implementation is also taking place through a subgroup comprised of representatives from Donegal and Monaghan county councils and representatives from the Northern Ireland Environmental Agency. The NIEA will attend future meetings of the North Western and Neagh Bann Public Authorities Forum. In all of that, we are trying to have a more co-ordinated approach between Northern Ireland and the Republic of Ireland. Within Northern Ireland, we also need to have a co-ordinated approach with joined-up thinking and joined-up working between the Departments that have responsibility for water quality and water management.

Mr Dallat: The Minister will be aware that we have been told that environmental issues will create opportunities for thousands of jobs north and south of the border. Have discussions of that type taken place at the meetings that the Minister attends? Does he plan to raise them in the future?

The Minister of the Environment: No such discussion took place.

Mr B Wilson: I thank the Minister for his statement. Measures have been taken to restrict the cross-border movement of waste. Have they been successful? Have they prevented further dumping? We are talking about the 16 sites that are still to be cleared. Is funding available? Is there an indication that the Irish Government have the funding to achieve that?

The Minister of the Environment: I will deal with the first point first. I believe that that is the case and that there have not been significant shipments of waste from the Republic of Ireland to Northern Ireland in recent years. I think that that predates devolution. Certain actions were taken, and they have been found to be very punitive, particularly for the Republic of Ireland's Government, who, let us be honest, took their eye off the ball. They were not watching where their waste was going and created a system from which criminals could benefit. As a consequence, Northern Ireland suffered. I believe that they have the funding in place; it has been agreed. That is absolutely essential. In any event, if the Republic of Ireland were not to proceed with the repatriation of the waste in the way that has been defined between the Northern Ireland Environmental Agency and its counterparts in the Republic of Ireland, it would be in conflict with the European Union.

Mr Ross: I thank the Minister for his statement. He obviously knows about the number of EU directives on waste. Although I acknowledge the genuine concerns of some residents, does the Minister believe that we can meet those directives without using incineration or some other energy from waste options as we tackle waste?

The Minister of the Environment: We have specific targets to meet by 2020, and we are doing well thus far. Once again, I commend the public for their response in recycling waste. A few years ago, less than 5% of waste was being recycled; today it is 35%. That is a demonstration that the public are with us on the issue. We can use waste much more effectively than simply tipping it into a hole to produce leachate and methane, and we can use it in a much more financially beneficial way by recognising that in waste we have a resource.

We are aiming for a target of 50% recycling by 2020. I would like to go further than that, but, even then, I believe that it is absolutely essential that we have energy from waste. My notion at this point is that Northern Ireland has too small a population to go down the route of incineration; however, I am open to that suggestion from groups if they believe that it is the best way forward. Incinerators need a lot of material to keep them going, and in some senses incineration can, therefore, encourage the production of waste. Nonetheless, I believe that it is a proven and safe technology. It is being used in countries across the world,

particularly in Scandinavia and Germany, which have a much better record on environmental issues than we have in Northern Ireland.

There are other opportunities — gasification, anaerobic digestion, pyrolysis and so on — for the handling of waste and the recovery of energy from waste. All of those will have to be investigated, and the bids will have to come in. If the bids do not stack up as providing value for money, I will not allow them to go through. We have to get value for money from energy from waste projects. We are planning to spend £600 million of public money on it, and that has to produce the right results.

Mr W Clarke: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement. My question relates to the cross-border movement of waste. The Minister said that he is going to evaluate other sites. Does he have a time frame for the work to commence on the other 18 sites? How will he prioritise them?

The Minister of the Environment: There are issues arising from the sites that have been cleared, and that work has given us valuable information about how we should handle the rest of the sites. It would not be appropriate to start work on any of the other sites in winter given the weather conditions, short working days and so on. Once the sites are open, it will be good to get in, work long hours and get them cleared as quickly as possible. We will probably not start on the next site until spring. The Member will be glad to know that the proposed site is the Gaelic Athletic Club at Ballymartin, which will be dealt with next, after Trillick.

Mr T Clarke: I thank the Minister. In response to my colleague Alastair Ross, the Minister referred to the value for money aspect of waste projects. Where does he see the value for money in having a single waste authority in Northern Ireland?

The Minister of the Environment: The benefits of a single waste authority include the development of efficiencies in management systems and in procurement. Northern Ireland is a small place with a population of 1.7 million people, and we need to work as closely together as possible to drive through those efficiencies.

12.45 pm

Particularly in the management and procurement sector of a single waste authority, we could obtain real benefits. Instead of

separate councils or organisations procuring bin lorries and so forth, a much better method of procurement would be to have a single waste authority. In all that, we identify benefits. That work will be published in the not-too-distant future. We can bring that work to the table and demonstrate that there are financial benefits to be had from having a single waste authority.

People can then ask themselves whether they want better services or a single waste authority and poorer services. We want to ensure that we go down the route of the single waste authority, which can save money to be spent on other services or on keeping rates at a level suitable for both businesses and the community. However, we cannot have it both ways. We cannot say that there are benefits to be derived from efficiencies but we do not want to go down that route, and then complain about it afterwards.

Mr Savage: I am glad to see that the two organisations, the Environmental Protection Agency and the Northern Ireland Environment Agency will work together on research and development from 2011. At what stage in 2011 will that be? Will we have to wait to this time next year, or will it happen in the early part of the year?

The Minister of the Environment: We may have to wait a little longer than the Member wants for that; it may not be until this time next year.

Mr Gallagher: My question is about the removal of illegal waste. I noted the interesting exchanges between the Minister and Sinn Féin and the use of the term “repatriation” in those exchanges. I ask the Minister about the cost of this. Whether to the Irish Government or our Government, the cost is borne by ratepayers. Is the Minister taking steps to get to grips with the situation and ensure that it is the polluter who pays? Is there any hope of improved legislation to deal with that?

The Minister of the Environment: A lot of those issues are dealt with in the Waste and Contaminated Land (Amendment) Bill. If the Member is not satisfied with the content of that Bill and thinks it can be beefed up and made stronger, I will be happy to look at any amendments to it which the Member or his party colleagues may wish to propose.

Mr Molloy: I welcome the Minister’s statement that incineration is unsuitable to this part of

the world. I hope that we can work towards delivering an alternative to it. However, NIEA appears to turn a blind eye to fuel laundering materials which have been dumped on unnamed land. It takes no action and leaves the Bill to councils. Will the new Bill on contaminated land deal with that problem?

The Minister of the Environment: Let me clarify: I did not say that incineration was not suitable, I said that it may not be suitable. I am open to be persuaded either way, but I do not necessarily believe that it is the way forward.

The dumping of this waste is the responsibility of the landowner. There are no proposals to change that at this time. I understand that there is a problem where this has taken place in Northern Ireland and that, very often, local government, out of goodwill, ends up bearing the cost of cleaning up this toxic waste — a cost of around £1,000 per ton. We do well to remind the public of the nature of this problem and the costs associated with it. The costs of cleaning up this dumped toxic waste may be around £250,000 per annum to local authorities. It is up to people to report such activity to the forces — the PSNI, HMRC and Customs and Excise — and report the criminals involved in this activity who damage our environment and economy and supply substandard goods to the public, which is not in anyone's interest. Let us, the Northern Ireland public, step up to the mark and clamp down on the individuals involved in the criminal activity of fuel laundering.

Mr Buchanan: I, too, thank the Minister for his statement. I welcome the commencement of and the progress made on the removal of waste from the Trillick site in my constituency. Will the Minister outline what problems or difficulties were experienced during the removal of waste from the sites in Fermanagh and Trillick? How can those experiences be utilised to benefit the process of waste removal from the other 18 sites?

The Minister of the Environment: The site in Fermanagh is in quite a remote location, and that presented communication difficulties. We wanted to ensure that our staff were always able to communicate with others. The mobile phone signals were not reliable, so we resolved that through the lease of a satellite phone over the period of work to enable staff to remain in contact with headquarters and with the PSNI as necessary.

The actual removal of the waste presented problems with site safety and access. Haul roads had to be constructed within the site to enable vehicle movement. The Trillick site posed different problems, in that harmful gases were being released from the waste during excavation. Hydrogen sulphide, which can be lethal, was detected at the site. That necessitated a review of gas monitoring and working procedures to ensure continued safety, especially for excavator operators. The landowner at Slattinagh is engaged in correspondence with the Department via solicitors regarding the condition of the excavated site.

It is essential that we learn from those experiences, particularly that in Trillick, where we learned that the gas appears to come from garden waste-type materials. We have to deal with the other sites in a way that is not harmful to the environment while carrying out the job that we wish to do, which is the repatriation of the waste.

Mr McHugh: Go raibh maith agat, a LeasCheann Comhairle. I welcome the Minister's statement, particularly in relation to my constituency of Fermanagh and also Trillick, where waste dumping seems to have been going on for some considerable time, given the emission of various lethal substances. There is evidence that waste came to the area from as far away as Dublin hospitals. That should give Members an idea of the problem.

Has the Southern authorities' strategy changed? Rather than introducing a local strategy for the disposal of waste, they almost encouraged private individuals to deliver waste into other areas, because of the landfill costs. Is the Minister satisfied that areas where waste has been dumped or where tip-offs have been given about waste have been dealt with?

The Minister of the Environment: First, I believe that the authorities in the Republic of Ireland have responded. The way that they handled waste made this circumstance almost inevitable, because it threw up pound signs to unscrupulous individuals. When such an offer was made, those people immediately moved in to take advantage. We suffered the consequences of what the Republic of Ireland Government did at that time. However, the greatest consequence now is for the Republic of Ireland Government. The cost associated with

the problem is some €30 million. They have to bear that huge cost as a result of their past inactivity.

We have identified 20 sites. I cannot definitively say that every site where illegal waste was tipped from the Republic of Ireland has been identified. However, I can say that, if any Member or member of the public wishes to make the Northern Ireland Environment Agency aware of sites in which material has been deposited, that will certainly be followed up. We will seek to ensure that all such waste is removed from Northern Ireland. If there is evidence of any further sites beyond the 20 that have been identified, we will take action. If the Member is aware of any other sites, I encourage him to make those in authority aware of them.

Committee Business

Statutory Committee Membership

Mr Deputy Speaker: As with similar motions, the motion on Statutory Committee membership will be treated as a business motion. Therefore, there will be no debate.

Resolved:

That Mr Danny Kinahan be appointed as a member of the Committee for the Office of the First Minister and deputy First Minister; and that Sir Reg Empey replace Mr John McCallister as a member of the Committee for Education and Mr Tom Elliott as a member of the Committee for Justice. — [Mr Armstrong.]

Standing Committee Membership

Mr Deputy Speaker: As with similar motions, the motion on Standing Committee membership will be treated as a business motion. Therefore, there will be no debate.

Resolved:

That Mr Tom Elliott replace Mr Danny Kennedy as a member of the Assembly and Executive Review Committee. — [Mr Armstrong.]

Private Members' Business

Autism Bill: First Stage

Mr D Bradley: A LeasCheann Comhairle, iarraim cead ort an Bille uathachais a chur faoi bhráid an Tionóil. I beg to introduce the Autism Bill [NIA 2/10], which is a Bill to amend the Disability Discrimination Act 1995 and to require an autism strategy to be prepared.

Bill passed First Stage and ordered to be printed.

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

Assembly: Running Costs

Mr Deputy Speaker: The Business Committee has agreed to allow up to one hour 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 are called to speak will have five minutes.

Mr P Robinson: I beg to move

That this Assembly notes with concern the likely reduction in the block grant that will be brought about by the comprehensive spending review; and calls on the Assembly Commission to reduce its running costs in line with the level of reduction faced by Executive Departments.

At the outset, I make it very clear that I move the motion as a Member of the Assembly and as leader of my party, not as First Minister or on behalf of the Executive. That is not to say that there are not Executive colleagues who will agree with the motion, but it is for a very strong principle. The distinction is important because the Assembly has the role of scrutinising the Executive.

Back in the late 1970s, the House of Commons took a decision about its costs. Until then, there were apocryphal stories of how the executive sought to put pressure on the House by having control of supply. The net result was that the executive were open to the accusation of putting pressure on the House by holding back on money for Clerks or other expenses that were required. As a general principle, although we do not have any legislative or legal requirement for that same practice to be in place, it is a proper practice to be followed here. By and large,

whatever funds are required by the Assembly to run it should be made available to it.

1.00 pm

However, we are faced with a special set of circumstances in which it is clear that, although the Assembly, as the legislature, should act at arm's length from the Executive, we must recognise that, despite such rationale being clear and sound, the Executive should not be in a position to exercise, nor should it be perceived to be exercising, pressure on the legislature by threatening in any way the funds available to it. Yet, when we have an Executive consisting of the five major parties in the Assembly, it is unavoidable that the Assembly will speak through its Members on the Executive.

The debate is not, therefore, about exercising any ministerial muscle: it is about the Assembly stating its view on its own expenditure. The motion is about conveying to the people of Northern Ireland, whom we represent in the House, that, as we enter into an era of unprecedented, stringent economic difficulties, this institution and we in political office are willing to share the pain that will be extended elsewhere in our Departments. We know something of the impact of the spending review. The Chancellor has made clear his intention to cut to our Budget, and that will amount to a real-term reduction of 8% in our resource expenditure and of more than 40% in our capital expenditure. By looking at those figures, we can see the extent to which there will be pain and programmes will be cut. There is apprehension in Northern Ireland about what this new age of austerity will mean for hard-working families and our more vulnerable citizens.

The Budget negotiations are ongoing. We know the broad elements of the settlement, however the Executive dispute some of them because of undertakings that were previously given, and we intend to continue to press on those issues. Our newspapers are full of rent-a-quote economists, opinion-formers and newspaper editors telling us precisely what will have to be done. No doubt they, particularly the economists, do so from the perspective of looking at the balance sheet and various heads of expenditure and seeing what makes economic sense to them. However, Budgets are about much more than spreadsheets. They are about much more than economic policy. They are even about much

more than balancing the books. They are about the lives of real people.

A Budget is about those who are most in need trying to make ends meet. It is about the fear of people losing their jobs. It is about the uncertainty that surrounds whether critical services and programmes survive, and it is about whether we produce an outcome that is seen to be balanced, fair, compassionate and measured. It is against those values that I put forward the motion.

I make it clear that I do not, in any way, propose the motion because I believe that other parties hold any less commitment to reaching a just outcome. I do not expect any departure from the general principles that are enunciated in the motion. I again stress that I propose the motion, not because I have any lack of confidence in the Assembly Commission or, particularly, in the Speaker, who chairs the Commission, to do the right thing in the circumstances. Indeed, I was pleased to see that the Speaker communicated to Members the steps that Assembly staff are taking to look at the Assembly budget.

The motion gives the Assembly the opportunity to publicly state that it will face the same, harsh economic storm as everyone else without seeking any special or privileged position. The Assembly must be seen to take a leadership role. I do not intend to set out which heads of expenditure should be cut and by how much. That is the job of the Commission, which will make its recommendations in due course. I am, however, tempted to make public some of my general principles. If there is to be freezing and restraint in the Civil Service and, more generally, in the public sector, it is right and proper that that should apply to the Assembly.

The need to look at those issues applies not just to Assembly staff but to us as Members. However, we need to be very careful. Each of our parties agreed, I believe rightly, that Members should not be in the business of setting their own pay and expenses. To ensure that that would never happen again, we set up an independent process, and, I believe, supporting legislation will go through. To take any decision about our own pay and expenses, even to reduce them, would run counter to that principle. However, there is nothing to stop the voluntary freezing or the reduction of ministerial and Assembly costs. I have made my position clear as a Minister, and some of my ministerial

colleagues have made clear their positions. Furthermore, we will ask Assembly officials to reduce by or to return by cheque the amount that we have stated. That is the position that should be followed voluntarily, rather than interfering in a process that has all sorts of dangers attached to it if we go back to Members setting their own pay and expenses.

The second point that the Commission might want to take on board is about the restaurants and other provisions around the Assembly. I find it very hard to justify, particularly at a time of austerity, there being some kind of subsidy for meals on these premises. I am not saying that we should not be competitive, because we do not want Members and staff to go elsewhere, but we should not be subsidising services when people out there are having massive difficulties and, in the months and years ahead, will have even more difficulties in having sufficient money to pay their food bills. Therefore, I ask the Assembly Commission to look at the issue.

Comments have been made about the number of people employed in the Assembly. Some of those comments were unfair, because comparisons were made with a time when the Assembly was not up and running fully under devolution and its present circumstances. However, steps need to be taken to ensure that Assembly staff numbers do not rise exponentially. There should be enough staff, and no more, to do the job.

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

Mr P Robinson: I commend the motion to the house.

Mr Doherty: Go raibh maith agat, a LeasCheann Comhairle. When I first read the motion, I was somewhat concerned by the fact that it appeared in the name of the First Minister. My concern was not alleviated when I heard that the Minister of Finance and Personnel will make the winding-up speech. Both Ministers should have declared a conflict of interest at the beginning of the debate.

The motion should not be reduced to a debate about meal subsidies — it is much more fundamental. The First Minister said that it was about principle and that he did not want to be open to the accusation of putting pressure on the Assembly. I fear that that is exactly what he did. The Commission is the servant

of the Assembly, not part of the Executive, and that distinction must be kept in mind. The Commission develops its budget based on its view of how it can best and most efficiently provide the services that the Assembly requires. In the interests of using public money properly, like other non-Executive public sector entities, it does so in frank and constructive dialogue with the Department of Finance and Personnel (DFP). However, the Assembly Commission is not part of the Executive. It is the servant of the Assembly. That clear distinction must be made at all times.

Of course, we are entirely aware of the economic situation that exists. The First Minister referred to the letter that went out in the Speaker's name on 20 October.

Mr Deputy Speaker: Order. The Member will note that Mr Robinson is speaking as a private Member and not as First Minister. I ask the Member not to refer to Mr Robinson as First Minister.

Mr Doherty: Thank you, a LeasCheann Comhairle, but I did note that. The point that I was trying to make was that there was a bit of sleight of hand in trying not to show a conflict of interest. It is quite clear, I believe, that there is a conflict of interest here.

The letter was sent out by the Speaker on 20 October 2010. I am sure that the Member's representative on the Assembly Commission had made his party aware that we had started the process of looking at the Commission's budget as far back as May 2010, more than five months ago. We are not remiss, or trying to dodge the real world outside the House. However, my key point is that we have been looking at cutbacks, and although we will look at the matter seriously, it must be kept in mind that the Assembly Commission has a different constitutional remit and is not part of the Executive. The Commission is mindful of living in the real economic world. The Member who proposed the motion is on very dangerous ground, because he is threatening the constitutional independence of the Commission.

Rev Dr Robert Coulter: I fully support the motion. However, the problem with motions of this nature is that they carry with them the implication that, somehow, the Assembly Commission is not already active in making spending cuts and in taking its share of the collective pain that the comprehensive spending

review (CSR) and spending cuts will inevitably mean. Nothing could be further from the truth in this matter. As we have heard, the Commission is already active in that regard. Each Assembly directorate has been tasked by the Commission to identify reductions.

My understanding is that the operational costs of the Assembly are already significantly below those in both Scotland and Wales pro rata. The running costs for the 108-Member Northern Ireland Assembly are £50.8 million. In Scotland, running costs are £95.6 million for the 129-Member Scottish Parliament, and in Wales, running costs are £45.1 million for the 60-Member Welsh Assembly. In simple terms, the cost per Member of the Northern Ireland Assembly is £0.47 million, compared with £0.74 million in Scotland and £0.74 million in Wales. The Northern Ireland Assembly is already running at only 60% per Member of the running costs in Scotland and Wales, even before savings are made here. What is more, we can look further into the figures and see that the Assembly Commission is already very active in carrying out its own review of how savings can be made. I ask the Assembly and the wider public to take note of that, and give the Assembly Commission the credit that it deserves for already being busy in saving public money.

I find it somewhat strange and even incongruous, not to say unusual, that the motion has been proposed by our First Minister in his capacity as a private Member. The problem with that is that the Assembly Commission is tasked with providing services to Assembly Members that are aimed at holding the Executive to account. It could, therefore, be said — it has been suggested outside of the House today — that for the head of the Executive to seek to curtail Commission expenditure could be construed as a move to reduce the ability and capacity of the Members of the Assembly to hold him and others to account. I am glad that the Member has made it clear that that is not the directive of his motion but rather that it is more a humanitarian reaching-out.

1.15 pm

As has already been said, the Assembly Commission is not a Department but a statutory body appointed by law with a definite remit that should be judged only in the delivery of its legal responsibility. I welcome today's motion;

it gives the Commission an opportunity to show the House, the press and members of our community that the Commission is already setting the example that has been asked for in the motion.

Mr A Maginness: At the outset, I want to say that I am surprised that Mr Robinson proposed the motion, given that Mr Robinson is the First Minister. He cannot, in my respectful view, divorce himself as the author of the motion from his office as First Minister. As a Member of the House, he is within his rights to propose the motion, but it is not appropriate for him to do so. Effectively, he is — whether he likes or not and whether he purports to not be doing so — putting pressure on the House as a member of the Executive and, indeed, as a member of the joint Office of the First Minister and deputy First Minister (OFMDFM).

It is most peculiar that he proposed the motion, and it is potentially damaging to the House. It is an interference with the workings of the House. We should be jealously proud of the independence of the Commission and the House, and we should resist any interference by the Executive. Our role is to hold the Executive to account and to scrutinise the decisions and decision-making of Ministers. When that line is blurred and an Executive Minister of senior standing comes to the House to propose such a motion, we sense the heavy hand of the Executive. That is precisely what has happened. Moreover, Mr Robinson proposed the motion without the deputy First Minister. It is a wee bit like the Lone Ranger without Tonto. He has come to the House on a solo run that affects the integrity of the Office of the First Minister and deputy First Minister.

The SDLP is confident that the Commission will carry out a thorough review, and we support it in doing so. Indeed, the Commission is doing that and has made considerable progress. We are confident that it can make savings and efficiencies without interfering with the fundamental function of the House. We should not in any way diminish, obstruct or weaken the House's function to hold the Executive to account. That is our basic guide for any Commission proposals. However, we are confident that the secretariat and the Commission are taking seriously the need for strict economy in the House.

The First Minister made a number of points, some of which I agree with such as the need for economies and efficiencies and not to overburden the people whom we serve. However, coming from Peter Robinson, it is a bit rich to talk about removing the restaurants' subsidy here when he applied for and was given £400 a month for food when he was at Westminster.

Mr Bell: Will the Member give way?

Mr A Maginness: No, I am not giving way.

He claimed that when he was attending only a few days a month, so, coming from Peter Robinson, it is a bit rich to bring that point to the House. The SDLP will co-operate with the Commission and with other Members to consider any reasonable proposals to review the way in which the House works and is administered to make whatever savings we can to relieve the burden on the taxpayer and to carry our share of the burden of meeting the economic stringencies that have been imposed on us as a result of the crisis and of Westminster's actions. I emphasise the point to you, Mr Deputy Speaker —

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

Mr A Maginness: We will do so in defence of the House's integrity and autonomy and in preserving its right to hold the Executive to account.

Mr Neeson: I was absolutely astounded to learn that the Member had tabled this motion. I know that he is not trying to dictate to the Assembly Commission, but I remind him that, in fact, he does not have the power to do so, thank God. Nevertheless, I will support his motion.

The Assembly Commission is well aware of its responsibilities to Members and staff. We are well aware of the impact and implications of the CSR. As other Members said, we have had a series of meetings to discuss where we can reduce spending. We have planned a special meeting for 23 November, and the directorate will draw up plans for areas that can be considered for cuts. I have given up my place at the British-Irish Parliamentary Assembly at the Isle of Man on that date so that I can be present for the meeting.

Of course we can make savings, especially if the Assembly Finance Office were to vacate Annexe C at Dundonald House and be accommodated

at Parliament Buildings, where there is much better accommodation. In fact, rooms in this Building have been booked by OFMDFM and the head of the Civil Service, which could be more adequately accommodated in Stormont Castle. That could save up to £150,000 a year on rent and the cost of security at Annexe C. Savings can be made, and, of course, OFMDFM and the head of the Civil Service can assist the Assembly Commission in that.

I also recognise that there are upward pressures for the Commission to meet, none more so than the necessary repairs and improvements to the flat roof of Parliament Buildings. I assure Mr Robinson that the Assembly Commission is prepared to play its role to face up to the likely reduction in the block grant.

From an Alliance perspective, major reductions could be made by reducing the number of Departments. I know that the First Minister will agree with that. We could also reduce the number of Members. The Alliance Party is totally supportive of that, and we could make reductions in that area fairly quickly.

Mr Robinson also spoke about food subsidies. However, bottled water is provided at every Committee meeting. How much is that costing the Assembly? Savings can be made there.

As a member of the Assembly Commission, I am prepared to face up to my responsibility to ensure that the Commission acts in a responsible manner and deals effectively with the major pressures that are coming. I will, therefore, support the motion.

Mr Weir: After listening to some Members who spoke previously say that they support the motion and then launch into issuing a large number of caveats, I am tempted to say that with friends like these, who needs enemies? There has been an awful lot of tilting at windmills here. In fact, there has been enough that Don Quixote would have been satisfied that he was seeing imaginary problems. Members have been getting on their constitutional high horses about this. However, the DUP leader is not attempting to impugn the rights of the House. Nonetheless, this House has a responsibility to send a very mature message to the public.

I am slightly disappointed by the response to the motion so far. This motion was an opportunity for the House to unite. There will be

other motions — indeed, there is one coming up today — on which I suspect that there will be fairly sharp divisions. I do not see any particular difference between the position of the DUP leader and that of the Commission, which a number of Members indicated. I am not going to steal the thunder of Mr Ramsey, who will sum up on behalf of the Commission, but I think that there is a unity of spirit among Commission members and that, largely speaking, we are singing from the one hymn sheet. People might not have deduced from the debate so far that there can be a degree of unity. However, we have an opportunity today to send out a united message that the Assembly is showing leadership in facing up to the situation in front of it and is taking responsibility for that.

A lot of good work has been done in the Assembly, and I pay tribute to the staff who helped to bring that about. In my brief period as a member of the Commission, that good work has been highlighted through engagement with the public, schools and a range of organisations. If we were to send out one signal to the public today, surely it should be that Assembly Members do not believe that they live in some form of ivory tower. There is no doubt that there will be tough times ahead, and, although some negotiations are still taking place, we will be in a much tighter financial regime. Therefore, if we were to send out the signal — I think that the Commission and the Assembly as a whole are united on this — that Members and the Assembly are exempt from that in some way, the public would regard that with incredulity. We want to send out a signal that this Assembly is prepared to bear the same amount of pain as Departments. That is the right message. It is that sort of leadership that the people of Northern Ireland are looking for. That is why this is a golden opportunity for the Assembly to show that it is prepared to take action.

As others indicated, the Assembly budget breaks largely into two categories. About one third of it relates to members' pay, office costs and those types of things. It has been rightly pointed out that it has been agreed that an independent commission will oversee members' pay, and I think that everyone in the House agrees with that. That is fundamentally right, because it is wrong for Members to set their salaries. The rest of the budget, however, presents clear opportunities for the Assembly, through the Commission, to look at where it can make changes to find efficiency savings. Various

ideas have been put forward. However, the changes required go beyond trimming a little bit here and there off the budget. We need to look at things with a fresh perspective and a little bit of blue-sky thinking.

It is wrong to say that everything that we do in the Assembly needs to be done precisely the way it is. Perhaps we need to look at the Assembly's structures and at what innovative ideas we can bring about to provide more efficient service delivery. We want to protect that service as much as possible, but given the scale of cuts that we will probably be faced with, there is no doubt that MLAs, and indeed, those throughout this body, will almost certainly have to face up to some degree of pain.

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

There is no cost-free option. As Assembly Members, we should be prepared to take the lead and to show the general public that we will face up to those responsibilities as well. If that makes it difficult for us as individuals, so be it. We have to bear a degree of pain.

1.30 pm

In the rest of the debate, I hope that we will see a more mature approach and a common acceptance that we, as Assembly Members, albeit protecting our sovereign position in the Assembly, are prepared to play our parts. We cannot say to the general public that they must bear their share of the cuts and that we should be in some way immune. I support the motion.

Mr Deputy Speaker: I call Mr Mitchel McLaughlin.

Mr McLaughlin: I was on my feet in anticipation of you calling me to speak.

I find this to be a curious motion. I am not on the Commission, but the motion, on careful reading, seems to anticipate an outcome to the Budget discussions. It would make sense to me only if we had some clear outline of what is eventually to be agreed by the parties in the Executive.

The second curious element is the manner in which the motion is being proposed by the leader of the DUP. Of course, each party is perfectly entitled to table a motion. However, as some Members have said, it is impossible to ignore the DUP's influence in the Executive. So, to talk about the Commission adopting a position in line with the cuts to be faced

by Departments, seems to me to indicate a pre-empting of what should be an open and democratic process in the Executive and the Assembly.

There is a deficit of information. We have heard complaints about Departments not bringing forward all their projections on the impact and, probably more importantly, the responses to that, particularly the identification of efficiencies or new ways of raising revenue. All that has to be part of the whole. It has to be the underpinning of the Programme for Government for the new term and the Budget that will pay for that programme.

In many ways, therefore, the motion is way ahead of the game. The information deficit completely undermines the validity of the proposition, because no one actually knows how that system, which could well run into the early part of next year, will be completed. As I understand it, since May 2010, the Commission has been looking at the current profile of its spending and has been developing its own propositions for its contribution, presumably to be reported to the centre. If we were to respect the current relationship and the management line, it is quite clear that the Commission is in a unique position to serve the overall Assembly. It is not part of the Executive. Whether that is the shadow game that is going on, we should make it clear in the Assembly that we are not wearing that. The Commission has a vital role, and its ability to take an overview of the entire Assembly superstructure should be preserved.

I question how those promoting the motion can set a baseline not just for the Commission but for any Department if they do not know the outcome of the negotiations on the Budget with any degree of authority. Let us get on with that work, and let us allow all the parties to provide their inputs. I hope that those inputs reflect realism about the reduction in the block grant and our ability to find even more efficiencies and to come up with new ways of generating much-needed revenue in order to protect the vulnerable in our society and essential front line services. In those circumstances, people can, perhaps, expect that there would be the same kind of reciprocal and respectful position from the Commission.

I respectfully argue to those who proposed the motion that it is premature, they are taking an unusual approach to prosecuting the argument and they do not seem to have taken any account

of the different perspectives that would have to be applied in these circumstances.

Mr Bell: The arguments for financial prudence that the Member for East Belfast advanced will resonate strongly in that community, a community that is perhaps ahead of the game, having already started to put in place some of those arrangements in its household and business budgets. Their expectation, rightly, is that the House will take responsibility for making the necessary reductions in its budgets, because, otherwise, it will be a case of our telling them to do as we say but not as we do. The cheap shots that have been made on the subject will not be responded to in any way by a community that knows the job that has to be done and expects the House to get on with doing it.

In our United Kingdom, we are passing on to our children and grandchildren the debt that has been accumulated. Is anybody suggesting that we do that without first having looked to see whether we can do better? Are we going to fail our children and grandchildren because we want to play politics with the motion or fire off cheap insults?

I have heard many a good sermon in which it has been said that judgement must begin at the house of God. Well, financial judgement must begin at this House. It must set the example. Forget the billions and the trillions involved, which nobody can understand. A report from Oxford Economics made extremely clear that, by 2012, every household in the United Kingdom will carry a debt of £47,000 and every individual will carry a debt of £19,000. Given that that debt has to be serviced before any money can be put into health, education, benefits or social security, is it not crazy that we would hand on a debt burden to our children and grandchildren, as a deadweight around their necks, and prevent them from getting the services that they require because this House failed to make the necessary judgements?

The Member for West Tyrone Mr Doherty advanced the argument that it is a constitutional issue. It is not, although I am tempted to say that this is not the first time that the Member has been on the wrong side of a constitutional question. The situation is real, and real situations require real leadership.

Let us look at what has happened in the course of the debate, from which people are genuinely

looking to us to make real decisions. I grew up drinking good east Belfast tap water. It is absolutely right to suggest that the House should not be spending £25,000 on bottled water. This is an appropriate debate, and it is entirely appropriate that the DUP leader raise such issues.

I listened to the Member for North Belfast Mr Maginness. I was always taught to be sure before pointing the finger at somebody, or else three fingers would be pointed back at me. Perhaps Alban Maginness —

Mr A Maginness: Will the Member give way?

Mr Bell: I will give way presently. Perhaps Alban Maginness, with his double-jobbing, will tell us what he has earned from legal aid and from being a full-time MLA. What has he earned as a barrister while he has been a Member of the House?

Mr Deputy Speaker: Order. I remind Members not to point fingers across the Chamber, and that we are discussing Assembly running costs.

Mr Bell: I am responding to what the Member said, Mr Deputy Speaker.

Mr A Maginness: Will the Member give way?

Mr Bell: No, you did not give way. If the Member comes forward and tells us what he has earned at the Bar while also being a Member, he will escape the charge of hypocrisy.

The situation is that everybody has to look at what he or she can reasonably and proportionately do in the circumstances. There will be major pressure on public service jobs and, if we want to protect those jobs, savings will have to be made somewhere. That is not the economics of la-la land but the reality. The public are looking for a clear steer. The Member for East Belfast has given a clear steer that is directly proportionate to the situation that we are in. I hope that the House will give the motion its full support.

Mr Kinahan: I thank the Member for tabling the motion today, and I am more than happy to support it. Whatever money can be saved on Assembly running costs will mean that less will need to be clawed back from other areas of government spending. Although the £50 million that it took to run this place last year makes up only a small amount of the Executive's overall expenditure, it is a significant amount

by any measure. How can we genuinely ask the people of Northern Ireland to share the pain of spending reductions if the Assembly and the Commission fail to acknowledge the role that they must play?

There are obvious and achievable savings that the Commission could make and should have made long before now. For a Building that claims to take sustainable development seriously, we still waste a scandalous amount of paper. Aside from the environmental impact, it is costing money that could have been invested in new pieces of equipment for Committees and the like years ago. I also dread to think what it costs to heat the Building, and I would not like to be the one who opens the electricity bill. Those are all significant but practical measures that the Commission should consider looking into.

It has been mentioned, but it is worth mentioning again, the travesty surrounding the purchase and subsequent maintenance of Ormiston House. The Commission bought that historic building for £10 million in 2001 and has spent £1.35 million on it since. However, at the beginning of last year, when it is fair to say that property was generally more expensive than in 2001, the property was valued at only £6 million. Public money is being held up in a dilapidated building that is sitting on 13 acres of prime development land. It is unfortunate that the foresight was not there two or three years ago to put the building and the land on the market, but I hope that the Commission is at least looking at offloading some of it to retrieve some money.

The number of people who seem to work in this Building, as compared to the beginning of the current mandate, will not have passed many of us here by. Indeed, for those who were elected in 1998 and 2003, the numbers seem even more augmented. During the past five years, the number of people employed by the Assembly secretariat has increased from 263 to 391. Although many of those new positions may have been necessary as a consequence of the return of devolution and the workload that came with it, a further 16 new positions were created during the 2009-2010 financial year. The secretariat does a fair and straight job, and this place would not be able to operate without it, but the Commission must remain conscious of its expanding salary bill. Last year alone, secretariat salaries totalled well over £15 million, and the time has well and truly come for

the end of the £1,000 bonus that members of the secretariat receive automatically every year. I welcome the fact that the Commission has at last begun to address that issue, and I look forward to the project teams' making their final recommendations shortly.

Although I began by thanking the First Minister for tabling the motion, I am a little confused by his intentions for doing so. That is for no reason other than the fact that it is the Minister of Finance and Personnel who decides the Commission's funding. That situation in itself is a little peculiar: an Executive Minister deciding the funding for an Assembly that is meant to hold the Executive to account. If and when this is raised in the Executive, I hope that the First Minister will be able to obtain support from all parties for a reasonable reduction in the Commission's costs, and I emphasise "reasonable". He will certainly receive that support from the Ulster Unionist members of the Executive.

1.45 pm

Mr Durkan: Like others, I support the motion. In a sense, it calls for what is happening anyway. The Assembly Commission is conducting its own review of the Assembly's costs and the structure of those costs. Last year, during the engagement that the Speaker and the Commission had with all the then party leaders on the future regime for Members' salaries and office cost allowances, the Speaker made it clear that the exercise would also look at wider Assembly costs. The Assembly was acting responsibly, and the Assembly Commission was moving ahead on the issue even before the comprehensive spending review, and so on.

It seems to me that the debate is an opportunity for Mr Robinson to have a Tea Party moment and to be seen as the man to come in to try to take on and to shake up big government and the cost of the political class. Mr Weir accused those who questioned the motives for the motion of "tilting at windmills". However, the motion itself tilts at a windmill. It tries to pretend that there is a massive resistance to looking at costs in the Assembly. That resistance simply does not exist.

One Member mentioned Ormiston House. Mr Deputy Speaker, you and I had a past life involving the Department of Finance and Personnel. When the Assembly Commission moved to purchase Ormiston House, I, as

the then Minister of Finance and Personnel, was briefed by my departmental officials, who expressed concerns. Fully respecting the Assembly Commission's independence, I ensured that those concerns were shared with the Assembly Commission. The Commission called me to meet it along with the then DFP permanent secretary. We were left in absolutely no doubt by the Commission's assertion of its independence. However, we never questioned that. We respected it then and have done so since. We may now ask, with hindsight, whether the Commission would have been better to have taken on board some of the information that we gave it as well as asserting its independence. It was not a case of DFP or the Executive trying to tell the Commission what to do. It was a sensible sharing of information. However, we are now left with Ormiston House, its costs and its current value.

Similarly, early in the life of devolution, the Assembly Commission wanted its vote to be separate from the vote for the devolved block. It wanted separate votes in Westminster for the NIO, the Executive and the Assembly Commission. There were discussions between us and the Commission. We agreed on the existing protocols under which the Executive receive the Assembly Commission's bids through the Minister of Finance and Personnel, but the Assembly Commission tries to have its own controls.

It is clear that, in recent times, the Commission has worked to curb and to control such expenditure. It has been suggested that we should look at Assembly subsidies, and I believe that we must. We must bear in mind that it is not only people on MLA salaries who eat in the Building. Indeed, we must remember the fairly low-paid people in the Building in all that we do. A question may also arise about car parking: if MLAs and Ministers are happy for various people who work in the public service to pay for their car parking, perhaps we should do the same. Those are some of the hard choices that the Assembly Commission will have to make.

As well as controlling costs, we have to enhance the value of the Assembly. Questions arise about whether we deliver sufficient scrutiny and accountability. I have said that the Chamber does not have enough control and oversight of budgetary matters, not only of the overall Budget but of individual Ministers' spending decisions. Why are Ministers' spending plans

not announced, scrutinised and questioned in the House?

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

Mr Durkan: Similarly, why do we not have a permanent Committee, without the cost of a Chairperson or anything else, that constantly interrogates to deal with the cost of government and the capital spending performance?

Mr P Ramsey: I am responding to the motion on behalf of the Assembly Commission. I welcome the opportunity to outline the general work of the Commission, to remind Members of the cost of that work, and, in particular, to update them on the work that the Commission has been progressing since early this year.

As a number of Commission members outlined, since May, we have been dealing with any possible changes in the block grant. In every Assembly Commission meeting since May, we have deliberated on that and instructed and mandated the directorate to bring forward effective efficiency savings, not just through staff costs but through restructuring and looking at a number of other elements that will have an impact on efficiencies.

It is important to recognise that the Commission is the corporate body of the Northern Ireland Assembly. It has responsibility under section 40 of the Northern Ireland Act 1998 to provide the property, staff and services that are required for the Assembly to function and to carry out its work. The Commission's vision is of an Assembly that strengthens democracy and engages the people of Northern Ireland in creating a better future for all.

A number of questions were raised by Members. If I do not get round to answering them, I will ensure that there is a written response to them from the Assembly Commission.

The Commission's strategic priorities include supporting Assembly business, engaging with the public, supporting and developing staff, ensuring the effective governance of the secretariat and accommodating the Assembly. The budget to meet those responsibilities covers the cost of all the services that are provided to the Assembly and its Members, including services provided to Members in Committees and in plenary sessions of the Assembly; research and library services;

property management services; explaining the work of the Assembly and its Members to the public; IT services in Parliament Buildings and Members' constituency offices; and progressing salary and allowance payments.

A number of Members raised the issue of an independent body being set up. Hopefully, the Business Committee will be asked to approve the introduction of a Bill to set up such a body now that we have agreement and consensus on a way forward and on how it should be set up.

Services also include the education programme, legal advice on constitutional and corporate affairs and a wide range of associated support services. As well as the services that are delivered by the Assembly secretariat, the Commission's budget includes the cost of Members' salaries; Ministers' salaries; Members' allowances, including office cost allowances; and payments under the financial assistance to political parties scheme.

The Assembly Commission's budget is split between those categories of expenditure in the Main Estimates. However, the Commission manages the cost of each item in its budget to ensure that it is utilised in the most effective manner. For the current financial year, the Commission forecasts that the total resource expenditure will come to £40.4 million, with approximately one third of those costs relating to Members.

As with other public sector entities that do not form part of the Executive, the Commission works closely with the Department of Finance and Personnel to develop an annual budget to meet the Assembly's running costs. The Commission recognises that budget cuts will affect all areas of the public sector and that the Assembly must play its part in ensuring that it operates efficiently and in line with the cuts applied to —

Mr P Robinson: Will the Member repeat the figure that will be necessary for the next financial year?

Mr P Ramsey: It is £50.4 million.

Mr P Robinson: You said £40.4 million.

Mr P Ramsey: It is £50.4 million.

The Commission recognises that public cuts will affect all areas of the public sector. It also recognises that the Assembly must play its part

in ensuring that it operates efficiently and in line with the cuts that are applied across the wider public sector. However, any more significant cuts will undermine the ability of the Assembly to function effectively and will severely impact on services that are provided for plenary meetings, Committees and individual Members.

In May, in anticipation of the wider review of public sector spending, the Assembly Commission, at an awayday, started a process of reviewing expenditure across the Assembly. The Commission is all too aware that the cuts make a reduction in service levels to Members and users of this Building inevitable. It is seeking the co-operation of Members and parties in taking that forward.

However, there is a question of balance, and the Commission is equally aware that any reductions in services must not undermine the effectiveness of the Assembly, particularly at a time when the scrutiny of Departments, their budgets and the stewardship of public finances is of such importance. We are aware that a number of Committees are looking for particular expertise to enable them to have the capacity to understand and to progress, and to make Departments and Ministers accountable. Those pressures are there.

Since restoration in May 2007, the Commission has worked to develop and improve services to Members, including providing clerking services to plenary sittings and Committees, establishing a new team to support the Justice Committee, and resourcing the demands of a heavy legislative programme.

The development and implementation of an engagement strategy has led to significantly increased public engagement. In the year from November 2009 to October 2010, 427 school groups, comprising 13,500 students, participated in the Assembly's education programme. Our events staff facilitated 814 tours for 15,600 guests. A total of 525 functions were attended by 37,000 guests. The opening up of Parliament Buildings to the wider public has been a great success.

Major refurbishment works have been undertaken to refresh the IT equipment, upgrade the Chamber and improve facilities for Committee meetings, to name but a few. The Commission also continues to work to improve the governance and accountability of the Assembly through the development of the Members' financial services handbook and

the allowances regime. The quarterly online publication of Members' office allowance costs has led to greater transparency.

I want to highlight some future major expenditure categories. Members will be aware of the proposed creation of an independent financial review panel, which is to be established by an Act of the Assembly in the spring of 2011, subject to Assembly approval. The panel will independently set the standards and salaries of, and levels of financial support to, Members. The outworking of that will involve initial set-up and running costs for the review panel, which will be kept to a minimum, and the costs associated with any future determinations of the panel.

Members will also be aware that salaries have not been increased for a number of years, falling behind levels recommended by earlier external reviews. The decisions of the review panel will be outside the control of the Commission and the Assembly, and any future impact arising out of those decisions will have to be funded.

It is worth noting that the level of secretariat staffing set out in the secretariat review report in late 2007 was 463 full-time employees. I am sorry that Danny raised the issue of staffing levels here. The secretariat has never reached that level. The current staff complement of 440 full-time employees has also not been reached. Given the outworkings of the spending review, it now appears unlikely that that figure will ever be met. The current complement figure reflects additional responsibilities and functions placed on the Assembly, including a sustainability programme, an enhanced education service, a new Justice Committee and a reorganised usher/security service.

Members may also wish to note that the number of secretariat staff per Member for the past financial year was 3.6. That compares very favourably with 3.8 for the Scottish Parliament and 5.9 for the National Assembly for Wales over the same period.

2.00 pm

For capital expenditure, the Commission gave initial consideration to a major programme of capital works arising from the independent review of the Assembly secretariat, including a proposed extension to Parliament Buildings, estimated at £35 million. That area of work was not taken forward, and the Commission

has sought to make modest changes to make the best use of Parliament Buildings, with only minor refurbishment taking place. However, there remains a substantial future commitment to repairing the roof, which it is estimated will cost in the region of £3 million.

At this stage, I would like to inform Members of the work being undertaken by the secretariat, on behalf of the Commission, to address the issue of reduced funding. Each directorate has been tasked with identifying reductions in two scenarios — 2.5% and 5% — in each of the next four years. A project team has been tasked to evaluate those submissions with a view to making recommendations to the senior management group and the Commission.

We are examining how we might do things differently and more economically, for example, moving to electronic formats for a number of publications. I made that comment in the context of a Member's contribution in respect of waste of paper. I have been lobbying and championing the cause in the Commission for a long time that we should become more IT friendly, providing access to IT equipment at Committees and at plenary sittings.

Additionally, the Commission is fully aware of the future commitments to consider the number of MLAs, Committees and Departments. Although it is outside the control of the Commission, any changes in those areas are likely to result in cost savings. Indeed, that issue is under discussion by the Assembly and Executive Review Committee.

At this point, I would like to draw attention to an issue that we will need to return to in the next mandate, that is, the issue of the separation of powers between the legislature and the Executive. Currently, funding arrangements for the cost of running the Assembly may not fully reflect that constitutional principle, and we will have to address that in the near future.

I will now acknowledge some points raised by Members. The Rt Hon Member for East Belfast said that the strong principle point was that there was a special set of circumstances here and that we should recognise that the Executive were not putting pressure on the Assembly. I am glad that he made that point, although Members will suspect that, indirectly, in his primary role as First Minister, he was certainly doing so.

Pat Doherty made the point that he was disappointed that the matter has come to the Floor. One of the main points made by the Member who proposed the motion related to the subsidy for meals. Robert Coulter made the point that the Assembly Commission was setting examples and that we have taken the lead for some time. Alban Maginness was very heavy-handed over the Executive allowing the First Minister to come forward with a private Member's motion. He thought that it was most inappropriate for the First Minister to do so, and he thought that the First Minister could not divorce himself from that role. He made the point that the First Minister was the Lone Ranger without Tonto.

Sean Neeson was astounded that a private Member, who is also the First Minister, would bring forward such a motion. He made the point that we have already discussed the issue and are preparing to play a significant, responsible role in making those savings.

Peter Weir said:

"with friends like these, who needs enemies?"

He knows that there is a lot of good work going on. We are playing our parts, as he rightly said, and the Commission is united in the changes. Mitchel McLaughlin made a valid point that this is way ahead of the game, we do not know the significance of the efficiency savings, and it is quite a unique position to be in. Jonathan Bell talked about prudence coming from the Member for East Belfast, and he said that the House must make necessary reductions for the sake of our legacy to our children and grandchildren.

I have already made a couple of points about Danny Kinahan's speech, but, nevertheless, he said that the Assembly had to share the pain. Mark Durkan, in supporting the motion, made the point that, in essence, we already had what the motion was calling for and that it was already happening. He said that, during the successful road show, the Speaker made the point that the Assembly Commission was looking very radically at expenditure across the board. The Member also talked about the Member for East Belfast having a special Tea Party moment.

The Assembly Commission will be responsible, will show leadership and will make changes, as the Departments are expected to do. It will not be found wanting. It is already preparing the

ground for that. In essence, it will support the motion.

Mr S Wilson: At the outset, I want to make it clear that the motion is not the DUP's Tea Party moment. I must say that some Members have made a bit of a meal of my party's motion in their attempts to explain away the ambivalence of their responses to it. This is a very important issue. Let me make it clear that, in bringing forward the motion, I am speaking not as Minister of Finance and Personnel but as a member of the DUP.

Mr O'Loan: Will the Member give way?

Mr S Wilson: Will the Member let me say something before he intervenes, for goodness' sake?

Perhaps I can look at Members' responses to the motion. The most bizarre one has been adopted by Mr McLaughlin, who, normally, has a sensible attitude to many of these things. He talked about our being ahead of the game and anticipating something that may not ever occur. I do not know whether Mr McLaughlin has been reading newspapers or listening to debates in the Assembly and the points that I have made as Finance Minister. The game is half over. The announcement has been made. We know what the Budget for the next four years is going to be. It may well be that Sinn Féin has got some magic by which it will be able to fill the gap in the Budget. However, the truth of the matter is that we know the game and the quantity. Therefore, the issue needs to be addressed.

I suppose that the lead proponent of the second response was Mr Maginness, although it was also expressed by Mr Doherty and others. That response dealt with constitutional niceties. Indeed, we have had our own version of 'Strictly Come Dancing' to see who can dance on the head of a constitutional pin. I must say that some of the performances have not even been as elegant as Ann Widdecombe's. *[Laughter.]*

Mr McElduff: Will the Member give way?
[Laughter.]

Mr S Wilson: I hope that the Member is not going to talk to me about Irish dancing.

Mr McElduff: Will the Member join me in congratulating Stevie McDonnell and Michelle Rafferty on winning Armagh's Strictly Come Dancing competition, which Conor Murphy and I judged?

Mr S Wilson: I should have known it would be a relevant intervention. *[Laughter.]*

Let us be clear that, first of all, this is not an Executive motion. Secondly, the Executive do not put pressure on the Assembly. Indeed, Mr Durkan showed that, often, there are useful interchanges to be had between the Executive and the Assembly. Indeed, had his wise counsel been heeded back in the days when he was Finance Minister, the Assembly would not be left with a capital asset that is worth considerably less than was paid for it at that time. It appears that the project, which was intended to create an extension to the Assembly on the Belmont Road, did not even have much chance of getting planning permission at the time. Mr Durkan probably pointed that out.

There is a useful opportunity for us to have that exchange. Let us face it: I do not believe that the general public, when looking at the Assembly's budgetary considerations, will appreciate very much a discussion about whether there should be pressure or independence. The fact of the matter is that there is a budgetary consideration from which no part of the public sector should be exempt. There should be no sacred cows. That includes the Assembly.

The third reaction has been to bamboozle us with figures. I have a lot of time for the honourable Member Mr Coulter. He gave us the comparators and everything else between here, Scotland and Wales. I could take one of two views. He was either chancing his arm, or he knew exactly what he was doing and was using the skills that he has as a scientist to use figures. We come out of it very well: if one looks at the issue on a per Member basis, the Northern Ireland Assembly does brilliantly. Everyone knows that the denominator gives an outcome, and if one puts a denominator under the total figure, which is about two and a half times that in Scotland and Wales, one will, of course, get a good comparison. Since we have an over-inflated Assembly with 108 Members, which is considerably more than in Scotland and Wales, the figures will, of course, look good. However, if one looks at this from the perspective of the size of the population and the kind of Assembly that we have, it does not look good, and we have to accept that.

The fourth reaction from Members is that they know that there is a problem, are fully aware

of the issue and are addressing it. I could take that if there were some evidence of it, but let us look at the figures for the past four years. During that time, there has been no evidence that the Assembly has tightened its budget. In 2007-08, the total budget was £49.6 million; in 2008-09, it was £47.9 million; and, last year, it rose to £52 million. That is not evidence of a downward trend or of belt tightening.

We can look at the future bids for the Assembly. In the current CSR period, the bids go up considerably to a total of £50.8 million for 2014-15. That is for current budget only. Therefore, the current budget is being increased from £48.4 million to £50.8 million in 2014-15. That is not an indication of a Commission that is looking to tighten its belt, to get into this period of austerity or to do the same as the Departments are being required to do. For that reason, it has been useful to have this motion here this morning.

I found Mr Kinahan's speech useful. Even though other Members protested about not having interference and everything else, they were at least able to identify areas where we could save money. If those things have been identified, why have we not started doing them? That is a question that I ask myself.

Everyone knows the environmentalist that I am. I was the first to raise the issue of paper in the Assembly. I remember coming into the Chamber about three years ago and being upbraided by whoever was in the Chair. I do not know whether you were in the Chair, Mr Deputy Speaker. I came in and hid behind the mound of paper, which I had acquired that month. It was quite high. I worked out that if the papers that Members received in a year from the Assembly were stretched end to end across the front of Parliament Buildings, they would reach halfway up the wall. Despite assurances that it would be dealt with, we have heard complaints about it here this afternoon. There are ways in which savings can be made, and I welcome the fact that Members have identified them.

The motion is meant and designed to be a serious motion to concentrate the minds of the Assembly, because do not forget that it is the Assembly that votes the budget for this body. It has also been designed to concentrate the minds of Members to send out a warning from the Assembly to the Assembly Commission that this is an issue that needs to be taken

seriously, because this is where the debate has taken place.

Our constituents will be asking us about health, education, roads and all other kinds of spending cuts, and they will want to know what we have been doing. Through leadership in the House this morning, the leader of my party has shown that we want to be serious about the motion so that no area is exempt.

Question put and agreed to.

Resolved:

That this Assembly notes with concern the likely reduction in the block grant that will be brought about by the comprehensive spending review; and calls on the Assembly Commission to reduce its running costs in line with the level of reduction faced by Executive Departments.

2.15 pm

Irish Language Strategy

Mr Deputy Speaker: The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes in which to propose and 10 minutes in which to make a winding-up speech. One amendment has been selected and published on the Marshalled List. The proposer of the amendment will have 10 minutes in which to propose and five minutes to make a winding-up speech. All other Members who wish to speak will have five minutes. A valid petition of concern in relation to the motion was presented on Thursday 4 November. The effect of the petition is that any vote on the motion will be decided on a cross-community basis.

Mr McElduff: I beg to move

That this Assembly notes that correspondence sent to the Minister of Culture, Arts and Leisure by the NI Human Rights Commission on 17 August 2010 stated that the Minister's failure to introduce Irish language legislation is not human rights-compliant; and calls on the Minister to bring forward his proposals for a strategy to enhance and protect the development of the Irish language in accordance with obligations agreed in the St Andrews Agreement 2006.

Go raibh maith agat, a LeasCheann Comhairle. The motion contains two parts. It reminds Members that the Human Rights Commission (NIHRC) wrote to the Minister in August this year, saying that his failure to introduce Irish language legislation and an Irish language strategy is not human rights compliant because of the manner in which he is going about his business, particularly his citing a lack of community consensus. The motion calls on the Minister to bring forward his proposals and a strategy to enhance and to promote the development of the Irish language in accordance with obligations agreed in the St Andrews Agreement 2006.

Tá mé an-sásta, a LeasCheann Comhairle, an rún seo a chur chun tosaigh agus a mholadh.

Our party is pleased that the amendment has been tabled. It adds value to our motion.

Táimid an-sásta glacadh leis an leasú chomh maith.

The petition of concern is a device open to parties — for example, the DUP — and it is not entirely surprising that it has been deployed in this instance. The vexed issue of the Irish language seems to bring out irrational opposition from the DUP, often at the mere mention of an *Ghaeilge* — the Irish language. It often has that effect, as observed in a book written by Ian Malcolm called 'Towards Inclusion: Protestants and the Irish Language' — '*i dTreo na Cuimsitheachta: Protastúnaigh agus an Ghaeilge*'.

I want to outline the framework of support for the Irish language. It is the oldest written language in Europe and survives as a written community language today. In places such as Carntogher in south Derry, it is alive in the community. Although I am speaking in a private capacity, the Committee for Culture, Arts and Leisure recently received a presentation from the Carntogher Community Association about how the Irish language is a community development tool for people in that area.

Irish is, of course, the first official language of the 26-county state, and it is an official language of the European Union. It should be actively promoted by the Department of Culture, Arts and Leisure (DCAL). The Department and the Minister should not have to be dragged squealing on the issue. As for interest in and demand for the Irish language, thousands of children attend Irish-medium schools in the North alone, and there is increasing interest in establishing Irish-medium units in some English-medium schools. There are Irish language officers employed in a number of local government authorities, reflecting the level of demand in those areas.

Foras na Gaeilge, established in 1999 on foot of the Good Friday Agreement, forms part of the North/South Language Body. It provides a range of support to Irish language groups and to public sector organisations on an all-Ireland basis. The Gaeltacht quarter in Belfast is a very exciting proposal and the Department of Culture, Arts and Leisure should be doing everything in its power to assist, facilitate and encourage it, as opposed to finding fault.

International obligations in the European Charter for Regional or Minority Languages, the Good Friday Agreement of 1998 and the St Andrews Agreement of 2006 mean that it is obvious that legislation, *Acht na Gaeilge*, is the

way forward. That is a given. It commands Sinn Féin support and the support of other parties in the Chamber.

I remind the Minister that, following two DCAL consultation exercises, the message came back from people that they wanted an Irish language strategy. The then Minister was unhappy with the first consultation exercise and a second took place. He needed a second opinion. That consultation said the same thing: people expect and demand Irish language legislation to protect their rights as Irish speakers. There is an onus on the British Government to proceed if the DCAL Minister is unwilling, but evidence from the Administration in Dublin, the National Assembly for Wales and the Scottish Parliament is that legislation is the way forward to protect people's rights and to depoliticise an issue that has been politicised.

There is an absolute requirement for the Minister to move in the short term to develop a strategy. It is my understanding that the DUP Minister, on paper at least, is committed to taking forward a strategy for the enhancement and promotion of the Irish language, even if he has been slow — his previous ministerial colleagues have been incredibly slow — to do that.

I will give an example of how slow the DUP Ministers have been in taking the matter forward. On 25 October 2007, the then Minister of Culture, Arts and Leisure, Edwin Poots, attended a meeting of the Committee for Culture, Arts and Leisure to brief it on his decision not to take forward the introduction of Irish language legislation. At the end of January 2008, Minister Poots attended the Committee again and said that his Department was considering drawing up a strategy that would protect the development of the Irish language and Ulster Scots in line with the St Andrews Agreement. On 4 December 2008, Minister Gregory Campbell attended the Committee and said that an interdepartmental group was involved in taking forward the strategy, it had received an early draft of a skeletal strategy in October 2008, and the comments of the group would be considered carefully. The Minister then said that he intended to submit a paper to the Executive in January 2009, setting out the high-level principles on which a strategy might be based.

On 22 October 2009, the Committee received a briefing from DCAL officials who said that

Minister McCausland had reviewed the existing draft Executive paper and had undertaken some investigation and research into language issues. His next step would be to submit a paper to the Executive, setting out the high-level principles on which a strategy might be based. Minister McCausland had been scheduled to attend a Committee for Culture, Arts and Leisure meeting on 10 December 2009. However, he said that, because the paper had not yet been submitted to the Executive, he was not in a position to update the Committee. Minister McCausland was scheduled to attend a Committee meeting in late March 2010 to brief the Committee on the draft language strategy. However, his officials cancelled his appearance and stated that he was out of the country on that day. During Question Time on 2 March 2010, Minister McCausland stated that strategies for Irish and Ulster Scots would be ready by the end of that month. Minister McCausland was then scheduled to brief the Committee on the draft language strategy on 3 June 2010, but his officials advised that the paper had not yet gone to the Executive and the Minister was not in a position to brief the Committee.

Eventually, that briefing took place on 1 July this year. I recall that, at that juncture, Raymond McCartney, a member of the Committee, made an observation, and he hit the nail on the head. He said that he found it difficult to ask the Minister a question because the situation was like the scene in the 'Wizard of Oz' where there is a big, booming clear voice — then someone pulls back the curtain and there is nothing behind it.

He would not ask a question in those circumstances because the pretence had been going on for a long time. We have seen endless delay mechanisms — *[Interruption.]*

Mr Deputy Speaker: Order. I ask Members in a sedentary position not to intervene. If a point of order is raised, I am sure that the Member would give way.

Mr McElduff: There have been endless delay mechanisms and great dishonesty on this matter over a lengthy period. Sinn Féin sticks to and honours political agreements and commitments. It appears to me that the DUP has been messing about on this matter for a long time. That does it no credit whatsoever. We now know that the Minister is engaged in correspondence with the Department of

Education and the BBC in further attempts to stall the strategy. That is game-playing, and it is not acceptable. People are quite angry about the lack of respect for Gaelic culture and the Irish language. The Human Rights Commission's letter to Minister McCausland stated that his approach is not human rights compliant.

I expect that there will be spurious arguments today about the cost of a strategy at a time of economic difficulty. Of course we all want to minimise costs, but there is a duty to respect people's rights. So far, DUP Ministers have been totally dishonest on this matter. *[Interruption.]*

Mr Bell: On a point of order, Mr Deputy Speaker. Are we allowed to use the word "dishonest" in this Chamber?

Mr Deputy Speaker: Let me check the terminology that was used. The Speaker will come back on that point.

As Question Time commences at 2.30 pm, I suggest that the House takes its ease until that time. *[Interruption.]* Order. I was asked for some information. Now I am giving you other information. I ask Members to listen.

The debate will continue after Question Time, when the next Member to speak will be Mr Dominic Bradley. I call Mr Bradley. *[Interruption.]* I am sorry; my mistake. The next person to speak, after Question Time, will be Mr Dominic Bradley.

2.30 pm

Oral Answers to Questions

Enterprise, Trade and Investment

Mr Deputy Speaker: Questions 1 and 2 have been withdrawn.

Lignite Prospecting: North Antrim

3. **Mr Storey** asked the Minister of Enterprise, Trade and Investment for an update on the extension of the moratorium on lignite prospecting licences in North Antrim. (AQO 429/11)

The Minister of Enterprise, Trade and Investment (Mrs Foster): The moratorium on mineral prospecting licences for lignite expired on 25 October 2010. I propose to extend the moratorium for a further three years. The strategic energy framework for Northern Ireland 2010 states that the Department of Enterprise, Trade and Investment (DETI) will maintain a watching brief on the future role of lignite. The extension of the moratorium is consistent with that policy.

Mr Storey: I thank the Minister for her announcement in the House today that the moratorium on prospecting for lignite in north Antrim is to be extended. Will she have discussions with her colleague Mr Poots, the Minister of the Environment, about Planning Service restrictions that have inhibited local farmers from gaining approvals in the area where there is lignite? That unfair situation has prevailed for the past number of years, since the area was designated for lignite prospecting.

The Minister of Enterprise, Trade and Investment: Yes. The Member has, on many occasions, raised with me the issue of the whole area around Ballymoney. The lignite issue is a very emotional one, causing a great deal of angst in the area. When I was the Minister of the Environment, I remember meeting the Member about the planning policy issue. It merits discussion. I certainly do not believe that the entire area needs to be “sterilised”. There could be some development. However, I make it clear that that is a matter for the Department

of the Environment. I understand that a meeting between my officials and officials from the Department of the Environment will take place later this week to discuss the issue. We need to protect the minerals that are there, but in-depth discussions are needed about the other planning issues.

Mr O’Loan: I support the extension of the moratorium, although it is only a short extension. An alternative to lignite mining as a source of fuel is geothermal energy. Does the Minister share my regret that Ballymena, which was in the lead on this island in developing a geothermal energy system, is likely to be supplanted by a site in Dublin, because the necessary legislation and regulation is in place in the Republic of Ireland, while we have work to do in that regard? Will she confirm that that is the case, and will she give us a timetable for regulation being implemented here?

The Minister of Enterprise, Trade and Investment: I presume that the Member is referring to the renewable heat incentives. Just recently, the Westminster Government announced that a considerable amount of money would be put into the renewable heat incentive scheme. The Member will know that we are conducting an evidence-based inquiry on renewable heat so that we can proceed on an evidence basis. However, I very much want to be able to take advantage of the money in Westminster for the Northern Ireland economy.

As I understand it, some research is ongoing in Australia and in the United States of America to determine whether lignite resources can be used without the need for surface mining. I know that that issue causes the most concern in and around Ballymoney and the other areas affected by the moratorium. The moratorium was introduced in 2004. It was then extended by my colleague Nigel Dodds when he was the Minister of Enterprise, Trade and Investment, and I am now further extending it for three years. That is a sensible amount of time. If there are developments in ways in which lignite resources can be used, that is something, as the strategic energy framework states, on which we need to keep a watching brief. I am very content with the amount of time that I have put on the moratorium.

Mr McKay: Go raibh maith agat, a LeasCheann Comhairle. I also welcome the extension of the moratorium on lignite mining. Undoubtedly,

if such a mine were given the go-ahead, it would have a huge environmental impact on my constituency. It would produce 4.8 million tons of CO₂ a year, the equivalent of 1.2 million cars on the road. Given that and the fact that the Executive are committed to reducing greenhouse gases by 25% by 2025, should not surface mining be banned for far longer than three years?

The Minister of Enterprise, Trade and

Investment: It is not a case of banning surface mining. We are saying that no mining at all is to be carried out in the Ballymoney area or in the other two places affected. However, as I indicated, if evidence emerges from countries researching other ways of getting lignite out of the ground, we need to be open to looking at that. I said in my strategic energy framework that we would keep a watching brief on nuclear energy, and we will keep the same brief on lignite developments. That is what I intend to do.

Tourism: Strangford Lough

4. **Mr Gibson** asked the Minister of Enterprise, Trade and Investment what consideration she has given to a tourism strategy for Strangford Lough.

(AQO 430/11)

The Minister of Enterprise, Trade and

Investment: I value Strangford Lough's contribution to Northern Ireland's tourism offering. Regarded by many as purely an environmental resource, Strangford Lough has the opportunity to further develop its water-based activities and other related tourism products. The draft tourism strategy for Northern Ireland to 2020 identifies Strangford as one of nine potential key tourism areas. The local authorities of Down District Council and Ards Borough Council are leading on the development of a Strangford Lough destination forum and draft tourism action plan.

Mr Gibson: I thank the Minister for her answer. Strangford Lough is indeed a unique environment that is set in an area of rich history and offers an excellent opportunity for specialist tourism. Under the NITB strategy, will the Minister consider the aquarium in Portaferry and the surrounding area as part of an integrated management zone, similar to that which we have on the north coast?

Mr Deputy Speaker: I call Mr Kieran McCarthy.

The Minister of Enterprise, Trade and

Investment: I think that I had better answer first. I was not surprised to see Mr McCarthy get up as soon as Exploris was mentioned, because he mentions it frequently.

Mr Gibson probably knows that an integrated coastal management zone is led by the Department of the Environment and is a concept aimed at addressing issues in an area that extends 3 km inland and 12 nautical miles out to sea. It is an innovative way of planning for the future along the coast and is, again, something that was started when I was in the Department of the Environment. The concept applies to the entire length of the Northern Ireland coast, but, at the moment, no specific zones have been declared. As I repeatedly say in the House, Exploris remains a key attraction in the Strangford Lough area, and I hope that it continues to be one.

Mr McCarthy: I thank the Minister for her comments so far. On numerous occasions in the Chamber, the Minister has, rightly, acknowledged the potential of Strangford Lough and, in particular, Exploris in Portaferry, Castle Espie outside Comber, the canoe trail around the lough and many others. Will the Minister and her Department consider including in the tourism strategy the history and story of the lough? We all know that many have come to the lough, including invaders, settlers and smugglers, all of whose stories would contribute to a welcome tourist package. Will the Minister consider that as part of a future strategy?

The Minister of Enterprise, Trade and

Investment: And that is just the invasive species in the lough. Absolutely, and the Member will know that part of the St Patrick signature project comes into the Strangford Lough area. Historically, one can talk about no greater invader than St Patrick. There is work going on between all the district councils in and around that area on that project and on the Mourne signature project, which also falls into that area. Mr McCarthy is fortunate to have two signature projects very close to him. Some of us have none, but that is beside the point.

We are pleased to see the progress that is being made on the St Patrick and Mourne signature projects. As I said in my initial answer, to some, Strangford Lough is merely of environmental interest or a beautiful prospect. However, a great amount of work could be

carried out for tourism as well. As the Member mentioned, the way in which Castle Espie has been developed is a great example of how the lough and its surroundings can be made available to everybody who wants to visit.

Ms Ritchie: Given that, as the Minister said, the Tourist Board is promoting the St Patrick signature project and that St Patrick's landing place at the mouth of Strangford Lough is not yet included in the signature project, will the Minister ensure that discussions take place with the Tourist Board, the board of trustees of the St Patrick Centre and Down District Council so that that valuable patrician asset is included for development? That would concur with the overarching tourism strategy for Strangford Lough and St Patrick country.

The Minister of Enterprise, Trade and Investment: I am more than happy to pass those comments on to the Northern Ireland Tourist Board and to request a meeting with the various parties that the Member mentioned.

I shall update the House. At the moment, seven letters of offer have been issued for financial assistance totalling £418,000. Other projects are in the pipeline, and we are very hopeful that the rest of the money will get to the St Patrick signature project. Sometimes that signature project is not talked about as much as others. Nevertheless, it is a critical tourism development project, particularly for the Member's area in Downpatrick but also stretching up the coast. If there is a link into Strangford Lough, we should take advantage of it.

EU Economic Development Assistance

5. **Mr Weir** asked the Minister of Enterprise, Trade and Investment what progress her Department has made, in conjunction with local councils, to ensure the maximum uptake of economic development assistance from the European Union.
(AQO 431/11)

The Minister of Enterprise, Trade and Investment: In recent months, officials from my Department have engaged extensively with local councils to maximise their uptake of the European Union funds that are available for local economic development. The focus of that engagement has been to encourage greater collaboration between councils and Invest Northern Ireland in the development of

support initiatives that will meet the needs of local economies across Northern Ireland. Work is progressing well, and our aim is to have a partnership agreement in place by April 2011. I am determined that all the European Union funds available to us will be utilised for the benefit of Northern Ireland businesses, and we will seek to redeploy resources to other economic development priorities if councils are not in a position to commit to drawing down the full allocation.

Mr Weir: I thank the Minister for her answer. What European Union funding is available for economic development? In addition, what uses can it be put to by local councils?

The Minister of Enterprise, Trade and Investment: In total, £25 million of European regional development funding is available to local councils to support initiatives aimed at strengthening local economies across Northern Ireland over the period 2007-2013. To date, councils have drawn down less than £3.5 million of that money. As far as the Department is concerned, the main focus for the funding is to encourage innovation, research and development and entrepreneurship in the small business sector by bringing money down to the local level. Although uptake has been slower than I would have liked, some councils have brought forward excellent projects, which demonstrate clearly the potential of the programme. Nevertheless, I recognise that some projects are having difficulties with match funding, and that is a theme throughout the available European funds, whether through my Department or, indeed, through DARD to local action groups. I recognise the difficulty; however, I am afraid that, over the next couple of months, we will have to struggle with it.

Mr Butler: Go raibh maith agat, a LeasCheann Comhairle. What is the Department doing to ensure access to the new European funding programmes — JEREMIE and JESSICA — in order to help small and medium-sized enterprises?

The Minister of Enterprise, Trade and Investment: The joint European support for sustainable investment in city areas, JESSICA, falls under the Minister for Social Development's remit. Therefore, I have had no discussions about that programme. The joint European resources for micro to medium enterprises (JEREMIE) initiative has been extensively

researched by my officials, in consultation with colleagues in the Department of Finance and Personnel, other United Kingdom regions and the European Investment Bank. JESSICA belongs to the Minister for Social Development, JEREMIE belongs to me, and we will, hopefully, take both forward to make sure that they make a difference to the people of Northern Ireland.

2.45 pm

Mr Cree: On the issue of wider European assistance levels, is the Minister aware of the continuing difficulty in getting INTERREG Iva funding? Is she satisfied that enough is being done by the funding body to progress the issue with vigour?

The Minister of Enterprise, Trade and

Investment: Yes, I am aware of the difficulties, and I have spoken about them in the House. The requirement to have match funding seems to be the most fundamental difficulty at present. The Department of Enterprise, Trade and Investment is accountable for tourism, energy, telecoms and enterprise, and some good projects seem to be coming forward in those sectors, which we hope will get the match funding and will be able to move on. We have looked at the issue to determine whether we can use other European funding as match funding, but we cannot, because it has to come from national resources. We learned of that recently, and it is a difficulty.

Mr A Maginness: It is disappointing that there is not as good an uptake as there should be. The Minister has pointed out the lack of match funding. Is there any other way in which the Department could encourage councils to participate in such funding? It seems that some additional assistance may be necessary, because a lot of applications are very technical.

The Minister of Enterprise, Trade and

Investment: The Member is absolutely right. Since the start of the programme, officials from DETI and Invest Northern Ireland have engaged extensively with councils to assist the development of initiatives. They have looked at the needs that exist and at how to address them. Indeed, just last week, on 2 November, DETI hosted a workshop in Dungannon, which was attended by Invest Northern Ireland, DETI and the Northern Ireland Local Government Association, to determine how we can work together even better to maximise the impact of

available funding and to ensure that the best possible value for money is achieved.

I want that money to go to local government, because it makes a real difference at a local level. I have seen how, in Craigavon, Cookstown and Dungannon, councils have been able to put together tailored programmes to make a difference. However, later on, in 2012 or whenever, if we come to a determination that the money is not being spent, we or whoever is in post will have to try to redeploy it in other economic development fields. To be clear, however, I want the money to go to local government.

Employment: Private Sector

6. **Lord Browne** asked the Minister of Enterprise, Trade and Investment what action her Department is taking to create jobs in the private sector, in light of the recent cuts announced by the Chancellor. (AQO 432/11)

The Minister of Enterprise, Trade and

Investment: The Executive are currently considering the implications of the 2010 spending review for Northern Ireland. However, it is clear that the local labour market was already under severe pressure even before the Chancellor of the Exchequer announced his spending cuts. In response, I have asked my officials to investigate ways of increasing job opportunities in the short term that would be considered as part of the local Budget process. The aim is to minimise the time spent by individuals in unemployment, which can result in the loss of skills, motivation and employability. I also continue to chair the Executive subcommittee on the economy, which will shortly publish a consultation document on the priorities for growth, in which the increase in employment is a key priority.

Lord Browne: I thank the Minister for her answer and congratulate her, along with the First Minister and deputy First Minister, on attracting Citibank to the Titanic Quarter in what is a very competitive global marketplace at present. Is she taking any steps to attract further investment from China and India to the Titanic Quarter to join Citibank?

The Minister of Enterprise, Trade and

Investment: I am pleased that the Member mentioned those two economies because, while we continue to look for jobs in North America,

China, India and the whole Asian piece will be very important for us as we move forward. I was out in India last year, and, as a result of visits and trade missions there, a real partnership has developed between us and India, and Hanif Lalani has become an ambassador between the two countries. He has taken up that job for us and is working closely with Invest Northern Ireland. I am hopeful that product will come forward from India in the near future. I also hope to visit China before the end of the year to assess the prospects in that jurisdiction.

I thank Lord Browne for his comments on Citibank. Its presence is indicative of the way in which Citi views the Northern Ireland economy and its workforce here. It came originally in 2004 with a target of 375 jobs. It has now brought us 950 jobs and will bring us more than 501 jobs in the future. That is a tremendous commitment for a global company, and it sends out a very strong message across the world that Belfast is open for business and has the workforce, the skills and the capabilities and that people should invest in Belfast.

Mrs McGill: Go raibh maith agat, a LeasCheann Comhairle. What is the Department doing to implement the green new deal proposals with a view to creating jobs?

The Minister of Enterprise, Trade and Investment: That will not bring enterprise opportunities only, although we are obviously looking at the manufacturing opportunities of the green new deal. We are also looking at it from an energy policy point of view, and I recently had a meeting with the Northern Ireland Manufacturing Focus Group to talk about the opportunities based on energy policy, offshore renewables, anaerobic digestion and so on. However, the manufacturing piece that comes from that is important for us, and, as I said in the House before, I am delighted to see the way in which Harland and Wolff has managed to diversify into large-scale renewables and uses its facilities to build large substations for offshore wind farms. We want to see more of that diversification in that sector, and we will certainly give it the policy framework to do that.

Invest Northern Ireland has a strong team working on the renewables sector. My Department has a sustainable interdepartmental working group, and part of its remit is to look at and work to develop the green new deal. The green new deal includes

proposals to create 2,300 new jobs and, on the back of what it has put forward, we very much want to work with it and try to deliver that.

Mr Durkan: I commend the Minister for her efforts to source new investment and employment from the markets that she mentioned. I note that she said that she has asked her officials to look at ways to increase job opportunities. Has she also asked her officials or others to map existing jobs in the private sector that are highly dependent on public expenditure or public sector contracts so that we can anticipate the possible impact of cuts on them and so that she and colleagues, during their Budget consideration, can look not only at the need to protect front line services but at the need to protect existing economic and employment multipliers?

The Minister of Enterprise, Trade and Investment: I thank the Member for his well-put question. When we talk about being able to meet job targets, we talk about jobs created, jobs offered and jobs sustained, which is a very important figure that is sometimes overlooked in a lot of the media coverage. A huge number of jobs, nearly 2,000, have been sustained over the past two years, and we have already hit our Programme for Government target to create 6,500 jobs. We have created 6,600 jobs.

I take very much what he is saying about mapping out. I want to look at public procurement practices and, instead of looking at current public procurement practices, we very much need to consider the Finance and Personnel Committee's suggestion that we move away from that and look at smaller public procurement practices. That is the message that comes through to me very strongly from SMEs across Northern Ireland. They want the opportunity to offer services to government, and we need to look at that.

Employment: Grant Aid

7. **Mrs D Kelly** asked the Minister of Enterprise, Trade and Investment how much money has been provided in the current financial year as grant aid for large companies to encourage them to locate operations in Northern Ireland; and how many jobs have been created as a result. (AQO 433/11)

The Minister of Enterprise, Trade and Investment: Between 1 April and the first week

of November 2010, Invest Northern Ireland offered £25 million worth of assistance in support of foreign-owned companies to enable them either to locate here for the first time or to expand their existing Northern Ireland-based operations. The projects that were supported included businesses such as the Dow Chemical Company, the Terex Corporation, Mercer, MITIE Security and Citi, which made its announcement last week. Together, externally owned projects intend to invest £124 million in the local economy and create over 1,300 new jobs. Although most of those multinational corporations are large businesses, Invest Northern Ireland's focus remains on attracting high-quality jobs, which often tend to be created by higher-value projects that are smaller scale in employment terms.

Mrs D Kelly: I thank the Minister for her answer. In her reply to the previous question, she mentioned small and medium-sized enterprises. Local businesses here have had the experience of huge textile manufacturers upping their plants and machinery and moving to eastern Europe once the grant had expired and the date came for the return of moneys. Given that concern and the fact that £25 million has been spent, what guarantees will the Minister give that the companies will remain loyal to the workforce in Northern Ireland? Over and above Invest NI's criteria, what help can be given to small and medium-sized enterprises?

The Minister of Enterprise, Trade and Investment: If I thought that the only reason that companies were coming here was the grants, I would not have that security of mind, but I know that they are not coming here only for the grants. The grants are nice and help companies to make a decision. However, many of the companies that I mentioned — Dow, Terex, which has taken over Powerscreen, and MITIE Security, which has started a new operation in Mrs Kelly's constituency — are coming here for the workforce and the flexibility of the Administration. They are coming here for the skills and because, if they say to the Minister for Employment and Learning that they need skills, he can look at ways in which he can bring those skills about. They like the flexibility of this small Administration, and we need to take advantage of that.

A discussion continues about foreign direct investment from large companies versus our indigenous SMEs. Many of our indigenous

SMEs are in the supply chain for those large companies. For example, at least 20 small companies exist to feed into Bombardier. Therefore, when we help Bombardier, we also help the supply chain. I wish only that the media would consider that when looking at a lot of those companies. The perception is that they get a large amount of money, and the perception needs to filter out across the region that that helps companies across Northern Ireland.

Mr Bell: Will the Minister comment on the two reports that were published this morning, one from the Ulster Bank and the second from the Northern Bank? Will she comment on the Ulster Bank report in particular, which showed a sharp decline in business activity?

The Minister of Enterprise, Trade and Investment: Although one would not think it from listening to some of the media outlets, two reports were published this morning. One is from the Ulster Bank, which, from a survey of businesses across Northern Ireland, says that confidence is very low and that the recession will continue. The Northern Bank report says that GDP growth in Northern Ireland of 1% is expected in 2010. It states that there have been positive data on manufacturing jobs and that the hospitality sector has grown by 3%. As Eddie O'Gorman said this morning, if two economists are asked a question, there are three responses. It is difficult and confusing for businesses across Northern Ireland when they hear that sort of conflicting evidence from the banks. It frustrates me when I hear banks talking about the lack of confidence in small and medium-sized enterprises throughout Northern Ireland. Who is causing that lack of confidence? The banks are causing that lack of confidence throughout Northern Ireland.

Every single Member in the Chamber has had people come to them to say that they have experienced severe difficulties with their banks because of fees, overdrafts or business loans. Then we have had economists from the banks coming to tell us that there is a lack of confidence. Physician, heal thyself: that is what I have to say to the banks today. It is about time that they helped the Executive and the whole of the Northern Ireland economy, and the way to do that is to start to lend money to people who have innovative ideas and who want to be entrepreneurs in Northern Ireland. It is hugely frustrating to hear one side of the story and not to get the rest of it.

3.00 pm

Environment

Local Government: Savings

1. **Mr McLaughlin** asked the Minister of the Environment how the local government improvement, collaboration and efficiency programmes will achieve savings similar to those envisaged under the review of public administration.
(AQO 442/11)

The Minister of the Environment (Mr Poets):

At a strategic leadership board meeting on 25 February 2010, the then president of the Northern Ireland Local Government Association (NILGA), Councillor John Matthews, advised me that local government was fully committed to making efficiencies in the order of the £438 million that was outlined in the PricewaterhouseCoopers (PWC) economic appraisal, subject to further detailed work on the figures as recommended in the appraisal.

Colleagues will recall that the PWC economic appraisal estimated the implementation costs of local government reform to be £118 million. The work that the sector is carrying out through its improvement, collaboration and efficiency programme is aimed at ratifying those costs and developing business cases to justify expenditure. From the recent discussions that I have had with local government representatives, there appears to be a realisation that efficiencies can be driven out of the system incrementally to allow for transformation to progress through to eventual restructuring on a self-financing basis. NILGA and the Society of Local Authority Chief Executives and Senior Managers NI (SOLACE) have undertaken to report to me before Christmas on the detail of how they propose to do that.

Mr McLaughlin: Go raibh maith agat. I thank the Minister for his answer. Given that he has made the case for the review of public administration (RPA) in the past, does he agree that implementing RPA would, in fact, be a better approach to driving out those savings and efficiencies than voluntary collaboration between councils?

The Minister of the Environment: For anything to happen, the structure has to be correct in the

first instance. If people are not prepared to set the right foundations and create the scenery against which savings can be made, there is no point in going through an amalgamation process other than simply to say that we have done something. Therefore, let us put in place foundations that can make real, tangible savings. That will include councils working together much more closely and collaboratively than is the case.

Mr Givan: Can the Minister confirm whether Sinn Féin, having previously blocked the creation of a single waste authority and of a business services organisation that would have allowed for savings of over £400 million under option 5, has now lifted that blockage and is allowing this to proceed?

The Minister of the Environment: I note that Sinn Féin has referred to that £400 million saving in recent weeks. Therefore, given that it keeps referring to that £400 million, it has clearly moved away, in its public pronouncements, from supporting the option 2 model and must now support the option 5 model. The model that it initially supported saved only £168 million, with £140 million being spent up front. That did not make financial sense to anybody. If Sinn Féin is now on board with making £400 million savings, it is very welcome. Maybe we can now start to move things forward, and, hopefully, Sinn Féin will not hold things back any further.

Mr O'Loan: Given the withdrawal of funding for transition committees, what support is the Department giving to inter-council work in order to produce greater efficiencies? Does the Minister see that leading rapidly to a further attempt to get RPA, as it affects councils, under way?

The Minister of the Environment: The change managers are being supported until March 2011. We expect that those change managers will produce considerable work in that period and that they will be able to identify real, tangible and significant savings from which councils and ratepayers can benefit, either in the form of better services or lower rates. Given that people and business are finding it very difficult these days, we need to control public spending as far as possible, and that is certainly one method of doing so.

Mr Deputy Speaker: Question 2 has been withdrawn.

Planning Application Fees

3. **Mr Lyttle** asked the Minister of the Environment whether he intends to apply the same reduction in planning application fees to churches as that which applies to clubs and societies.
(AQO 444/11)

The Minister of the Environment: I am reviewing planning fees, and this matter will be considered in the context of that review.

Mr Lyttle: I thank the Minister for his fairly curt response. Given the community contribution made by churches, will the Minister confirm that he is willing to consider a review of that differentiation and perhaps give us some indication as to why the differentiation exists?

The Minister of the Environment: It is a historical differentiation, and it is certainly not one that I am particularly sympathetic to. We are reviewing planning fees. Planning fees are not fit for purpose and need to be changed. It is an area in which we can make a substantial difference as regards raising the income to the Planning Service and having a much fairer fee structure than is the case.

Mr Campbell: The Minister has confirmed the review, but will he look at the possibility of extending the reduction in planning application fees to charitable institutions beyond churches?

The Minister of the Environment: I am prepared to look at everything relating to planning fees. Ironically, we have a planning system whereby the North/South interconnector is costing as much in planning fees as it would cost a farmer to build two chicken houses. We have developers who are building on sites that may yield them £60 million or £80 million, with a maximum planning fee of just over £11,000. We are in situation in which we are robbing the poor to assist the rich. I would like to reverse the role, to be more of a Robin Hood-type character and to create a planning fee structure that does not subsidise the rich to make more money but recognises what can be of real, tangible benefit to communities on the one hand and charges a fair fee on the other.

Mr K Robinson: At the risk of portraying the Minister as the Sheriff of Nottingham, I will ask him whether, given the extremely arduous nature of securing planning permission for even the most minor of changes to historic and listed

buildings, including churches, he would consider applying such reductions in fees to those types of building as well?

The Minister of the Environment: I have another curt answer that is coming the Member's way: yes.

Mr Dallat: In relation to robbing the poor, does the Minister agree that a constant increase in planning fees for ordinary domestic houses at some stage puts people beyond the first rung of the ladder? Is that something that he is bearing in mind and will address?

The Minister of the Environment: Absolutely not. There was a lot of criticism last year because planning fees had not been raised for four or five years and were then raised by 15% following consultation. We recently announced a 2.9% increase in fees, which is commensurate with inflation. I indicated last year that we would be doing that on a yearly basis, because it is not good policy not to raise fees over a period of four or five years. It is much more consistent to raise fees incrementally with inflation, which means that people do not have shocks coming their way. It is a much better way of doing things, and it is also a better way of ensuring that the Planning Service has an income that is more capable and better placed to resource the planning officers that are required to make good planning decisions in an appropriate timescale.

Planning Policy Statement 21

4. **Mr Boylan** asked the Minister of the Environment whether he has any plans to reconvene a meeting of the Executive subgroup to progress the issue of the non-farming rural dweller within PPS 21.
(AQO 445/11)

The Minister of the Environment: I remain committed to reconvening a meeting of the Executive subgroup on that issue. However, there are other planning-related matters that need to be tackled before dissolution, such as the planning reform Bill and other planning policy statements. As those are settled, it will be easier for me to give due priority to the non-farming rural dwellers issue.

Mr Boylan: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answer. I am a bit disappointed by what he said. In light of what is going on with Planning Policy Statement 21 (PPS 21) and the present deferrals and the increase in the Planning

Service's workload, it is lucky that we are not bringing anything forward on the issue of non-farming rural dwellers because the Planning Service would not be fit to deal with it. Will the Minister outline when he proposes to have proper workload and financial models to ensure a fit-for-purpose Planning Service?

The Minister of the Environment: All that work is continuing. In the first instance, we have identified that there are 271 surplus planners as things exist. They are surplus not because there is not work for them but because there is not the finance to keep them in place.

On the one hand, I am attacked in the House because not enough planners are doing the work, and, on the other hand, I am attacked because I am seeking to introduce further income to the planning stream. At the same time, I am told that I will not get any further money. If I listened to everybody in the House, we would be in an impossible fix. We need to ensure that there are sufficient planners to take on the work that is there. In adopting the new fee structure, we will be better placed to do that.

The issue of non-farming rural dwellers is one from which we do not need to move away. We need to continue to work on that issue, and I put it to the House that I will work with every party, other Ministers and Committee Chairpersons to try to identify a satisfactory resolution. The issue will be very difficult to resolve and there will not be a perfect solution. However, I am committed to continuing to work to find a solution.

Mr Gallagher: In relation to the Planning Service's workload, does the Minister agree that the longer we try to put off the subgroup meeting, the more cases will be referred back to the Planning Service and, indeed, the Planning Appeals Commission? Does he agree that to create more efficiency and savings, it would be better that the subgroup met to have a further discussion and, hopefully, to agree a better way forward?

The Minister of the Environment: PPS 21 is a final document. When we arrive at a resolution to the issue of non-farming rural dwellers, the decision will be applied as an addendum to PPS 21. The planning reform Bill would give planning powers to local government and put decision-making in the hands of locally elected people who know, for example, Fermanagh and south Down better than I do. I am committed to the

planning reform Bill coming before the House. I hope that others are as committed to ensuring that we pass that form of local democracy down to local people so that they can make those decisions. I am very happy to do that on the basis of checks and balances, as identified in the local government reorganisation Bill, being put in place. That is the way forward.

Mr I McCrea: I welcome the Minister's commitment to working with all parties, Committees and Members to ensure that PPS 21 and the issue of non-farming rural dwellers are kept on the table. The Minister referred to other planning policy statements that he has had to bring forward. Will he be so gracious as to inform the House which of those are outstanding and explain any reasons why he has been unable to bring them to the House so that the people of Northern Ireland can benefit?

The Minister of the Environment: We are looking at a number of planning policy statements, which will need to go out to public consultation. One planning policy statement relates to enabling development, which would help us to deliver something that would benefit local communities through tourism, recreation and built heritage. Another relates to economic considerations and would give substantially stronger powers to planners to make determining decisions when there are real, tangible economic benefits to applications or when there is an economic downside. For example, some planning applications may result in the loss of hundreds of jobs. We do not have as much power as we could have for ensuring that determining decisions are made. Those planning policy statements are all in the mix, and I trust that they will be brought before the Executive very soon, to allow for public consultation.

The planning reform Bill will be the mechanism to fundamentally reform planning and to make the system much more responsive and beneficial to the needs of local communities than is the case.

Mr Cree: Could the Minister give his assessment of the number of planning applications for new houses in the countryside that have been granted since the introduction of PPS 21? What controls are in place to ensure that development does not become disproportionate to the level that was envisaged during the formation of PPS 21?

3.15 pm

The Minister of the Environment: I do not have that figure with me. However, I know that it is several thousand, and I will write to the Member to confirm exactly how many have come through.

As designed, PPS 21 is a policy that will lead to sustainable rural development. I accept that there is an issue with non-farming rural dwellers. That was assisted in some ways by the proposed developments on community facilities, the rounding off and the more relaxed proposals on infill dwellings. Indeed, I also believe that it is now easier to get replacement dwellings than was previously the case. If that is not happening, planners have not listened to policy. It should be happening, Members should find that on the ground, and, if it is not happening, I want to know about it. With all that, the policy is not having a negative impact on the countryside. We are not going down the route of bungalow blight, as happened in Donegal, because we are linking two existing clusters or there is already a building on the site to be replaced.

Sudden Oak Death

5. **Rev Dr Robert Coulter** asked the Minister of the Environment for an update on how the sudden oak death disease has affected parts of Northern Ireland; and what action he is taking to curtail the spread of the disease in the North Antrim area.
(AQO 446/11)

The Minister of the Environment: I understand that question 5 was transferred to the Department of Agriculture and Rural Development (DARD).

Mr Deputy Speaker: It is still on our list.

The Minister of the Environment: Apologies for that. I understood that it was transferred to DARD, and it was removed from my file as a consequence.

Planning Policy Statement 7: Applications

6. **Mr Easton** asked the Minister of the Environment how many planning applications have been refused to date under the new guidelines contained in the addendum to PPS 7.
(AQO 447/11)

The Minister of the Environment: To date, my Department has refused 21 planning applications under the guidance contained with the addendum to Planning Policy Statement 7 (PPS 7).

Mr Easton: I thank the Minister for his answer. How effective does the Minister feel that his policy is in preventing overcrowding in residential areas?

The Minister of the Environment: A lot of the problems that arose with the demolition of, very often, quality period dwellings and their replacement with apartments went back to the regional development strategy, its 60% target for brownfield development and the view that houses with large gardens were brownfield sites when it was clear to the wider community that they were not. We needed to do something to challenge that. The addendum to PPS 7 is an effective mechanism for that, and a number of planning applications — 21 that the Department is aware of — have been refused so far. It is important that, through a stack-them-high policy, areas of quality residential development are not allowed to lose their character and be transformed from predominantly family-based large dwellings with large gardens to apartments.

Mr Kinahan: I thank the Minister for his answer. The addendum to PPS 7 included measures to help to reduce flash flooding in urban areas by encouraging the greater use of permeable paving in new residential developments. Will the Minister detail exactly how such actions will be encouraged? In large areas, or areas with a higher than average flow of water, are there ways in which that permeable paving could be made mandatory rather than just encouraged?

The Minister of the Environment: It was my preference for it to be mandatory, but, having taken advice from people who know about these things, I understand that that could not happen. It is up to planning officers on the ground, when negotiating with individuals who are lodging planning applications, to ensure that as much permeable paving is installed as possible, and to attempt to reduce the amount of water that runs off as a result of flash flooding. No one wants homes to be flooded, and if actions can be taken that mean that that will not happen, it is up to us to ensure that those are pursued.

Ms Lo: As the Minister is well aware, the residents of south Belfast warmly welcome the

addendum to PPS 7. Will applications that were submitted before the implementation of the addendum be subject to the same guidelines?

The Minister of the Environment: There may be some flexibility depending on how old a planning application is. However, by and large, it is this planning policy that is relevant when a decision is being made. If a decision has not been made heretofore, the addendum to PPS 7 should be the planning policy that is used. There may be other things, such as planning history, that are applicable to a particular site and create greater flexibility. However, most decisions should be based on the addendum.

Local Government: Transition Committees

7. **Mr Savage** asked the Minister of the Environment for his assessment of the recent work of the local government transition committees.
(AQO 448/11)

The Minister of the Environment: I have been impressed with the work that voluntary transition committees have done to date. I consider them to have made a very valuable contribution to preparing the councils in their clusters for amalgamation. The work of the voluntary transition committees has also contributed to the development of the sector's proposals for their improvement, collaboration and efficiency programme. The Northern Ireland Local Government Association and the Society of Local Authority Chief Executives and Senior Managers have undertaken to report to me before Christmas on the detail of their proposals. That will include what future role, if any, is envisaged for transition committees to deliver the improvement, collaboration and efficiency agenda.

In the absence of Executive clarity on the way forward for reform and in light of the budgetary pressures faced by the Executive, it is hard to justify my Department's continued funding of transition committees. I, therefore, decided to suspend the funding from 31 October 2010, with the exception of funding for change managers, which will continue until 31 March 2011.

Mr Savage: I thank the Minister for his answer. Does the Minister accept that, if RPA boundaries were finalised within an agreed timescale, the

scope for co-operation and potential for savings would be quite significant? Does he see an opportunity to enable councils to move forward with what they intended to do initially?

The Minister of the Environment: We are looking at three options. One is to go ahead with council elections next year and to have new councils for a shadow period. Another option is to have council elections in 2014 for a shadow period of a year to come in in 2015, with the transfer of powers in advance. The other option is to hold off the transfer of powers until 2015. However, making savings must be our fundamental direction. We must look at the services that councils deliver to ensure that what we do makes the public better off.

Mrs D Kelly: I thank the Minister for his answer. The Minister stated in the House recently that if the party opposite to him had wanted RPA back on the table, he would put it back on the table. There has been a lot of talk about the savings that could have accrued from RPA. I understand that a lot of those savings related to the single waste authority and the single business unit organisation. Will the Minister have ongoing discussions with NILGA and local government about where savings can be made and whether people can be convinced of the merit of those organisations?

The Minister of the Environment: Yes. NILGA is working on proposals for how it can deliver the equivalent efficiency savings, without having a business services organisation. Those will be submitted to me. That is our direction of travel.

Mr Bell: Does the Minister agree that it is important that, even though the finance has been withdrawn from the transition committees, councillors still work together to see where they can deliver real efficiency and real change to put more money back into the pocket of the ratepayer?

The Minister of the Environment: I have said nothing to indicate that transition committees should not meet. Councillors will not be paid for participating in transition committees. However, if they decide to continue to meet to identify savings that will be passed on to ratepayers, I warmly welcome that.

Taxis: Licensing

8. **Mr P Maskey** asked the Minister of the Environment when the operator's licence will be introduced under the Taxis Act (NI) 2008. (AQO 449/11)

The Minister of the Environment: Subject to legislative and Assembly processes, I plan to introduce the new taxi operator licensing regulations by March 2011.

Mr P Maskey: The Act was passed in 2008, and the Minister is telling us that it will be introduced some three years later. Why has it taken so long to implement the secondary legislation?

The Minister of the Environment: The first part of the secondary legislation — an extension of the Driver and Vehicle Agency's powers to the Belfast Harbour — was done in October 2009. The second part was to provide the powers necessary for the introduction of new and more modern taximeters by June this year, which was postponed as a result of advice from the Departmental Solicitors' Office — we do not want to be operating ultra vires. The introduction of powers that allow for a taxi operator permit scheme is being put back from December this year to March next year, which is a fairly short period.

All the other elements that were supposed to kick in in August 2011, June 2013, July 2012, September 2012 and September 2013 are on schedule. The other element is support powers for a single licensing system. That was not supposed to be introduced until September 2014, but it has been brought forward to August 2011.

Those elements are complex and have to be done properly and correctly. They are being rolled out, albeit a bit slower than taxi drivers would like to see.

Magherafelt Area Plan

9. **Mr I McCrea** asked the Minister of the Environment for an update on the Magherafelt area plan. (AQO 450/11)

The Minister of the Environment: The last session of the independent examination of the draft Magherafelt area plan took place on 17 June 2009. I await the Planning Appeals Commission's (PAC) report on the examination. The current PAC advice is that the report should

be delivered by the end of this calendar year. My Department will consider the report and provide a programme for the adoption of the Magherafelt area plan, which we expect to complete during 2011.

Mr I McCrea: I thank the Minister for his answer. Does he agree that the longer the process lasts, the more detrimental the effect will be on the future of the economy in the Magherafelt area? Does he have any idea of timescales for when this will actually happen?

The Minister of the Environment: There was an inordinate amount of objections to the Magherafelt area plan. I think that a lot of them were contrived. There were in and around 3,000 objections to what should have been a relatively small area plan. There was probably too much cognisance of the objections, given that they were very similar in nature, and they were allowed to delay the process unnecessarily.

However, we have got to the point where we should have the report back from the Planning Appeals Commission this year, which should allow us to move ahead with due process next year and have it released in its final form by my Department. I will encourage my Department to respond as quickly as possible to this particular area plan once the report comes back from the PAC.

Waste Management

10. **Mr Brady** asked the Minister of the Environment what progress has been made by the three waste management groups in meeting their EU landfill diversionary targets. (AQO 451/11)

The Minister of the Environment: The Northern Ireland landfill allowance scheme (NILAS) translates the EU landfill directive targets for reducing the amount of biodegradable municipal waste (BMW) that is sent to landfill into annual allowances for each district council in Northern Ireland. It does not set annual allowances on a waste management group basis.

Good progress has been made by district councils since NILAS started operating in 2005. In 2008-09, the latest date for which finalised figures are available, all district councils met their NILAS targets. In that year, councils collectively landfilled 475,080 tonnes of BMW, against the allowance of 626,925 tonnes, which represented a 7% decrease on the previous

year. It is expected that district councils will meet the 2009-2010 target of 470,000 tonnes.

The NILAS targets for 2012-13 — 320,000 tonnes — and 2019-2020 — 220,000 tonnes — represent more of a challenge for district councils. However, there is a good prospect of meeting those targets through continuing efforts to reduce waste, increased recycling rates and the implementation of appropriate waste infrastructure programmes.

Mr Brady: Is the Minister considering any incentives to ensure that targets are met?

The Minister of the Environment: Yes; we have introduced incentives for councils. One of those is Rethink Waste, where we offer around £5 million. I have no doubt that, as a result, councils will be able to recycle considerably more waste than they currently do.

3.30 pm

Private Members' Business

Irish Language Strategy

Debate resumed on motion:

That this Assembly notes that correspondence sent to the Minister of Culture, Arts and Leisure by the NI Human Rights Commission on 17 August 2010 stated that the Minister's failure to introduce Irish language legislation is not human rights-compliant; and calls on the Minister to bring forward his proposals for a strategy to enhance and protect the development of the Irish language in accordance with obligations agreed in the St Andrews Agreement 2006. — [Mr McElduff.]

Mr D Bradley: I beg to move the amendment: Leave out all after "compliant" and insert

“; acknowledges the legislative requirement of the Northern Ireland (St Andrews Agreement) Act 2006 for an Irish language strategy; further notes the commitment in the agreement at Saint Andrews that ‘The Government will introduce an Irish Language Act’; and calls on the Minister to bring forward proposals for an Irish Language Bill.”

Éirím leis an leasú ar an rún a mholadh. Gabhaim buíochas leis na Comhaltaí ar thaobh mo láimhe deise a thug an rún faoi bhráid an Tionóil. Tá áthas orm gur glacadh leis an leasú uainne. Is rún tábhachtach é seo, agus tá gá le díospóireacht chiallmhar a dhéanamh air agus beart a dhéanamh ó thaobh reachtaíocht teangan a thabhairt isteach anseo sa Tuaisceart a luaithe agus is féidir.

I thank the colleagues to my right who tabled the motion before the Assembly, and I am grateful that they have accepted my amendment.

(Mr Speaker in the Chair)

The report of the committee of experts on the application of the European Charter for Regional or Minority Languages was published in Strasbourg in April 2010. It records the restoration of devolution since the previous monitoring round following the St Andrews Agreement in 2006. The committee noted that the Northern Ireland Executive had failed to deliver a report to it on matters that were devolved to Northern Ireland. The reason given for that non-compliance was the failure of the

Office of the First Minister and deputy First Minister (OFMDFM) to agree on the text to be included in the report. A promise was given that the missing supplementary report would be provided at a later stage, but apparently, to date, that supplement has not been received.

The committee of experts also notes the failure of the Assembly to legislate since the restoration of devolution. The committee makes the point that it is its belief that legislation is needed in Northern Ireland similar to that for Welsh in Wales and Scottish Gaelic in Scotland. The experts also expressed their agreement with the Northern Ireland Human Rights Commission that a legislative basis is even more important in the environment of political conflict as a means of achieving reconciliation. That view is also supported by the United Nations Committee on Economic, Social and Cultural Rights, and the Advisory Committee on the Framework Convention for the Protection of National Minorities. If legislation is not forthcoming from the Northern Ireland Assembly, the committee of experts proposes that the UK Parliament could bring it forward under its parallel legislative competence. It would be a sign of the maturity of this House if it could legislate for the Irish language, but it seems to me that, at the moment, that maturity is some way off, and that is to be regretted.

The committee of experts observed that the progress of the measures to support the Irish language and Ulster Scots are being held up because of inappropriate claims for parity of treatment for both languages. The European charter is based on treating each regional or minority language in accordance with its specific situation. It notes that the situation of the two languages is quite different here in Northern Ireland and that language measures directed towards each language individually are needed. It says that that is the only way that both languages can be protected and promoted according to their specific needs. I agree with that view.

The Northern Ireland (St Andrews Agreement) Act 2006 places a statutory duty on the Northern Ireland Executive to adopt a strategy to enhance and protect the Irish language. As noted in the motion and the amendment, that work has not yet been done. The Minister of Culture, Arts and Leisure has not yet brought forward a strategy, and the committee of experts says that any strategy that attempts to strive

towards parity between Irish and Ulster Scots will not serve the speakers of either language but will hold back the development of both languages. It is abundantly clear from the report of the committee of experts that the obligations and commitments under the St Andrews Agreement and the 2006 Act have not been met. Not only do we not have an Irish language Act, we do not have a strategy. Those matters need to be addressed without further delay. The Minister should abide by the views of the committee of experts, which is an independent panel that reports on the situation as it is.

Language legislation would uphold the rights of Irish speakers and help to make the issue free from contention. Mr McElduff outlined many of the developments that have taken place in the Irish language in Northern Ireland. Many of those developments are products of the enthusiasm of the Irish-speaking community. One such development is Irish-medium education, which has blossomed here in recent years, with some support from the Department of Education of late. Initially, it was largely as a result of the voluntary work of many individuals throughout Northern Ireland. That sector of education is producing Irish-speakers who are growing up from an early age using the language every day. When they mature into adults, they will want the same rights as their English-speaking counterparts. In my view, the only way to deliver those rights is to introduce comprehensive Irish language legislation.

The introduction of Irish language legislation is not, as some may view it, a hostile takeover by the Irish language community; it is merely a demand by Irish speakers for their rights to be recognised. I do not think that that is too much to ask. As I said, it would be an indication of the maturity of the House if we could look on the issue dispassionately and afford those who speak Irish in Northern Ireland and want to live their lives as Irish speakers the rights that are their due.

A Cheann Comhairle, críochnóidh mé leis an smaoineamh sin. Sílim féin go bhfuil gá le reachtaíocht teangan sa chuid seo den tír. Tá sí ann cheana sa Deisceart, sa Bhreatain Bheag agus in Albain; ní fheicim cad ina thaobh nach mbeadh na cearta céanna ag cainteoirí Gaeilge sa chuid seo den tír. Mura n-éiríonn leis an rún seo faoi mar atá sé leasaithe, ní dóigh liom go mbeidh deireadh leis an scéal ansin. Tá rún daingean ag Gaeilgeoirí i dTuaisceart Éireann

leanúint ar aghaidh lena bhfeachtas go dtí go mbainfear amach na cearta a ba chóir a bheith acu.

Even though the motion and the amendment may not be successful, that will not be the end of the story. I know that Irish speakers throughout Northern Ireland and throughout the whole island are firm and resolute in their belief that one day they will achieve what they want, which is legislation that affords them the rights that are their due.

Go raibh míle maith agat, a Cheann Comhairle. Molaim an rún don Tionól, faoi mar atá sé leasaithe.

Lord Browne: I oppose the motion and the amendment. I fully support the Minister in his decision not to introduce Irish language legislation. To do so would be a grave error. It could both damage community relations and impose significant economic costs at a time of severe financial difficulties. It has been estimated that legislation in that area could cost around £290 million. I believe that the public would rather that that money was employed to address much more serious issues, such as unemployment, funding of schools and hospitals and financial support for the regeneration of businesses.

There is no mention of introducing Irish language legislation in the Northern Ireland (St Andrews Agreement) Act 2006. One must, therefore, ask where the term “Minister’s failure”, which is in the motion, has come from. However, section 15 introduces a commitment, through insertion of section 28D into the Northern Ireland Act 1998, which requires the Executive to adopt a strategy to protect and develop the Irish language and, indeed, Ulster-Scots language, heritage and culture. The Minister has already proposed the introduction of a strategy for regional minority languages. That approach has my full support. I know that he is fully engaged in bringing that strategy forward. Again, I must say that none of the Act’s provisions stipulates that the Executive should bring forward an Irish language Act. I can see no compelling reason for doing so.

There can be no doubt that it is a devolved matter. Some Members have suggested that there may be an obligation on the British Government to bring forward such legislation. If Sinn Féin members take that view and seriously believe that an Irish language Act would be

beneficial, perhaps they should take up their seats at Westminster and argue their case there.

The case for the legislation appears to rest on an assumption that, at present, Irish speakers suffer some form of discrimination. In fact, the reverse is true. The Northern Ireland census returns in 2001 revealed that 10.4% of the population claim to speak Irish. The proportion of fluent speakers is, undoubtedly, considerably less. Despite that, the local media provide a substantial number of Irish language programmes. In addition, similar programming that originates from the Irish Republic is readily accessible. We are all aware that state funding is provided for the establishment of Irish language schools for people who wish their children to be educated in that language. Therefore, I ask where evidence of that discrimination is to be found. In fact, what supporters of the legislation really seek is a privileged position for the Irish language that is impossible to justify.

Moreover, I am firmly convinced that an Irish language Act would have damaging social consequences. Although we live in a divided society that comprises two contested national identities, the Irish language has never been the sole preserve of one of those identities. It should be remembered that Presbyterians helped to keep the language alive in earlier centuries. Enactment of that legislation would politicise the language and further add to the perception in the unionist community that the Irish language is a political symbol. That should not be allowed to happen. Politics should not be allowed to subvert cultural diversity.

Turning to the human rights question, I find it amusing and, indeed, ironic that the Human Rights Commission chooses to cite the prevention of freedom of worship in Russia to support the case for the introduction of an Irish language Act to protect minority language interests here. In recent years, freedom of expression has been severely curtailed in that country. In particular, demonstrations of support for separatist minorities, such as the Chechens, have been suppressed. Article 14 of the European Convention on Human Rights states that enjoyment of rights and freedoms set forth in the convention shall be secured without discrimination on any grounds, including language.

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

Lord Browne: For those reasons, I strongly oppose an Irish language Act.

Mr Speaker: The Member's time is up.

Lord Browne: I commend the Minister's proposal to bring forward a strategy.

3.45 pm

Mr K Robinson: I oppose the motion and the amendment. Certain subjects are extremely sensitive in our divided society, and, unfortunately, the Irish language is one of them. That is why it is important that we address Irish language issues in the least divisive way and why inclusivity rather than exclusivity should be our watchword. Given the sensitivities involved, today's motion betrays a legalistic mindset among its supporters. That is totally inappropriate and will serve only to divide the Assembly in an unhelpful and, ultimately, unproductive way.

The Minister has outlined his intention to introduce a strategy for regional and minority languages, which include Irish and Ulster Scots. The Minister needs to step up to the plate on that matter and go ahead and bring forward that more inclusive and less politically divisive strategy as soon as possible. In his efforts, he needs to be aided by some of his ministerial colleagues who, up to now, apparently, have not responded to his request for information to let the process proceed.

The Belfast Agreement or Good Friday Agreement of 1998 included a commitment to linguistic diversity. It stated:

"All participants recognise the importance of respect, understanding and tolerance in relation to linguistic diversity, including in Northern Ireland, the Irish language, Ulster-Scots and the languages of the various ethnic communities".

Those are all part of our cultural wealth. In the case of the supporters of the motion, I wonder how much time and effort has gone into protecting, enhancing and valuing the ethnic languages, which are live languages that are used every day.

The agreement went on to list eight further specific UK Government commitments in relation to the Irish language. They included commitments, where appropriate and desired,

to take resolute action to promote the Irish language; to facilitate and encourage the use of Irish in speech and writing in public and private life where there is appropriate demand; and to seek to remove, where possible, any restrictions that would discourage or work against the maintenance or development of Irish.

The St Andrews Agreement, which was really the work of the DUP and Sinn Féin, to the exclusion of other parties, stated:

"The Government will introduce an Irish Language Act reflecting on the experience of Wales and Ireland and work with the incoming Executive to enhance and protect the development of the Irish language."

It added:

"The Government firmly believes in the need to enhance and develop the Ulster Scots language, heritage and culture and will support the incoming Executive in taking this forward."

The Northern Ireland (St Andrews Agreement) Act 2006 listed three strategies to develop the Irish language. Section 15 lists them as:

"(1) The Executive Committee shall adopt a strategy setting out how it proposes to enhance and protect the development of the Irish language.

(2) The Executive Committee shall adopt a strategy setting out how it proposes to enhance and develop Ulster Scots language, heritage and culture.

(3) The Executive Committee —

must keep under review each of the strategies and may from time to time adopt a new strategy or revise the strategy."

Mr Speaker, note the use of the phrase "shall adopt a strategy". It does not say that the Executive will introduce an Act. A strategy and an Act might or might not be the same thing. Not every strategy involves an Act. It seems to me that there is an agreed need to develop strategies and that we need to keep those under review.

I oppose the motion for all of the reasons that I have outlined. It is poor, divisive, exclusive and, ultimately, unhelpful. Furthermore, as other Members have said, given the serious economic restrictions on the public purse, it is a matter that, I believe, is well down the public's list of priorities. They wish the Assembly to address other issues.

Ms Lo: The Alliance Party supports the thrust of the motion and the amendment but with some major caveats. I am disappointed that the Alliance Party's amendment was not selected. I was hoping to widen the debate beyond tribal discussions around Irish and Ulster Scots to discuss a language strategy that is inclusive of all ethnic minorities and sign languages.

Mr O'Loan: Will the Member defend her use of the word "tribal" in relation to the Irish language? I find it most inappropriate and unhelpful.

Mr Speaker: The Member has one extra minute.

Ms Lo: To me, they are like two different tribes. That is why I used the word "tribal".

Mr D Bradley: Will the Member give way?

Ms Lo: No. I have already given way to one of your colleagues.

I was certainly hoping to widen the debate beyond such discussions around Irish and Ulster Scots to discuss a language strategy that is inclusive of all ethnic minority languages and sign languages and to address real needs, rather than parity of esteem.

Mr P Maskey: On a point of order, Mr Speaker. In a speech on the use of language, people were called "tribes". Is that a good term to be used in the House? I would like to hear your views on that.

Mr Speaker: It is certainly not unparliamentary, and I see it very much as part of the cut and thrust of debate in the House.

Ms Lo: The Alliance Party respects the position of Irish and Ulster Scots in the cultural heritage of this region. I understand that the Irish and Ulster-Scots languages are regarded as regional minority languages, which receive protection under the European Convention on Human Rights. That said, the context in which minority languages exist in Northern Ireland is considerably different from most other situations in Europe, where there may be geographical areas in which the official language of the state is not the first language locally, and there is a real need to ensure equity in access to services.

Furthermore, the position of Irish and Ulster Scots in Northern Ireland is not the same, and there are differences in the level of interest and

demand for use. The Alliance Party is happy to facilitate and support the participation and enjoyment of languages through an inclusive language scheme. We are, however, wary of any legislation that imposes an onerous rights-based approach to language issues. That could create costly and disproportionate burdens on public bodies, especially when few people use Irish or Ulster Scots as first languages and virtually everyone can use and understand English.

Much of the European human rights protections regarding languages apply only to minority languages that are indigenous to the area. That is a somewhat narrow view that neglects the much wider diversity and language need in our midst. Since the EU expansion in 2004, we have seen a huge increase in the number of migrants coming to Northern Ireland whose first language is not English. It is estimated that there are up to 80,000 migrants from across the world in Northern Ireland. It is likely that there are more people speaking Polish or Chinese than speaking Irish on a daily basis in our towns and cities.

Ethnic minority communities — both long-established and more recent arrivals — would like to see a wide-ranging minority language strategy to address two issues. First, they require more information on services to be available in their language to make it easier for them to understand governmental structures and access essential services in order to better integrate into society. Since 2004, for example, Northern Ireland Health and Social Care's interpreting service has received over 150,000 requests for its services in more than 40 different languages. Services such as those are vital for the day-to-day lives of residents of Northern Ireland. It is a matter of need, rather than ideology. A minority language strategy could mainstream translation and interpreting into all government Departments and statutory bodies that have contact with ethnic minorities to ensure that services are easily available to everyone.

Secondly, they would like some recognition of mother-tongue teaching for the children, as those communities are entitled to keep their language alive by passing it from generation to generation. That is no different to learning Irish or Ulster Scots. Currently, community organisations such as the Polish Association, the Chinese Welfare Association and the Belfast

Islamic Centre provide mother-tongue teaching to children without any public funding at all, compared to the £6 million given by DEL in 2009 to the Ulster Scots and Irish language bodies.

There is one other aspect that I want to emphasise that falls into a discussion of language: the need of those who rely on the various sign languages.

Mr Speaker: Will the Member please bring her remarks to a close? Her time is up.

Ms Lo: This raises the issue of a real need for communication.

Mr Speaker: Before I call Mr Humphrey to speak, I advise the House that this is his maiden speech. The convention is absolutely clear: maiden speeches should be heard without interruption.

Mr Humphrey: As I begin my maiden contribution to the House, I am mindful of the gentleman I replaced. I pay tribute to Nigel Dodds, my predecessor, for the contribution he made to the Assembly, not just as a Member but as Minister for Social Development, Minister of Enterprise, Trade and Investment and Minister of Finance and Personnel. He is a politician of hard work, commitment, honesty and decency, and I am honoured to succeed Nigel, a man for whom popularity was never above principle. I wish him well as he continues to lead our party in Her Majesty's Parliament at Westminster.

I oppose the motion and the amendment. As we move forward, we continue to build a normal society and a tolerant community in Northern Ireland. Culture, history and tradition have long divided our community — and we do have one community in Northern Ireland. To facilitate the development and maturation of our society, we must all learn to appreciate, accept and tolerate our respective cultures, history, tradition and politics. If we, the parties elected to the House, are serious about a shared future, we must embrace those concepts.

There are those who seek to use an Irish language Act to be divisive. The question must be asked: why? Is an Irish language Act intended to genuinely improve community relations? Is it intended to improve recognition and understanding of the Irish language, or, as I suspect of some, is it to be used as a tool and a means of division or as a political football? I genuinely believe that an Irish language Act will

further polarise our divided community at this time. Some have used the Irish language as a tool. Sadly, they are not about promoting the Irish language but, instead and unfortunately, they seek to use the language for political reasons, often to the huge annoyance of those who truly love and cherish it. On occasion, many of those who speak loudest about an Irish language Act and their Irish culture are those who have peddled intolerance towards my culture and my tradition. What they need to appreciate is that Northern Ireland can move forward only with toleration and accommodation, not domination.

Yesterday, I listened to the new SDLP leader and Member for South Down, Ms Ritchie, speak at her party conference. She said that she and her colleagues needed to persuade unionists of the validity of a united Ireland. As a confident and convinced unionist, I will remain unconvinced of that and not least of the economic argument for it. However, I commend Ms Ritchie for her responsible attitude. I also listened to the deputy leader of that party talk of building trust and reconciliation. He, too, adopted a very responsible attitude. The same principle must apply to an Irish language Act. I do not believe that community consensus exists in Northern Ireland at present for such an Act. Members must realise that such an Act at this time would have the potential to polarise our community, increase division, heighten distrust and damage community relations.

We must build a society at peace with itself, encourage tolerance, embrace diversity, avoid cultural apartheid, unite our community and all act responsibly. The Assembly has an enormous responsibility to move society forward and give leadership to our community, because it is a community in transition. We must build a united Northern Ireland, and nothing that the Assembly does should harm that process or fail us in reaching that goal.

Our community deserves better. We must all act responsibly and focus on removing division and embracing diversity, because diversity, not least in the city of Belfast, threatens no one. I fear that some seek to use an Irish language Act or legislation to perpetuate division, and I regret that.

4.00 pm

Mr McCartney: Go raibh maith agat, a Cheann Comhairle. Beidh mé ag labhairt i dtacaíocht an rúin. Tá mé an-sásta go bhfuil muid ag

díospóireacht an ábhair thábhachtaigh seo tráthnóna inniu.

I support the motion and welcome the amendment, and I hope that both reassure the Irish language community that our work will continue in the promotion of its rights, in line with agreements made at St Andrews.

Anna Lo stated that the issue is tribal: indeed it is not. The promotion of the rights of any person is not a denial of another person's rights, nor should it be reduced to that type of tribal issue. Ken Robinson said that now is the time for the Minister to "step up to the plate" in line with the strategy. That is very much part of our motion and the amendment. It surprises me that his party is not supporting either. Ken Robinson has been a member of the Committee for Culture, Arts and Leisure for longer than I have been, and he knows that the issue has a long history of prevarication. An attempt has been made to pretend that something is being done when, in essence, nothing is being done. That is borne out by examination. The motion is not a legalistic attempt but is our pointing out that the Department has failed and continues to fail.

Departmental officials appeared before the Committee on numerous occasions. Several times, they told us that the proposed strategy was nearly ready to go to the Executive. We heard those words for the first time when Gregory Campbell was the Minister of Culture, Arts and Leisure. Officials returned to the Committee when Edwin Poots was the Minister and said that the proposals had to be tweaked but that they were nearly, nearly ready to bring the strategy to the Executive. Edwin Poots moved on, and officials appeared for a third time, making the —

Mr Campbell: Will the Member give way?

Mr McCartney: I will.

Mr Campbell: I think that the Member's chronology of events is wrong. Edwin Poots was the Minister of Culture, Arts and Leisure before, not after, me.

Mr McCartney: I apologise for that. However, my point is that the Member's officials and Edwin Poots's officials told the Committee that the strategy was nearly, and then nearly, nearly, ready to go before the Executive. I note that the Member did not contradict my point.

Then we had the incumbent Minister. I do not want to convict people by their demeanour, but it was obvious on the day that his officials came before the Committee that they would tell us, for a third time, that they were nearly, nearly, nearly ready to present the strategy. That is why I told the Minister that I was not prepared to ask him a question because, as Barry McElduff said, it was like a scene from 'The Wizard of Oz', when the curtains were pulled back, and there was nothing behind them. That is where the Minister finds himself today.

In the interim, the Minister tried to introduce smokescreens in an attempt to pretend that the strategy had been delayed suddenly. The Minister is using the excuse that the Education Department or the BBC is to blame. Edwin Poots did not use that excuse and nor did Gregory Campbell. However, the Committee has not been provided with any evidence of that from the Minister. Indeed, the evidence is to the contrary.

That is what we are trying to state through the motion: we are here to promote the rights of the Irish language community and to highlight the fact that this Minister has not shown proper intent. In my opinion, he has almost done the opposite. Each time he appeared before the Committee, he gave excuse after excuse as to why he is not pursuing a strategy to the point that we have come to a standstill. Today's motion was moved to highlight that standstill.

There have been two consultations. The first consultation showed overwhelming support for an Irish language Act and a strategy. That result was rejected, excuses were given, and a second consultation took place, perhaps because the first did not provide the expected answer. The second consultation resulted in the same answer. In fairness, this Minister has not sought a third consultation — yet.

That is why we make the pledge today in the Assembly that our work to deliver an Irish language Act and ensuring that there will be an Irish language strategy will continue. We say that despite the fact that the Minister has had a dead hand in ensuring that that has not happened. Our work will continue.

Mr Campbell: The issue of an Irish language strategy has appeared from time to time in the Assembly, in the Committee for Culture, Arts and Leisure and elsewhere. Mr McCartney talked about the rights of the Irish language community. We need to look at the rights of

that community, and the non-Irish speaking community, which just —

Mr McCartney: Will the Member give way?

Mr Campbell: I will in a second. The non-Irish speaking community happens to comprise 99.8% of our population.

Mr McCartney: I made the point in response to Anna Lo. When one person's rights are promoted, the rights of any other person are not being negated.

Mr Speaker: The Member has an extra minute in which to speak.

Mr Campbell: Thank you for that, Mr Speaker. I am up for that. It is about the first time that I have had anything out of Sinn Féin, but that is good. We are talking about the rights of the Irish language community and those of the non-Irish speaking community, which just happens to comprise 99.8% of the population. Since devolution, a number of us have examined whether anything that happens in the Assembly or Departments infringes on those rights. Frankly, I do not see anything that infringes, inhibits, restricts or prevents the Irish language from being spoken, pursued or followed as a concept, idea or language.

Flowing from that is a financial consequence. If people demand certain rights and express those rights in demands for funding, that has an implication. Just as there are Irish language enthusiasts in Northern Ireland, there are Ulster-Scots enthusiasts. During direct rule — thankfully less so under devolution — the money that was allocated to the enthusiasts of the Irish language far outweighed the money that was allocated to Ulster Scots. Not only is the Irish language not restricted —

Mr Humphrey: Will the Member give way?

Mr Campbell: I do not think that I will get another minute, but, if I get a few seconds, I will give way.

Mr Humphrey: I am grateful to the Member for giving way. Is he aware that during direct rule, the disparity between the funding between Ulster Scots and Irish was £8 to Irish for every £1 to Ulster Scots?

Mr Campbell: Yes. When I became Minister of Culture, Arts and Leisure, I stated that that would need to change. Thankfully, that is in

the process of changing. Some Irish language enthusiasts may feel that they will lose out if there has to be some form of parity, but that is not necessarily true. One thing is for sure, however: Irish language enthusiasts will not get the barrel load of money that they used to get while Ulster Scots was deprived. That will not happen.

If there are no restrictions, inhibitions or deprivation for those who pursue the Irish language, what is the motion about? This is when I come to the nub of my comments. When I became Minister of Culture, Arts and Leisure, I received a request from the honourable Member for West Belfast Mr Gerry Adams, who says he was never in the IRA. He asked to see me to discuss the Irish language Act. That meeting was held in this Building. He opened the meeting by saying that he wanted to discuss the Irish language Act. My response was very direct: I said that it would be a very short meeting.

From there, it went downhill. However, the relevance of my point is not the content of the meeting but what happened after it, when Mr Adams and others went to the Great Hall to give their version of what happened. I can stand over what I said and what was said in response in the meeting. It was very direct and very robust, and Mr Adams left under no illusion about the outcome. However, despite the very clear, precise and unambiguous wording of what he was told — that there would be no Irish language Act — he went to the Great Hall and said that he thought that the Minister realised there was going to be such an Act. That is what he said.

Therefore, that is the nature of some, although not all, of those who advocate the Irish language, and it demonstrates what they are after. We need to move on the basis of a languages strategy that gives recognition to people, whether they be Ulster Scots — if there is an ethnic origin and a language there — Irish, or people who wish to pursue any other language.

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

Mr Campbell: I will bring my remarks to a conclusion, Mr Speaker. Thank you.

We need to do that in a way that reconciles people and does not give offence, which,

unfortunately, some advocates of the Irish language have done in the past.

Mr Speaker: The Member's time is up.

Mr Burns: I will say a few brief words on the subject. This is a very important debate. I do not wish to repeat every point that party colleagues and other Members made. I am not an expert on human rights, so I will state simply and straightforwardly how I see things.

The Minister of Culture, Arts and Leisure has acted in bad faith towards the Irish language for a long time. I am certain that I am not the only person who thinks that. On the one hand, the Minister says that he is committed to the development of a single strategy for regional languages, in this case Irish and Ulster Scots. That is a fine statement. On the other hand, he delays and stalls on legislating. More than once, his party has belittled the Irish language and questioned its cultural value. It is no wonder that supporters of the Irish language, people in the nationalist community and now the Human Rights Commission do not trust him to handle the situation correctly.

As we all know, the St Andrews Agreement gave a firm commitment to enhance and protect the development of the Irish language, as well as a commitment to promote Ulster Scots. The DUP's behaviour towards the Irish language since the signing of the St Andrews Agreement flies totally in the face of the agreement and is contrary to its spirit. Therefore, it is of no surprise to me that the Human Rights Commission is taking the Minister to task on the matter.

I do not want to be negative, because there is no doubt that, when we look at the bigger picture since St Andrews, we have made a lot of progress on some key issues, such as policing and justice, which was a much more difficult subject to resolve than minority languages. However, the language issue remains a huge sticking point. All parties in the House are publicly committed, in good faith, to the spirit of genuine partnership. If we are to have a shared future in which the culture, rights and aspirations of all are respected and valued, we must have an Irish language Act. Whether he likes it or not, the Minister has a duty to the Irish language, and he should introduce a Bill as quickly as possible, not only to meet his obligations to recognise, respect, protect and fulfil human rights but because it is the

right thing to do. I support the motion and the amendment.

4.15 pm

Mr Adams: Go raibh maith agat, a Cheann Comhairle. Tá mé ag labhairt i bhfabhar an rúin agus an leasaithe.

I speak in favour of the motion, and I accept the amendment. I listened to Members from the Benches opposite. For over three years, successive Ministers have refused to bring forward an Irish language strategy or an Irish language Act, putting forward very feeble excuses on both matters. I have spoken to many members of the DUP on the issue, and I have had one-to-one conversations with others, but none of them brought forward a rational reason for their opposition to the Irish language, which is a living language that is the legacy of all the people of this island. In fact, their position is totally contrary to the very proud protestant, particularly Presbyterian, patronage of the language.

I am a united Irelander, and they are United Kingdomers. Interestingly, there is a Welsh language Act in Wales and a Scots language Act in Scotland. This is the only part of the so-called United Kingdom in which native language speakers do not have the same rights as others. No matter how much I scratch at this, I have to conclude that their position is based on ignorance and good, old-fashioned bigotry. I say that with regret and some sense of disappointment. *[Interruption.]*

Mr Speaker: Order.

Mr Adams: Of course, the Member for Derry is entirely right when he says — *[Interruption.]*

Mr Speaker: Order.

Mr Adams: — that I said that he knows that there will be an Irish language Act, because he does. The strength of the Irish language, its connections and the vibrancy of its resurgence for some time are evidence and proof of that. On this side of the Chamber, we are optimists, so we are looking for somebody to take a — *[Interruption.]*

Mr Speaker: Order.

Mr Adams: — leap of imagination; a leap forward into space so that they look on language as non-threatening. The fact that they cannot

even listen to me speaking in English is proof of the silliness that goes on. *[Interruption.]*

Mr Speaker: Order.

Mr Adams: Those of us who support the Irish language and who come from Irish language communities need to keep doing what we are doing, and so long as those on the Benches opposite have a say in that Department, of course they will, in a futile way, continue to string things out.

I remember when the first Sinn Féin councillors went to Belfast City Council. They were not allowed to take their seats, park their cars or speak. Indeed, the entire council was stood down by those on the Benches opposite to prevent Sinn Féin councillors being on committees. Look at the situation now. Therefore, it is only a matter of time before we have an Irish language strategy and an Irish language Act, and if the chaps opposite would wake up to that reality, we would all be in a better place. Go raibh maith agat, a Cheann Comhairle.

The Minister of Culture, Arts and Leisure

(Mr McCausland): I welcome the opportunity to clarify my position on minority languages in Northern Ireland, and, for that reason, I welcome the opportunity afforded to me by this afternoon's debate. There is no requirement in the Northern Ireland (St Andrews Agreement) Act 2006 to bring forward an Irish language Act. I repeat: there is no requirement in that Act. However, that does not seem to register with some people, who have difficulty in reading the Act and, therefore, cannot quite grasp the fact that I am putting forward.

Section 15(1) states:

"The Executive Committee shall adopt a strategy setting out how it proposes to enhance and protect the development of the Irish language."

[Interruption.]

Mr Speaker: Order.

The Minister of Culture, Arts and Leisure:

Secondly, section 15(2) states:

"The Executive shall adopt a strategy setting out how it proposes to enhance and develop the Ulster Scots language, heritage and culture."

I am not in favour of and there is no legislative requirement for an Irish language Act. I believe

that there is insufficient community consensus for such an Act. There are significant potential costs and there is a real possibility that legislation could undermine good relations and, in so doing, prove counterproductive to those who wish to see the language developed in a non-politicised and inclusive manner in accordance with the vision of a shared and better future.

As Members are aware, I have recently been engaged in correspondence with the Northern Ireland Human Rights Commission on the issue of legislation for the Irish language. In the commission's most recent letter, dated 17 August 2010, it is suggested that the position that I have adopted in relation to community consensus is "not human rights compliant". I have sought legal advice on that issue and 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.

As I understand it, the Barankevich case quoted by the Northern Ireland Human Rights Commission is about freedom of religious assembly and so is not directly relevant to language rights. Furthermore, it must be remembered that article 14 of the European Convention on Human Rights does not give a right to a language Act or even to the use of a language. It merely says:

"The enjoyment of the rights and freedoms...in this Convention shall be secured without discrimination"

on the grounds of language.

I want to make it clear that not a single individual has been denied the right to speak their language of choice in Northern Ireland. I would also like to add that legislation for the Irish language is by no means a panacea, as the example of the Official Languages Act 2003 in Éire clearly demonstrates. Legislation does not necessarily lead to a language revival. A language revival is brought about by many individuals making the decision to use the language on a daily basis, not by legislation. In fact, the decline in the Gaeltacht areas in Éire makes it pretty obvious that legislation is not the way forward.

I disagree with the Northern Ireland Human Rights Commission's interpretation in this case. The commission is certainly not

infallible. It can get things wrong, and this is an example of an occasion when it has got things wrong. Furthermore, I believe that the lack of consensus on the issue of legislation for the Irish language would be detrimental to the protection and promotion of the language in the context of a shared future. I believe that the best way forward for both minority languages in Northern Ireland is through a strategy for regional or minority languages.

I intend to bring to the Executive a strategy to enhance and develop the Ulster-Scots language, heritage and culture and also to enhance and protect the development of the Irish language. That regional or minority languages strategy will meet the commitments contained in section 28D of the Northern Ireland Act 1998. The strategy will recognise Ulster Scots and Irish as valuable parts of our shared cultural heritage. It will seek to promote wider understanding of the background to the languages through increasing understanding and awareness between sections of the community who feel a sense of belonging to the Ulster-Scots heritage and culture and those who identify with Irish heritage and culture.

I am keen that the language strategy will be grounded in the Northern Ireland Executive's Programme for Government 2008-2011, which gives effect to the cross-cutting theme of:

"A shared and better future for all: equality, fairness, inclusion and the promotion of good relations"

It will include proposals and projects that are designed to promote that aspiration in the context of culture and language. The draft strategy is underpinned by the European Charter for Regional or Minority Languages. That charter is an international convention that is designed to protect and promote regional and minority languages and contains detailed undertakings to support those languages. In addition to the charter, the strategy will take account of the Council of Europe's framework for the protection of national minorities and the UN Convention on the Rights of the Child. The strategy will set out a series of shared strategic objectives for Ulster Scots and Irish and a set of detailed actions for each.

That structure simultaneously demonstrates that Ulster Scots and Irish are linked as a facet of our shared cultural heritage while also recognising that those languages and cultures must be protected and promoted according to their specific needs. However, although Ulster

Scots and Irish may have their specific needs, the key issues for the protection of minority languages are the same for all such languages, not just in Northern Ireland but across Europe.

People who are familiar with the development of minority languages across Europe will know that education and broadcasting are at the centre of any language development programme. One of the difficulties in Northern Ireland for many years has been that the BBC, as our public service broadcaster, has had a substantial, well-resourced and well-funded Irish language unit in-house. Unfortunately, over the years, its treatment of Ulster Scots has been derisory. That is starting to change. We had a reasonably constructive meeting with the BBC the other day, and the BBC Trust has made a number of commitments. I hope that all those are honoured, and I look forward to them being honoured.

As well as broadcasting, the other key area is education. I made reference to the UN Convention on the Rights of the Child, which makes it absolutely clear that, in the education system, each child has the right to access to education about and the opportunity to enjoy and explore the culture of the community and the home from which that child comes. That is afforded through Irish-medium schools for the Irish language community. It is also afforded through the Roman Catholic maintained sector. In light of a very constructive speech by Mr Peter Robinson, the First Minister, I noticed several interesting newspaper articles in recent days about the significance of the Roman Catholic maintained sector as a sector with not only a religious ethos but an Irish cultural ethos. In other words, there is provision for those from an Irish background, culturally and linguistically, in the Roman Catholic maintained sector and in the Irish-medium sector.

However, children from other cultural backgrounds may not always have access to an education that bears the same focus on the culture of the home and community from which they come. Too often in the past, the culture has had to be left outside the school door and outside the playground. Again, I am glad that that is starting to change. There has been some excellent work in a number of schools. In fact, I will visit a school later this week where music from an Ulster-Scots tradition is being introduced in the school. That has already happened in Belfast Boys' Model

School in my constituency, and it is happening in some schools in Newtownards and Rathfriland. However, that is very much being driven by the local school and the local community. I want a strategy to take forward both languages and cultures, and I want commitment from the Department of Education. People ask me what is holding it up. The fact is that I cannot get that commitment. Therefore, if members of Sinn Féin want to know what is holding that up, it is the party's own Education Minister. *[Interruption.]*

Mr Speaker: Order.

The Minister of Culture, Arts and Leisure: In considering the overall strategy —

Mr McElduff: Will the Member give way?

The Minister of Culture, Arts and Leisure: I assume that I will get an extra minute.

Mr Speaker: No.

The Minister of Culture, Arts and Leisure: Then I will not give way, sorry.

In considering the overall strategy, the Executive will also need to consider resource issues and whether additional funding can be made available. However, if additional resource is not forthcoming, Departments may have to consider the reallocation of current funding to resource work on minority languages in line with the priority that they give to the language agenda among and against other pressures.

Since taking up the post of Minister of Culture, Arts and Leisure, I have reviewed the existing draft strategy paper and undertaken some investigation and research into language issues. That included a visit to our nearest UK neighbour, Scotland, to discuss the position there on the Scots language and Gàidhlig, which are the sister languages to Ulster Scots and Irish. I also had further discussions with the Welsh and Scottish Ministers about language issues, and those meetings were positive and constructive. I believe that the Ulster Scots and Irish languages are valuable parts of our shared cultural heritage and that Northern Ireland can learn important lessons from the Scottish experience, such as how to depoliticise language issues and develop the community's perception of the languages.

4.30 pm

I noticed that two Members from the other side of the Chamber commented on depoliticising language. Therefore, the other day, I was interested to notice on the Ógra Shinn Féin — if that is how it is pronounced — blogspot a report on the Tí Chulainn cultural centre. As I understand it, that is an Irish language centre in south Armagh, and perhaps Members opposite can confirm that. Sinn Féin says that it wants to depoliticise the language, so what does it do? There is a report on the blogspot on the unveiling of a memorial for members of the Provisional IRA at the Tí Chulainn centre. My advice to Members on the other side of the Chamber is that if they want to depoliticise the language, do not go down that road.

Mr McCartney: On a point of order, Mr Speaker. Will you examine whether Tí Chulainn is an Irish language centre?

Mr Campbell: That is not a point of order.

Mr McCartney: Let the Speaker decide.

Mr Speaker: The Member has made his point, and it is noted.

The Minister of Culture, Arts and Leisure: If one wanted to understand the answer to that question, one might, for example, go to —

Mr Adams: On a point of order, Mr Speaker. The two phrases used by the Minister should have been pronounced most properly as “Ógra Shinn Féin” and “Tí Chulainn”. Go raibh maith agat.

The Minister of Culture, Arts and Leisure: If I were looking for advice on speaking and pronouncing the Irish language, the Member for West Belfast would be about the last person to whom I would go. He is probably just slightly behind Sammy Wilson in that regard.

To know about the funding programme for the Tí Chulainn cultural activities centre, I have only to look at a number of sources' funding for Irish language programmes. I have information on the centre's funding, so I can confirm that it runs Irish language programmes.

We need to address politicisation of language as a matter of significance. Depoliticisation of language has to be a priority. Let us get away from the days when language and culture were used as cultural weapons. We have seen too

much of the past. It is not the way forward, and it is not the way to go.

I was confused by the fact that Anna Lo said that she wanted to support the motion yet questioned the need for a rights-based approach. The motion is to do with a rights-based approach, so the Member cannot be for it and, at the same time, against it.

I noticed Raymond McCartney's reference to failures. The failures lie with the Minister of Education for not delivering and the BBC for not delivering. We are now getting somewhere with the BBC. Let us see whether, over the next few weeks, we can at last see some progress from the Minister of Education.

I have less than a minute left, so I will turn to the historical point, by which I am always fascinated. We are always told about the great affection that Presbyterians had for the Irish language and how they were its great saviours. The fact is that a handful of Presbyterians were involved in the Gaelic revival, and a number of them quickly dropped out when they saw that it was being used and abused by Irish republicans. The few that remained were people from that religious background who happened to be republicans, so people were welcomed whatever their religion so long as they were republican.

The other point was made that there seems to have been some great commitment to the Irish language prior to that. The main use of the Irish language was by Presbyterians who were interested in carrying out programmes of evangelism in presenting the gospel to members of the Roman Catholic faith.

Mr Speaker: The Minister's time is up.

The Minister of Culture, Arts and Leisure: I wanted to take the opportunity to clear that up, and I think that I have addressed the main issues.

Mr O'Loan: I speak not as the Deputy Chairperson of the Committee for Culture, Arts and Leisure but as an SDLP Member in support of the amendment. I am pleased that the amendment has been accepted by the proposer of the motion, and I thus support the motion as amended. It has not been a good debate for usefully moving the situation onwards. The proposers of the motion and the amendment have made reasoned and valued points, but I

have not been impressed by others' responses, including the Minister's.

The most recent phase of discussion on this matter arose from correspondence, as has been said, between the Minister and the Human Rights Commission. That was on foot of the third report from the Council of Europe on the UK's compliance with the European Charter for Regional or Minority Languages, which included recommendations from its committee of experts; a source and body that needs to be taken very seriously indeed. The Minister told the commission that he would not introduce an Irish language Act because there was insufficient community consensus. It is important that that point was challenged by the commission, which informed the Minister that that was not a human rights compliant reason for not taking forward the recommendation to legislate, as set out by the committee of experts.

There is a very important principle involved here. The commission quoted a particular case, *Barankevich v Russia*, which was taken to the European Court of Human Rights, and in later correspondence, the commission corrected the Minister, because it did not suggest that the case was directly relevant to language issues. Rather, the commission highlighted that case because it sets out the broad principle that the human rights of a minority are not subject to the agreement of the majority. Human rights are critically important, and the point of them is to protect minorities. That is what the Minister is rejecting.

That brings us on to the broader demand, in human rights, that an Irish language Act be put in place, as sought in the European Charter, and that the commitment given in the St Andrews Agreement to a strategy for Irish, which is very much in the hands of the Assembly and this Minister, be brought forward. Many Members from Sinn Féin and the SDLP have made the case for bringing that strategy forward. Dominic Bradley, in moving the amendment, made it extremely clear why the Minister needs to supply his part of what is sought in the European Charter. He said that that would be a sign of maturity from the Assembly, and we should take that point very seriously. This is an opportunity for the Assembly to show that it respects all sections of the community here.

More than one Member said that Irish language speakers are not losing anything by not having an Act. I wish to put two points to those Members. First, the Irish language is the ancient language of this island. Those who speak and write in Irish are the successors of people who have spoken Irish and have written and produced a rich literature in the language for centuries. The right and opportunity to use that language is vital. That puts a particular responsibility on the state to provide the circumstances for that. Secondly, as Dominic Bradley argued, Irish language education is blossoming. Many parents and children have a deep interest in the Irish language. Those children are growing up, and they expect to live in an environment in which their primary language is respected and given every opportunity in the public sphere.

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

Mr O'Loan: The Minister should be bringing that forward.

Mr Leonard: Go raibh maith agat, a Cheann Comhairle. Any Member who makes a winding-up speech normally expects to have some substance on which to wind. However, I am afraid that the calibre of debate this afternoon means that this is going to be more like trying to put mercury on a fork. It is extremely disappointing that after the proposers of the motion and the amendment set the scene for the debate, various Members accused us of using language and culture as weapons. However, it was those very Members who then doled out the weapons point after point after point.

The standard of debate this afternoon by those fighting against the strategy and the Act was, frankly, appalling. The Assembly is — *[Interruption.]*

Mr Speaker: Order.

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

Mr Speaker: Carry on.

Mr Leonard: Shall I carry on, and make my point of order if the interruptions come again? We will try to get through — *[Interruption.]*

Mr Speaker: Order.

Mr Leonard: We will try to get through this without the children playing up.

The proposer set the scene and spoke about the different Ministers and all the inaction. It really was a list of obfuscations, delays and stalling tactics. Mr Bradley talked about the sign of maturity. My goodness, the sign of maturity went through and down the pipes this afternoon. We had the recalling of the position of the various efforts that have been made to try to get the Act in place.

We then had the start of the cultural and language weapons. Mr O'Loan spoke about not being impressed. How could anybody be impressed? Community relations would be damaged: no argument. There would be a privileged position: no argument. There would be a series of political symbols and subversion: no argument. All the usual epithets — *[Interruption.]*

Mr Speaker: Order.

Mr Leonard: May we continue and forget about the serial ignorance?

We then, very unfortunately, had the Alliance Party referring to the language of tribes. I know many people who are devoted to the Irish language, and they are not tribal. They are good people who want to uphold a culture and a language —

Dr Farry: Will the Member give way?

Mr Leonard: No, I have heard enough hot air. I am just going to say it as it is. I make the point about tribes because Anna Lo's party made that point.

We then had talk about the need for tolerance for all. Yet, one of the hubs of the human rights argument is that it is about tolerance, and it is about pluralism. We had the negatives of the Irish language and a diminution — *[Interruption.]*

Mr Moutray: Will the Member give way?

Mr Leonard: No, I am sorry. The hot air has been pathetic to listen to, and I am not giving any place to it.

Mr Speaker: Order.

Mr Leonard: We then had the usual stuff about the minimisation of the Presbyterians, so we had yet another Member — I think that it was

Lord Browne — referring to the good value of the Presbyterians saving everything.

The litany of cultural and language weapons was fired out as the debate — the excuse for a debate — continued. We had Members talking about community consensus. I think that Mr Humphrey and the Minister argued for community consensus. Again, the whole idea of the human rights argument is that it is not about majoritarianism giving permission to people on their rights. The biggest use of trying to destroy an argument is to go for the premise of the case that was quoted. That is not the way to look at it. It was about an argument against majoritarianism working against tolerance and pluralism; tolerance that some of the Members in the DUP were looking.

I cannot even give this summing up 10 minutes. We then had — *[Interruption.]* We still have some ignorance from a sedentary position.

Mr Speaker: Order. I really must insist that Members should not try to speak from a sedentary position. I have already indicated that a number of times. The Member is concluding on the motion. He must be heard and must not be interrupted.

Mr Leonard: Go raibh maith agat, a Cheann Comhairle. We then had the race to the bottom when Mr Campbell started his speech. He wants infringements before we have actions. Why not just give people rights? He complained about the giving of barrel loads of money. Now we are getting ready. That is grand. The main hub of Mr Campbell's speech, no less, was a little anecdote about a meeting with a Sinn Féin Member. Wow: that was the main hub. Despite all the human rights arguments, all the actions and inactions of Ministers, and the inky winky and nod of doing nothing, down through three Ministers, the hub of Mr Campbell's great argument is a little anecdote. If the Minister is looking to talk about the Gaeltacht, I advise him to get some information and learning on the socio-economic positions of the Gaeltacht areas instead of using it as yet another weapon to have a dig at the Irish language. He was way out of touch.

So, there we have all the weapons lined up by the very people who talk about language and culture being used as weapons.

4.45 pm

What we had here today was a litany of mediocrity that failed to address the motion. In summing up — *[Interruption.]*

Mr Speaker, are you going to deal again with that ignorance?

Mr Speaker: I say to the Member, I will keep the order and you carry on.

Mr Leonard: That is fine. It is the rough and tumble of debate, if there was any debate.

It would be a shame to give this debate the credit of a 10-minute winding-up speech, given that there were not 10 minutes of value in it, because of the points that were not made and the points that were made across the Chamber. The debate was full of mediocrity; however, it will go on. The drive to get an Irish language Act and strategy in place will go on regardless of the hot air and mediocrity of this afternoon.

Mr Speaker: Before putting the Question, I remind the House that the vote on the amendment will be on a simple majority basis.

Question put, That the amendment be made.

The Assembly divided: Ayes 37; Noes 48

AYES

Mr Adams, Mr Attwood, Mr Boylan, Mr D Bradley, Mrs M Bradley, Mr PJ Bradley, Mr Brady, Mr Burns, Mr Butler, Mr W Clarke, Mr Dallat, Mr Doherty, Mr Durkan, Mr Gallagher, Ms Gildernew, Mrs D Kelly, Mr G Kelly, Mr Leonard, Mr A Maginness, Mr A Maskey, Mr P Maskey, Mr F McCann, Ms J McCann, Mr McCartney, Mr McDevitt, Mr McElduff, Mrs McGill, Mr McHugh, Mr McKay, Mr McLaughlin, Ms Ní Chuilín, Mr O'Dowd, Mr O'Loan, Mr P Ramsey, Ms S Ramsey, Ms Ritchie, Ms Ruane.

Tellers for the Ayes: Mr Burns and Mr O'Loan.

NOES

Mr S Anderson, Mr Beggs, Mr Bell, Mr Bresland, Lord Browne, Mr Buchanan, Mr Campbell, Mr T Clarke, Rev Dr Robert Coulter, Mr Craig, Mr Cree, Mr Easton, Mr Elliott, Dr Farry, Mr Ford, Mrs Foster, Mr Frew, Mr Gardiner, Mr Gibson, Mr Girvan, Mr Givan, Mr Hamilton, Mr Humphrey, Mr Kennedy, Mr Kinahan, Ms Lo, Mr McCallister, Mr McCarthy, Mr McCausland, Mr I McCrea, Miss McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Neeson, Mr Newton, Mr Poots,

Mr G Robinson, Mr K Robinson, Mr P Robinson, Mr Ross, Mr Savage, Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr B Wilson, Mr S Wilson.

Tellers for the Noes: Mr Bresland and Mr G Robinson.

Question accordingly negatived.

Main Question put.

The Assembly divided: Ayes 43; Noes 42.

AYES

NATIONALIST:

Mr Adams, Mr Attwood, Mr Boylan, Mr D Bradley, Mrs M Bradley, Mr PJ Bradley, Mr Brady, Mr Burns, Mr Butler, Mr W Clarke, Mr Dallat, Mr Doherty, Mr Durkan, Mr Gallagher, Ms Gildernew, Mrs D Kelly, Mr G Kelly, Mr Leonard, Mr A Maginness, Mr A Maskey, Mr P Maskey, Mr F McCann, Ms J McCann, Mr McCartney, Mr McDevitt, Mr McElduff, Mrs McGill, Mr McHugh, Mr McKay, Mr McLaughlin, Ms Ní Chuilín, Mr O'Dowd, Mr O'Loan, Mr P Ramsey, Ms S Ramsey, Ms Ritchie, Ms Ruane.

OTHER:

Dr Farry, Mr Ford, Ms Lo, Mr McCarthy, Mr Neeson, Mr B Wilson.

Tellers for the Ayes: Mr McCartney and Ms S Ramsey.

NOES

UNIONIST:

Mr S Anderson, Mr Beggs, Mr Bell, Mr Bresland, Lord Browne, Mr Buchanan, Mr Campbell, Mr T Clarke, Rev Dr Robert Coulter, Mr Craig, Mr Cree, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Gibson, Mr Girvan, Mr Givan, Mr Hamilton, Mr W Humphrey, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McCausland, Mr I McCrea, Miss McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mr Poots, Mr G Robinson, Mr K Robinson, Mr P Robinson, Mr Ross, Mr Savage, Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr S Wilson.

Tellers for the Noes: Mr Bresland and Mr G Robinson.

Total votes	85	Total Ayes	43	[50.6%]
Nationalist Votes	37	Nationalist Ayes	37	[100.0%]
Unionist Votes	42	Unionist Ayes	0	[0.0%]
Other Votes	6	Other Ayes	6	[100.0%]

Main Question accordingly negatived (cross-community vote).

Adjourned at 5.08 pm.

Northern Ireland Assembly

Tuesday 9 November 2010

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

Members observed two minutes' silence.

Assembly Business

Resignation of Mr Mark Durkan

Mr Speaker: I wish to advise the House that I have received a letter from Mr Mark Durkan notifying me that he has resigned as a Member of the Assembly with effect from today. I have notified the Chief Electoral Officer, in accordance with section 35 of the Northern Ireland Act 1998.

Ministerial Statement

North/South Ministerial Council: Transport Sectoral Format

Mr Speaker: I have received notice from the Minister for Regional Development that he wishes to make a statement to the Assembly.

The Minister for Regional Development

(Mr Murphy): Go raibh maith agat, a Cheann Comhairle. In compliance with section 52 of the Northern Ireland Act 1998, I wish to make the following statement on the ninth meeting of the North/South Ministerial Council (NSMC) in transport sectoral format, which was held in Armagh — not Newry, as suggested in the statement — on Wednesday 20 October 2010. The Environment Minister, Edwin Poots MLA, has approved the report, and I make it on his behalf. The Minister for Transport, Noel Dempsey TD, chaired the meeting. The Executive were represented by the Minister of the Environment, Edwin Poots MLA, and by me.

Ministers discussed progress on the Dublin to Belfast rail link and welcomed the continuing upward trend in passenger numbers following the reconstruction of the viaduct at Malahide. The objectives of both operating companies remain focused on rebuilding passenger numbers while protecting revenue. We also noted the intention to provide an additional Enterprise halt at Lisburn, subject to the extension of platform 2, and that Iarnród Éireann is investigating an option to commence its early morning commuter service from Newry, subject to additional fleet being introduced in 2011.

The Council also noted the operation of the Golden Trekker tourism promotion designed to encourage overseas tourists to visit and to help to boost the local and all-island economy. We welcome the approval of funding under the invest to save project aimed at improving the

reliability of the Enterprise service. Ministers discussed the Enterprise rail seminar report and noted that officials will discuss the issues raised with the two operating companies, which will be invited to respond in a presentation to the next North/South Ministerial Council transport sectoral meeting.

Ministers welcomed the opening of the new dual carriageway from Beechill to Cloghogue in July. That brings the entire route between Belfast and Dublin to motorway or dual carriageway standard.

Ministers also noted that the M1 service areas at Lusk and Castlebellingham were opened in September. Ministers noted that development work has been continuing on the A5 north-west gateway to Aghnacloy and the A8 Belfast to Larne dual carriageway, including consultation with landowners and other interested parties. Ministers agreed a payment schedule, including the estimated cumulative Irish Government contribution on reaching each milestone in the project.

Ministers noted arrangements in both jurisdictions for the testing of compliance with technical, safety and vehicle regulations among HGV and freight operators. Ministers welcomed the Road Safety Authority's reform of the commercial vehicle testing system. Ministers also noted the level of existing co-operation by enforcement agencies and that plans for a series of cross-border enforcement operations are in place that include spot checks on buses and coaches.

Ministers welcomed co-operation on road safety strategies and enforcement actions in border areas, which include work with the GAA, the Young Farmers' Clubs of Ulster and other sporting organisations. Ministers also welcomed the planning that is under way for a joint Christmas road safety campaign. We also noted that the Road Safety Authority is targeting border areas with its programmes, a call to action and wrecked.ie, which was piloted in Donegal and is being rolled out with specially trained community workers and the Garda Síochána.

Ministers discussed the mutual recognition of penalty points and noted that although it is a complex matter, officials are planning ahead to establish what actions can be undertaken to move forward. Ministers also noted that operating arrangements for the mutual

recognition of driver disqualifications are working well.

Ministers discussed progress on reducing blood-alcohol limits in both jurisdictions and noted that harmonisation of blood-alcohol concentration levels in both jurisdictions is pending the outcome of the North report's recommendations. Ministers also noted that officials continue to explore areas of mutual interest and the sharing of information, where appropriate, on the procurement of breath-testing equipment.

Ministers noted the continued promotion, through the National Sustainable Transport Office and the Travelwise initiative, of walking, cycling, public transport and car-sharing to businesses by commuters and to schools. We welcomed the success of the all-island bike week 2010, which involved joint planning by officials and included linked events, such as the cycling grands prix in Belfast and Dublin. Ministers also welcomed the success of the cross-border challenge, promoted by Travelwise and An Taisce's Green-Schools travel programme, which was held during walk to school week.

The Council welcomed the continued development and success of the car-sharing scheme for the north-west region, including the establishment of the website, the value of initial promotional efforts and the growth of the number of participants. The Minister also welcomed the ongoing co-operation and advice from the Electricity Supply Board (ESB) to assist the Department of the Environment (DOE) and the Department for Regional Development (DRD) in submitting a bid to the Department of Transport's Plugged In Places initiative, which provides funding for electrical vehicles infrastructure. A key aspect of the DOE/DRD bid is the potential to link plans in both jurisdictions.

The Council noted that construction on the Knockaginny Bridge and the Annaghroe Bridge has been completed and that both bridges were opened officially on 20 October 2010. Ministers also noted that Louth County Council's environmental impact assessment on the proposed Narrow Water bridge is expected to be completed in November. The question of funding construction work can be addressed when statutory planning processes have been brought to conclusion.

Ministers also noted that a report on the evaluation of a pilot scheme relating to cross-border community-based rural transport was delayed due to the complexity of some issues. However, it has now been completed and will be presented to the next NSMC meeting in transport sectoral format. Go raibh míle maith agat, a Cheann Comhairle.

The Chairperson of the Committee for Regional Development (Mr Cobain): I thank the Minister for his statement. I seek reassurance on continued funding for works on the A5 and A8. I noted that it has been agreed that the Irish Government will make contributions on reaching each milestone. Given the size of the project, I understand why it would be carried out in that way. Can the Minister reassure the House that, in light of the huge financial pressures that the Republic's Government are under, there is no possibility of the agreed amounts being defaulted?

The Minister for Regional Development: The Chairperson will know that contractors have been appointed for the A5 project. The funding schedule has been agreed and the Government in Dublin have already paid around £9 million into it. We have agreed the ongoing payment process, each stage of which is marked by a key milestone as both projects develop. We have agreed and reaffirmed that at every opportunity with the Minister for Transport in the South and, indeed, with the Taoiseach on a number of occasions. They have continued to confirm their support for those schemes and their commitment to continue to fund them.

Miss McIlveen: Will the Minister expand on the Plugged In Places initiative, particularly the size and type of the network that is envisaged; the support and advice that is provided by ESB; and the potential for linking the plans that he referred to in his statement?

The Minister for Regional Development: The bid for the Plugged In Places initiative was submitted to the Department of Transport on 29 October. As the Deputy Chairperson of the Committee will be aware, it is a joint bid by us and the DOE. It is supported by a diverse consortium, including local councils and representatives of the energy, motor and IT industries. A number of weeks ago, representatives from Renault and Nissan were at Parliament Buildings to sign a memorandum of understanding to the effect that they would

assist us in that work. A large number of organisations is willing to work with the bids once the scheme is operational.

It is vital that we do not get left behind. The objective is to create a network of connection points. It is yet to be determined where they will be, but they will be across the North. We will ensure that they link up with the network that is being planned and developed across the South so that people can avail themselves of that network when they are travelling throughout the island. That is why we are working with councils in the border areas in particular. We are working with Newry and Mourne District Council, Derry City Council and Fermanagh District Council to ensure that we have connectivity and that it is not solely a Belfast-based organisation. The interest and support that we have had from all organisations, North and South, councils, the private sector and car manufacturers and suppliers has encouraged us. The bid has been submitted, and we are hopeful that it will be successful and that we will be able to design the network, put it in place and link it with the southern network.

Mr Leonard: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his statement. Part of his statement correctly relates to the importance of infrastructural development and tourism, and I think of improvements to the Coleraine to Derry line and to the A5. Can the Minister assure the House that he and his colleagues in Dublin will continue to work on the importance of infrastructural developments and tourism to promote tourism to all of Ulster and, indeed, all of Ireland?

The Minister for Regional Development: There is such recognition in the work of the North/South meetings in the transport sectoral format. In my answer to the Chairperson of the Regional Development Committee, I reconfirmed the commitment from the Dublin Government to support infrastructural development financially. However, the Programme for Government recognises the need to rebalance infrastructure for the north-west region. We have planned investment in the A6, the A5, and in the Derry to Belfast railway line. The initiative for the Golden Trekker that was taken this summer to attract tourists has a spread across the island and co-ordinates with the similar initiative in the South. That is all about supporting economic development, much of which can be

through tourism. Figures released this week show that the hospitality sector continues to be a growth industry for us and continues to do well. A central part of the Programme for Government is growing the economy, and infrastructural investment and support for tourism development and tourism projects help to sustain that.

Mr McDevitt: I acknowledge the work of the Government and the Executive on the issue. Does the Minister agree that a move to an hourly Enterprise service is long overdue? Can he confirm whether there is funding under the invest to save initiative, which is mentioned in his statement, to make the necessary investment in the retrofitting of diesel stock that would allow us to move urgently to an hourly Enterprise service?

The Minister for Regional Development: The invest to save initiative identifies a range of options. At the higher level, there is about £700 million of investment to reduce the journey time between the two cities to about 90 minutes. The lesser options, which are probably more affordable in the current climate, include the fitting of engines to ensure more reliability. There is a strong desire to move to an hourly service. It will require more vehicles, and there will be an additional revenue cost, because a subsidy is paid to Translink and to Iarnród Éireann to run the train service. Therefore it will require more revenue funding from the Executive, possibly in the order of £500,000. We will have to bid for that from the Executive or find it in our own budget. The Minister for Transport in the South, the railway companies and I share a desire to improve the service and to make it more reliable and frequent. In doing that, we will continue to grow the number of passengers who use it.

10.45 am

Mr Bresland: I thank the Minister for his statement. Will the Minister provide more details on the payment schedules and milestones for the A5 and A8 projects?

The Minister for Regional Development: As I said, the contractors for the A5 were appointed in December 2009. The Department expects to issue draft orders this month, after which there will follow a period in which interested parties can formally make comments and objections to the Department. After consideration of those comments, I expect that there will a public

inquiry in mid-2011, with an anticipated start date for the A5 project of 2012-13.

Mr Boylan: Go raibh maith agat, a Cheann Comhairle. Cuirim fáilte roimh ráiteas an Aire.

I welcome the Minister's statement. On the issue of road safety, the Minister is aware that most of the serious accidents and fatalities on our roads occur in border areas. Will the Minister elaborate on the enforcement actions and strategies that will be put in place in those areas, particularly coming up to Christmas?

The Minister for Regional Development: There will be action on a number of levels. The DOE and the relevant authorities in the South are planning initiatives relating to the safety of vehicles. They have already carried out some such initiatives in the border areas, involving, in particular, the coaches that transport people back and forth across the border, and Minister Poots indicated that that work will be stepped up. There has also been a great deal of co-operation between the police services in the North and the South on maintaining the safety of those who travel by car, and that will continue. As mentioned, some of the schemes, such as wrecked.ie, which was piloted in Donegal, are aimed at border areas. There will also be a joint campaign in the run-up to Christmas, which can traditionally prove to be a dangerous time on the roads, with the onset of winter and an increased tendency for people to drink and drive. Therefore, co-operation is quite good. More initiatives are planned and those will be rolled out over the coming period.

Mr I McCrea: In his statement the Minister referred to the joint Christmas road safety campaign. Will he assure the House that the planned campaign will get the message across? Shock and awe campaigns do not always work. Campaigns should be about getting information and messages across. What investment will be put into that campaign?

The Minister for Regional Development: I am unsure of the figures for the Christmas campaign. However, the Minister of the Environment should be able to provide the Member with the detail on those joint-funding arrangements.

I agree with the Member: sometimes campaigns are criticised for not being forceful enough, whereas at other times people say that they are a little too much and are off-putting. As time

goes on, those involved in the campaigns have tried to refine the messages to ensure that they have the most effect. Those campaigns are not just focused on the Christmas period, but Christmas is a particularly dangerous time on the roads, and, unfortunately, there are quite a lot of fatalities during that period. The figures in the North have been coming down and there is satisfaction that the campaign seems to be working. However, the Member will know that one bad weekend can have a serious impact on that.

I also referred to work that is ongoing with organisations such as the GAA, which impresses the value of road safety on its members, particularly young men who live in rural and border areas. The Young Farmers' Clubs of Ulster is also involved in that campaign, again, focusing on young males in rural areas who have a higher than average involvement in road accidents and fatalities.

There are broad campaigns that are targeted at the general public and more specific campaigns that work through organisations that are already active in rural areas. This year, there has been a downturn in the number of fatalities and injuries on the roads. I hope that that continues and that the general progression is downwards.

Mr Elliott: I thank the Minister for his statement. Given today's financial constraints and the reducing number of vehicle movements on the A5, does he accept that there are much more cost-effective ways of providing an efficient road in that area than building a whole new motorway-standard road?

The Minister for Regional Development: The general trend of traffic movements is upwards, even with the economic downturn. I am always amazed at people arguing against infrastructure investment in the constituencies that they serve. The case has been made for the A5, the investment is planned, the contractors have been appointed and we are going through the statutory processes. There will be a public inquiry in the new year, and any observations or objections that the Member, or anyone whom he represents, wishes to make can be made then.

As far as I am concerned, as far as the Government in Dublin are concerned, and as far as many people whom I have met along the route from Derry through Omagh and towards Aghnacloy are concerned, the need for the road is well established. The economic well-being of the north-west depends on good infrastructure

connections to ensure that it does not remain isolated or suffer underinvestment. The case has been well established and the intention is to proceed as outlined in the plans.

Mr Dallat: I thank the Minister for his statement. I want to focus on rail transport again. I am sure that the Minister will agree that the all-Ireland rail network includes the Derry to Belfast route. What efforts have been made to establish that route as part of the Trans-European Network so that funding can be obtained to ensure that cross-border rail transport is not simply from Belfast to Dublin but from Derry to Dublin?

The Minister for Regional Development: There is sometimes a misunderstanding about what sort of European money is available to support cross-border networks. A bid for European funding will be made for the work that has already been done and has been planned on the relay for the Derry to Coleraine route.

There is strong support at our North/South meetings for growing and improving the rail network and for trying to get the best value from it, but the Member will know from his time on the Regional Development Committee that rail is a very expensive form of transport. Nonetheless, it is a necessary one, and we want to ensure that it continues to be sustainable. That is why I lifted the ban on investment in the Derry to Coleraine part of the track, which had been in place under previous Administrations. We have developed a project for a £12 million track-extension work in relation to that. Some of that will involve a bid for European assistance, but it is limited. Some people think that the connection from Dublin to Cork was built by Europe; that is not the case at all. There is some funding from Europe, but the vast bulk of the funding will be put up by the individual Administrations responsible for the construction of railway lines.

Mr McElduff: Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom mo bhuíochas a ghabháil leis an Aire as a ráiteas ar maidin.

I thank the Minister for his statement. Will the Minister give an indication of the timeline for completing the vital A5 north-west gateway to Aghnacloy, which local campaigners have described as a road to opportunities for the north-west? Will he also give assurance that families who are inconvenienced are properly consulted and that proper compensatory

arrangements are arrived at where that is absolutely necessary?

The Minister for Regional Development: In relation to the second part of the Member's question, that work is ongoing. Last week, there were public displays in a number of areas along the proposed route. I am told by Roads Service that those were well attended and that feedback on the engagement between Roads Service and interested parties was positive.

That work continues not just in those public displays, but on a one-to-one basis between affected landowners and Roads Service and its consultants. So there is a very strong determination that, where people's land is affected, they are properly compensated and issues such as access and ease of movement around farm areas are dealt with as best as possible. That is why, even when a preferred route is identified, there is still some flexibility and movement for assisting in some of the land issues. A closer study of the preferred route may throw up areas of difficulty that have not been anticipated. So, even within the preferred route, there can be some flexibility.

As I said in answer to an earlier question, construction is anticipated to start in 2013. It is due to finish in 2015. From my discussions with people in the north-west — in business, industry and communities — I have no doubt that there is a strong desire to see proper connections between the north-west and the rest of the island.

Mr A Maginness: I thank the Minister for a detailed, comprehensive and interesting report. I note that:

"Ministers noted that development work has been continuing on the A5".

I want to ask about that. I wrote to the Minister on Friday about a decision by Mouchel, a civil engineering consultation company working on the A5, to make staff in Holywood in Northern Ireland redundant, despite the fact that they are working on the A5. Mouchel's staff in Glasgow and other parts of Britain will then be used to work on the A5. Has the Minister made any representations about that and is he disturbed, or outraged as I am, about such a report? What action will he and the Southern Government take in relation to Mouchel and its contract?

The Minister for Regional Development: I advise the Member that no representations

had been made to me previously about that. He is aware that there are European guidelines in relation to the awarding of contracts, but we nonetheless broke up the A5 contract into three chunks to make it more attractive and accessible to local contractors. As a result, we have three sets of contractors involved in the construction part, including F P McCann, P T McWilliams and Graham-Farrans in the three different sections. The ethos of the A5 contract has been to support local economic activity through the substantial infrastructure investment that we are making.

I am disturbed to be made aware of Mouchel's approach, and I will take it up with Roads Service. I will endeavour to discuss this with Mouchel. As I have said, the spirit of the contract has been about using the infrastructure investment to support local economic activity.

Mr G Robinson: What steps are being taken by Translink to rebuild passenger numbers on the Enterprise rail link, and at what cost to the Northern Ireland public purse?

The Minister for Regional Development: There is a whole range of measures. The invest to save report identified a range of options, including, as the top line, some £700 million of investment, which I do not think is available, even with the best will in the world, to either Department, North or South. However, there are plans to invest in the frequency of the service, which will have some revenue costs and consequences for the Department. Also, engineering work will be carried out to improve the reliability of the engines.

As I said in the statement, there are plans for investment at Lisburn to create an additional stop if we can extend the platform there. That is intended to be a pilot venture, to see whether it catches on and improves passenger numbers and increases demand for services at Lisburn. Also a consideration for Iarnród Éireann, which has a morning service from Dundalk to Dublin, is whether it should start that service in Newry. From my own experience, I know quite a number of Newry people who catch that early morning service to work in Dublin. That will be a welcome development.

11.00 am

There is a range of investments, and I do not have the costings for each and every one. Some of them are on a smaller scale than others. A

report submitted by the Centre for Cross Border Studies identified a range of suggestions, some expensive and some just to do with cleanliness and hygiene on the service and the ambience on the train. We have asked Iarnród Éireann and Northern Ireland Railways to come back to the next North/South sectoral meeting on transport and to present to us, on the basis of that report, the steps that, they think, they can take in the interim to improve the service.

Executive Committee Business

Debt Relief Bill: Final Stage

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

That the Debt Relief Bill [NIA 9/09] do now pass.

I am sure Members will agree that this is a timely measure, given the financial difficulties faced by so many today. Until now, there has been a gap in the legislative provision to assist individuals burdened by debt that they cannot pay. Relief is already available to those who can afford the £310 deposit and £115 court fee to petition for bankruptcy. Bankruptcy will protect them from action by their creditors for a full year, at the end of which they will be fully released from further liability for most types of unsecured debt. However, the current law does nothing to assist those who cannot afford the £425 needed to petition for bankruptcy. They are left to suffer the stress of being burdened by debt and the consequent creditor pressure. This new debt relief legislation will give individuals in those very difficult circumstances access to relief from debt similar to that afforded by a bankruptcy order but at a much lower cost. It will do so by enabling the Official Receiver to make debt relief orders with similar effect.

The key to the scheme's success will be partnership. It will involve partnership between my Department and the organisations already providing debt advice. As Members are aware, my Department already provides substantial funding to three such organisations to enable them to provide advice to those in debt. They provide an excellent and much needed service. The Bill will add to their ability to help their clients and to tackle debt and poverty. Debt advisers will be able to recommend the scheme to clients in appropriate cases and to electronically complete applications on their behalf and submit them to the Official Receiver.

The Bill has been subject to detailed scrutiny by the Enterprise, Trade and Investment Committee, and I thank the Chairperson and members for their careful consideration of it. I am satisfied that the Bill strikes the right balance between meeting the needs of those it is intended to assist and safeguarding the interests of wider society, including the business community. The legislation is for people who would not be able to pay their debts in any

event, for the simple reason that they do not have the money to pay them. The Bill will not give people carte blanche to run up debt and not repay it, and the scheme will be carefully managed to ensure that it is focused on and limited to applicants who genuinely cannot pay their debts.

The Bill will make an important difference to many people's lives and, overall, will make a major contribution to tackling the problem of personal debt in Northern Ireland.

The Chairperson of the Committee for Enterprise, Trade and Investment

(Mr A Maginness): I thank the Minister for moving the Final Stage of the Debt Relief Bill. The Committee welcomes the Bill, which will provide a much needed solution for those who can neither fund an individual voluntary arrangement nor afford the cost of petitioning for bankruptcy. Those individuals are currently unable to free themselves from a lifetime burdened by debt that they have no reasonable prospect of being able to pay.

The Committee considered the principles of the Bill to be the provision of a debt relief solution to debtors with relatively low liabilities, no realisable assets and little or no disposable income with which to make contributions to creditors. The Committee had three specific areas of concern relating to the Bill: the timelines for investigations to be carried out and the making of debt relief orders; the time limits between which debt relief orders can be made for an individual; and the 15-year upper time limit of debt relief restriction orders. The Minister and her officials addressed those concerns to the satisfaction of the Committee at Committee Stage. I thank the Minister for attending to those concerns.

During its prelegislative scrutiny, the Committee recognised the importance and urgency that needed to be attached to the legislation and registered its disappointment at the time that it would take to bring the Debt Relief Bill to the Assembly. I assure the Minister and the Assembly that the Committee will make every effort to ensure that its scrutiny of the subordinate legislation associated with the Bill is swift and thorough. I encourage the Minister to provide similar assurances in bringing subordinate legislation to the Committee.

As I said, the Bill will provide a much needed remedy. That is especially the case during these

difficult times for so many businesses and individuals. It is, therefore, incumbent on the Assembly to ensure that there are no undue delays in providing that remedy.

Mrs McGill: Go raibh maith agat, a Cheann Comhairle. I apologise for the absence of Jennifer McCann. She has dealt with the Bill right through its passage and had intended to be here to speak to it today. Unfortunately, however, she was called to another meeting.

Debt has become a major issue of concern for many people, particularly given the economic climate in which people now find themselves. In these times of increased financial difficulty, many low-income households that are already in poverty, particularly low-income families with children, will feel the effect of debt most. They already struggle to make ends meet. There are many children here living in poverty who will not have the same life chances as others. That will affect their physical and mental health, their education and their lifetime opportunities as they are forced to go without. A knock-on effect will be that more and more people will be forced to borrow, which will spiral them into more and more debt.

The recent comprehensive spending review statement by the British Chancellor, the projected cuts in welfare benefits and public sector spending and the resulting job losses will no doubt spiral even more of the most disadvantaged people into even more debt. Therefore, the Bill has to be welcomed. We are disappointed that the exceptional circumstances provision was not added at clause 2, but we welcome the Minister's commitment to undertake a thorough review of the debt relief scheme. However, we ask that she do that within a year instead of within three years.

Mr Irwin: I welcome the fact that the Bill has reached Final Stage. It is good news for those who, when it is enacted, will be able to avail themselves of the protection that it affords. As I said at earlier stages, it is timely legislation. I trust that it will be operational as early as possible. I thank the Minister and the Committee for their work on the Bill, which will be of benefit to those who need debt relief the most.

Mr Cree: As a member of the Committee for Enterprise, Trade and Investment, I have long been in favour of the Bill. As the Chairman said, there were specific areas about which the Committee had concerns. However, I am glad to

say that the Department worked proactively to clarify any concerns that Committee members had.

For those who find themselves with debts that they have little or no realistic chance of paying off, there is no doubt that it is a distressing state of affairs. Debt really can be a vicious circle, particularly for the most vulnerable. That is exactly why the Assembly should introduce reasonable protections such as the Debt Relief Bill. The current economic situation in Northern Ireland has no doubt made what were already difficult conditions for some almost impossible. With falling property prices, record levels of personal debt and the inevitable fiscal squeeze that faces us, the number of people who find themselves in difficulties may increase in the near future. That is why I welcome any planned moves by the Assembly to help those whose life has been shattered by the lead weight of debt.

I have never believed in the anomaly that anyone who wishes to petition a court for bankruptcy is expected to pay £345 just to do so. I look forward to application fees for the debt relief scheme being set considerably lower. A similar protection scheme that became operational in England and Wales last year is already showing positive results. I have every confidence that we will see similar outcomes in Northern Ireland when our debt relief scheme becomes operational early next year. However, I hope that the Department has been keeping and will continue to keep an eye on such schemes across the water, so that it can learn from those experiences in anticipation of Northern Ireland's scheme becoming operational.

I believe in giving credit where credit is due, so it is only right that I express my gratitude to the Minister for bringing forward the Bill and for working so effectively with the Committee throughout. The Ulster Unionist Party strongly supports the Bill.

The Minister of Enterprise, Trade and

Investment: I thank the Chairperson and other members of the Committee who spoke about the Bill. It is important legislation that shows that the Assembly can deliver for vulnerable people. I thank the Committee very much for the way in which it proactively worked with departmental officials.

I will address one of the Chairperson's points. Once the Bill is passed, six pieces of subordinate legislation must be brought forward, and the necessary ICT systems need

to be put in place to allow debt advisers — the intermediaries — to communicate with the Official Receiver. Therefore, we now need to move ahead with that ICT work and the subordinate legislation. I have given a commitment to move ahead on those as quickly as possible.

We decided that we wanted to keep the scheme as simple and straightforward as possible. We wanted to keep down administration costs so that the application fee to which Mr Cree referred can be kept to a minimum and to make the task of assessing eligibility as easy as possible for debt advisers acting as intermediaries. That is why we kept the scheme as simple as we could.

I commend the Bill to the House. The Bill will make a difference to many vulnerable people, and I hope that the whole House supports it.

Question put and agreed to.

Resolved:

That the Debt Relief Bill [NIA Bill 9/09] do now pass.

Unsolicited Services (Trade and Business Directories) Bill: Final Stage

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

That the Unsolicited Services (Trade and Business Directories) Bill [NIA Bill 12/09] do now pass.

As I said at Second Stage, the Bill re-enacts, with amendments, the provisions of the Unsolicited Goods and Services (Northern Ireland) Order 1976 about charges for entries in business or trade directories.

The Bill is a technical measure that consolidates the law on unsolicited services related to trade and business directories, with amendments to remove anomalies and burdensome or unnecessary provisions. The Bill is drafted to ensure that the law in Northern Ireland continues to have the existing safeguards for businesses against certain deceptions and scams in the publication of real or pretended directory products.

The Bill will bring the law in Northern Ireland into line with that in Great Britain. It will also ensure that the relevant Northern Ireland law complies with article 9.1 of the European Commission's directive on electronic commerce by removing a potential obstacle to contracting by electronic means in the directory publishing field.

I thank the Chairman and members of the Committee for Enterprise, Trade and Investment for their careful scrutiny of the Bill and Members generally for their support in its progress.

The Chairperson of the Committee for Enterprise, Trade and Investment

(Mr A Maginness): I thank the Minister for proposing the Final Stage of the Unsolicited Services (Trade and Business Directories) Bill. The Committee considered the principles of the Bill to be, first, to re-enact, with amendments, certain provisions in the Unsolicited Goods and Services (Northern Ireland) Order 1976 governing the circumstances in which businesses may be charged for publications about them in directories. Secondly, the Bill will update legislation to facilitate electronic commerce by introducing equivalence between paper-based and electronic methods for contracting an entry in a directory.

11.15 am

The Bill represents a clear-cut technical amendment to existing legislation, and, following

thorough scrutiny, the Committee had no significant concerns about it. The Minister will know that two additional Bills are in Committee. I thank her and her Department for the constructive relationship that they developed with the Committee during the scrutiny of the Bills that will be discussed today, and I look forward to continuing that relationship as the Committee considers those remaining Bills.

Mr Irwin: As a recently appointed member of the Committee for Enterprise, Trade and Investment, I confess that I had no part in discussions on the Bill. Nonetheless, I welcome the fact that it enjoyed widespread agreement among Committee members and that, as a result, it has progressed relatively quickly. I thank members and the Minister for their proactive work on the Bill, and I welcome the aims that the Bill seeks to address, especially in an age when electronic communication is to the fore. I support the Bill and hope that it is enacted in the shortest possible time.

The Minister of Enterprise, Trade and Investment:

As you can see, Mr Speaker, this is a technical Bill, which is intended to lift burdens on directory publishers and advertisers. At the same time, it will ensure that, as far as possible, advertisers and trade directories are protected from scams.

Before the Bill receives Royal Assent, my Department intends to write to organisations that represent business interests in Northern Ireland to advise them that it is about to become law. In addition, the Department will outline the changes that the Bill will make in that area and to highlight the existence of scams associated with unsolicited business directory offers. I am grateful to the Chairperson of the Committee and, indeed, to members for their remarks. Although the Bill is technical in nature, it is important that it become law, as it will update the unsolicited services law in Northern Ireland to reflect the twenty-first century commercial realities of the trade and directory publishing industry. I commend the Bill to the Assembly.

Question put and agreed to.

Resolved:

That the Unsolicited Services (Trade and Business Directories) Bill [NIA Bill 12/09] do now pass.

Additional Paternity Leave Regulations (Northern Ireland) 2010

Mr Speaker: The next six items of business are motions to approve statutory rules on paternity pay and paternity leave. There will be separate debates on each of the statutory rules. However, during the first debate, Members will be allowed some latitude to address the broad policy issue that is clearly common to all the motions. I hope that Members will find that helpful.

The Minister for Employment and Learning (Mr Kennedy): I beg to move

That the Additional Paternity Leave Regulations (Northern Ireland) 2010 be approved.

To understand the regulations properly, we must consider them as part of a larger set of 12 associated statutory rules, which, together, will effect significant amendments to employment rights for working fathers. In the initial debate on the six sets of regulations, which require Assembly approval to allow them to continue in operation, I intend to provide Members with the broad background to the proposed changes, which will establish the policy context that underpins all today's deliberations on additional paternity leave and pay.

After the debate on the first set of regulations and subject to the Assembly's approval of them, I will seek the Assembly's approval of the five associated sets of regulations, which are also subject to what is commonly referred to as confirmatory procedure. Of the remaining six statutory rules, which will not be debated today but will form part of the overall legislative package, five are subject to negative procedure and one is a straightforward commencement Order that is not subject to Assembly proceedings.

Additional paternity leave and pay emerged as a policy proposal after the publication of the United Kingdom Government's 2004 document 'Choice for parents, the best start for children: a ten year strategy for childcare'. Initial public consultation on a range of measures took place in 2005 and informed the drafting of the Work and Families Act 2006, which provided the legislative framework for additional paternity leave and pay. The corresponding Northern Ireland legislation is the Work and Families (Northern Ireland) Order 2006, which was developed in light of local responses to public consultation. That consultation was the first of four public consultations to take place in

Northern Ireland between 2005 and 2010, all of which shaped the design of the right. Throughout the process, Northern Ireland consultees generally endorsed the principle of maintaining parity with Great Britain, as that is the approach that was adopted for comparable rights for working parents.

It is also important to clarify that additional paternity leave and pay will be administered on a UK-wide basis by Her Majesty's Revenue and Customs, mirroring arrangements already in place for statutory maternity pay, statutory adoption pay and ordinary statutory paternity pay. The right will give eligible employees, usually fathers of newborn or newly adopted children, the right to take up to 26 weeks' leave from work where their partner has returned to work at least 20 weeks after the start but before the end of maternity or adoption leave. Maternity and adoption leave are for a maximum of 52 weeks.

The right will also give eligible employees an entitlement to additional statutory paternity pay for the duration of any unused portion of their partner's statutory maternity pay, maternity allowance or statutory adoption pay. Entitlements will apply to parents of children due to be born on or after 3 April 2011 and to adoptive parents notified of having been matched with a child for adoption on or after that date. That means that the parents of premature babies — those due on or after 3 April 2011 but born early — will also benefit.

Additional paternity leave, which is the main focus of this statutory rule, can be started from 20 weeks after the child is born and must be completed by the child's first birthday or one year after placement began in the case of adoption. The 20-week restriction is intended to ensure that mothers or adopters are not placed under pressure to return to work early. That is of particular relevance to new mothers, given the recognised health benefits associated with breastfeeding during the first six months of a baby's life. Eligible employees will have to give notice to their employer at least eight weeks before the leave starts, including a signed declaration from the employee and their partner confirming eligibility and stating the intended start and end dates for the leave.

The regulations make special provision to deal with the rare and very difficult circumstances of the death of the mother or adopter. In such

situations, employees who have not already completed their period of leave will be able to start their leave at any point from the date of death. Employees who have not already completed their leave can remain on leave until the child's first birthday or the first anniversary of the placement. Different notification requirements apply in that circumstance. As with other statutory arrangements, employers are free to go beyond the statutory minimum leave requirements in an effort to attract and retain employees.

As a whole, the pay and leave package is expected to have a positive impact from an equality perspective, in that the new right supports working fathers in their family life and provides both parents with additional choice and flexibility in balancing their responsibilities at work and in the home. There are also benefits for children. Research has shown that, when mothers work during the first year of their child's life and fathers play a greater role in the child's upbringing, there can be strong beneficial effects on the child's cognitive development.

I will now turn to the regulatory impact of the measures, which must also be a key consideration, given the prevailing economic circumstances. Although it is important to ensure that parents in Northern Ireland are afforded the same rights that apply to the rest of the United Kingdom, it is, of course, equally important to recognise the particular challenges that employers and, in particular, small and medium-sized enterprises face in acting on their responsibilities as employers in the current economic climate.

The projected set-up and administration costs to employers are relatively small and, across all employers, amount to an overall total maximum of £125,000 in the first year and up to £270,000 per annum from then on. It is unlikely that individual small employers will experience a high frequency of cases and, as a result, will not face the same administration costs, as there will be little need for them to establish dedicated administrative systems. Costs to Her Majesty's Revenue and Customs to operate the right in Northern Ireland are estimated at £35,000 in the first year and a maximum of £80,000 per annum thereafter.

I assure the House that my Department fully appreciates the difficulties that small employers in particular face in meeting their

legal responsibilities, and we are committed to working with relevant government agencies and stakeholder bodies such as Invest Northern Ireland, the Federation of Small Businesses and the Labour Relations Agency to ensure that the SME sector is prepared for the introduction of the new arrangements.

I will deal separately and as succinctly as possible with the provisions of the other regulations as the remaining motions on additional paternity leave and pay are moved during today's debates. However, I have attempted to set out for Members the key general features of the right to additional paternity leave and pay as well as the specific issues that relate to the Additional Paternity Leave Regulations (Northern Ireland) 2010.

I am very grateful to the Committee for Employment and Learning and the Examiner of Statutory Rules for their scrutiny of this statutory rule and, indeed, all the statutory rules that will be considered today. I am also grateful to the Committee for its recommendation that the Additional Paternity Leave Regulations (Northern Ireland) 2010 be confirmed by the Assembly. I hope that I have provided the House with sufficient explanation of the regulations and will, of course, respond to Members' points during my closing remarks.

The Chairperson of the Committee for Employment and Learning (Mrs D Kelly): The Committee considered the SL1 background note for this and the other five confirmatory statutory rules that are under consideration this morning at its meeting on 8 September and considered and agreed this and the other five confirmatory statutory rules in principle at its meeting on 22 September.

With your indulgence, Mr Speaker, I will outline the Committee's consideration of the statutory rules at the outset and will not repeat it for each statutory rule. I will also outline the Committee's view on the additional paternity leave and pay arrangements now rather than repeat it with each motion. The statutory rules all work towards a common purpose. As the Minister indicated, the statutory rules introduce a new entitlement for fathers in particular to take six months' leave from their work to care for a child if the child's mother or primary adopter returns to work without taking their full entitlement to maternity leave or adoption leave. Some of the leave can be paid.

The Committee notes the Department's consultation process, equality and regulatory impact assessments, the financial implications and the operational date of the regulations. The Committee is tremendously supportive of the regulations and the flexibility that they provide for modern families. On behalf of the Employment and Learning Committee, I support the motion.

Mr McClarty: Like the Chairperson of the Employment and Learning Committee, I welcome and support the regulations and congratulate the Minister on bringing them to the House.

Mr Lyttle: I, too, welcome and support the six statutory rules that the Minister will bring before the House for confirmation today and the primary legislation for which they are necessary. That will enact improved paternity leave and pay arrangements for families in Northern Ireland.

The Minister for Employment and Learning: I am grateful to the Chairperson of the Committee and to the other Members for their positive contributions. I welcome their remarks and thank them for their assistance.

I remind the House that the regulations introduce a new entitlement for employees who are fathers or partners of mothers or adopters to take additional paternity leave in the first year of their child's life or the first year after the child's placement for adoption. The policy objective is to provide working parents with greater choice and flexibility around balancing work and home responsibilities at the time that a child is born or placed in adoption. I commend the regulations to the House.

Question put and agreed to.

Resolved:

That the Additional Paternity Leave Regulations (Northern Ireland) 2010 be approved.

11.30 am

Additional Statutory Paternity Pay (General) Regulations (Northern Ireland) 2010

The Minister for Employment and Learning (Mr Kennedy): I beg to move

That the Additional Statutory Paternity Pay (General) Regulations (Northern Ireland) 2010 be approved.

These regulations implement the powers in the Work and Families (Northern Ireland) Order 2006 to introduce a new entitlement for eligible employees who are the partners of mothers or adopters to receive a new statutory payment of additional statutory paternity pay from their employer. Additional statutory paternity pay is payable to eligible employees who are taking time off to care for their child during their partner's maternity or adoption pay period — 39 weeks — where the partner has returned to work before exhausting their statutory pay entitlement. The current weekly rate of pay is £124.88, or 90% of the employee's average weekly earnings if that amount is lower.

Employers can recover most or all of their additional statutory paternity payments from Her Majesty's Revenue and Customs. The proportion that they can recover depends on the size of their annual National Insurance liability, so small employers are more likely to be able to recover the full cost of payments made. Additional statutory paternity pay is payable from 20 weeks after the child is born or placed for adoption, provided the mother or adopter has returned to work. However, the regulations make special provision for the tragic situation of the death of the mother or adopter. In that situation, payment can be paid from the date of death.

To claim additional statutory paternity pay, eligible employees must give notice at least eight weeks before the pay period starts, and that must include a signed declaration both from the employee and their partner confirming eligibility and the intended duration of leave during which additional statutory paternity pay will be payable by the employer. As with the leave arrangements, employers are, of course, free to go beyond the statutory minimum pay requirements where they consider that that will be of benefit to the recruitment and retention of employees. I commend the motion to the House.

The Chairperson of the Committee for Employment and Learning (Mrs D Kelly): On behalf of the Committee, I support the motion.

The Minister for Employment and Learning: I am grateful to the Chairperson of the Committee, and I commend the regulations to the House.

Question put and agreed to.

Resolved:

That the Additional Statutory Paternity Pay (General) Regulations (Northern Ireland) 2010 be approved.

Additional Paternity Leave (Adoptions from Overseas) Regulations (Northern Ireland) 2010

The Minister for Employment and Learning (Mr Kennedy): I beg to move

That the Additional Paternity Leave (Adoptions from Overseas) Regulations (Northern Ireland) 2010 be approved.

These regulations implement the powers in the Work and Families (Northern Ireland) Order 2006 to introduce a new entitlement for employees adopting children from overseas to take additional paternity leave in the first year after the child enters Northern Ireland. For the purposes of these regulations, adoption from overseas means the adoption of a child who enters Northern Ireland from outside the United Kingdom in connection with or for the purposes of adoption that does not involve the placement of the child for adoption under the law of any part of the United Kingdom. The regulations make provision comparable with that in respect of domestic UK adoptions, made by the Additional Paternity Leave Regulations (Northern Ireland) 2010, but with appropriate modifications, reflecting the differing processes governing adoptions from overseas.

The Chairperson of the Committee for Employment and Learning (Mrs D Kelly): On behalf of the Committee, I support the motion.

Question put and agreed to.

Resolved:

That the Additional Paternity Leave (Adoptions from Overseas) Regulations (Northern Ireland) 2010 be approved.

Additional Statutory Paternity Pay (Adoptions from Overseas) Regulations (Northern Ireland) 2010

The Minister for Employment and Learning (Mr Kennedy): I beg to move

That the Additional Statutory Paternity Pay (Adoptions from Overseas) Regulations (Northern Ireland) 2010 be approved.

Mr Speaker, we seem to be moving from here to paternity with some ease and without so much as a pregnant pause. *[Laughter.]*

These regulations, made under provisions inserted into the Social Security Contributions and Benefits (Northern Ireland) Act 1992 by the Work and Families (Northern Ireland) Order 2006, make provision for additional statutory paternity pay in respect of adoptions from overseas. An adoption from overseas is defined in these regulations as the adoption of a child who enters Northern Ireland from outside the United Kingdom in connection with or for the purposes of adoption, which does not involve the placement of the child for adoption under the law of any part of the United Kingdom. The regulations mirror the Additional Statutory Paternity Pay (General) Regulations (Northern Ireland) 2010, with appropriate modifications reflecting the differing processes governing adoptions from overseas.

The Chairperson of the Committee for Employment and Learning (Mrs D Kelly): On behalf of the Committee, I support the motion.

The Minister for Employment and Learning: I am grateful for the Kennedy and Kelly show. *[Laughter.]* I thank the Chairperson of the Committee for her assistance and the Members of the House for their co-operation.

Question put and agreed to.

Resolved:

That the Additional Statutory Paternity Pay (Adoptions from Overseas) Regulations (Northern Ireland) 2010 be approved.

Additional Statutory Paternity Pay (Weekly Rates) Regulations (Northern Ireland) 2010

The Minister for Employment and Learning (Mr Kennedy): I beg to move

That the Additional Statutory Paternity Pay (Weekly Rates) Regulations (Northern Ireland) 2010 be approved.

These regulations set out the weekly rate for additional statutory paternity pay under part XIIZA of the Social Security Contributions and Benefits (Northern Ireland) Act 1992, as amended by the Work and Families (Northern Ireland) Order 2006. The rate is set at either £124.88 or 90% of average weekly earnings, whichever is lower, and is the same rate that is applicable to ordinary statutory paternity pay, statutory adoption pay, maternity allowance and all but the first six weeks of statutory maternity pay.

Additional statutory paternity pay is payable by the employer to the employee. However, the employer is entitled to a reimbursement from Her Majesty's Revenue and Customs for most or all of the money paid. The extent of reimbursement depends on the employer's national insurance contributions liability. Small employers making fewer national insurance contributions will stand to be reimbursed for all statutory payments made.

The Chairperson of the Committee for Employment and Learning (Mrs D Kelly): On behalf of the Committee, I support the motion.

The Minister for Employment and Learning: I am grateful to the Chairperson of the Committee.

Question put and agreed to.

Resolved:

That the Additional Statutory Paternity Pay (Weekly Rates) Regulations (Northern Ireland) 2010 be approved.

Employment Rights (Northern Ireland) Order 1996 (Application of Article 112BB to Adoptions from Overseas) Regulations (Northern Ireland) 2010

Mr Speaker: The final motion in this group deals with employment rights.

The Minister for Employment and Learning (Mr Kennedy): I beg to move

That the Employment Rights (Northern Ireland) Order 1996 (Application of Article 112BB to Adoptions from Overseas) Regulations (Northern Ireland) 2010 be approved.

These are technical regulations that ensure that the right to additional paternity leave is available where a child is adopted from outside the United Kingdom and the adoption does not involve the child's placement or adoption under the law of any part of the United Kingdom.

The Chairperson of the Committee for Employment and Learning (Mrs D Kelly): On behalf of the Committee, I support the motion. However, I make a cautionary note to the Minister that not all future legislation will go through so smoothly.

Question put and agreed to.

Resolved:

That the Employment Rights (Northern Ireland) Order 1996 (Application of Article 112BB to Adoptions from Overseas) Regulations (Northern Ireland) 2010 be approved.

Mr Speaker: I ask that the House take its ease as we move to the next business.

Private Members' Business

Local Government (Disqualification) Bill: Further Consideration Stage

Mr Speaker: I call Ms Dawn Purvis to move the Further Consideration Stage of the Local Government (Disqualification) Bill.

Moved. — [Ms Purvis.]

Mr Speaker: Seven amendments have been selected for debate. Members will have a copy of the Marshalled List of amendments detailing the order for consideration. The amendments have been grouped for debate in my provisional grouping of amendments selected list.

There are two groups of amendments, and we will debate the amendments in each group in turn. The first debate will be on amendment Nos 1, 2, 6 and 7, which deal with the delay in disqualification taking effect and some technical adjustments to the Bill. The second debate will be on amendment Nos 3, 4 and 5, which deal with commencement and interim arrangements.

I remind Members intending to speak that, during the debates on the two groups of amendments, they should address all the amendments in each particular group on which they wish to comment.

Once the initial debate on each group is completed, any subsequent amendments in the group will be moved formally as we go through the Bill, and the Question on each will be put without further debate.

Before we proceed, I remind Members that this is the Further Consideration Stage of the Bill and that they should be talking about the amendments. I will allow some latitude. However, Members are wrong if they think that that latitude can be spread. As far as possible, Members should keep to the amendments only, which Further Consideration Stage is about. If that is clear, we shall proceed.

Clause 1 (Disqualification)

Mr Speaker: We now come to the first group of amendments for debate. With amendment No 1, it will be convenient to debate amendment Nos 2, 6 and 7.

Amendment Nos 1, 6 and 7 are technical amendments. Amendment No 2 would reduce the period during which a person could hold

office both as a councillor and as an Assembly Member from 60 days to 14 days.

Ms Purvis: I beg to move amendment No 1: In page 1, line 2, at beginning insert "Subject to subsection (2),".

The following amendments stood on the Marshalled List:

No 2: In page 1, line 4, leave out "60" and insert "14". — [Mr Kinahan.]

No 6: In clause 3, page 1, line 11, leave out "and 'local government' have" and insert "has". — [Ms Purvis.]

No 7: In the long title, leave out "from" and insert "for". — [Ms Purvis.]

Ms Purvis: Amendment No 1 would insert language into clause 1 to harmonise and clarify the language in subsections (1) and (2). Members will recall that those subsections came about as amendments to the Bill during Consideration Stage and that the final product was a somewhat awkward mix of language. In conversations with the Department of the Environment following Consideration Stage, officials indicated that they consider the amended clause to be slightly in conflict, although the Department does consider the legislation's objectives to be clear. During Consideration Stage, I opposed the amendment that created this awkwardness of language, in other words, the 60-day time frame on disqualification. That amendment was not well thought through and reflected a lack of understanding of the new regulations for filling vacancies on local councils. Rather than promoting a clear and efficient process for replacing those on local councils who have dual mandates, the provision has the potential to create complications, uncertainty and the possibility for a long, drawn-out process to fill some seats. Nevertheless, that is now part of the Bill.

In anticipation of Further Consideration Stage, I was unable to identify a legislative means that would adequately improve the situation without removing the 60-day time frame altogether. Therefore, we must now consider how to make the provisions work properly so that they do not cause unnecessary complications and delays for local councils. I have tabled amendment No 1 to improve the language in clause 1. Amendment No 1 links subsections (1) and (2) so that it is clear that the disqualification created by

subsection (1), a simple disqualification at the point of taking office, is subject to the 60-day time frame created by subsection (2).

Amendment Nos 6 and 7 are technical amendments, which, again, were suggested by the Department of the Environment to clarify some language in the Bill. I am happy to table those amendments to ensure that the language in the Bill is as clear as possible. Amendment No 6 removes a reference in clause 3 to local government, which I am informed is not terminology used in the Local Government Act (Northern Ireland) 1972. Amendment No 7 modifies language in the long title to disqualify Assembly Members "for" being a councillor rather than "from" being a councillor.

I am advised that that is more in keeping with the relevant legislative language and mirrors that used in clause 1.

11.45 am

I commend my colleagues in the Ulster Unionist Party for their efforts in tabling amendment No 2. I look forward to hearing their comments, and I imagine that that amendment is an attempt to revise subsection (2) of clause 1 so that the delays created by the 60-day time frame are as manageable as possible for local councils. Given the 60-day time frame and the co-option regulations, the possibility remains that the local council seats of individuals with dual mandates may not be filled for three months after an election. Indeed, that timeline is potentially even longer for independents, depending on how quickly a willing replacement is found from the list of nominees. Although that may not have been the intention of those who supported that change to the Bill at Consideration Stage, it remains a possibility and one that political parties and local councils —

Mr Weir: The Member may be wrong in that assertion. The 60-day period is the period before resignation can take effect. There are regulations in co-option legislation that indicate a 28-day time frame when the clock starts ticking. On that basis, the assertion that there could be a vacancy for three months is not accurate. The maximum period in which there could be a vacancy is 28 days.

Ms Purvis: Actually, due to the disqualification at the end of the 60 days, there is potential to add on another 28 days to those 60 days. That is where the conflict arises, so the potential is

there. I hope that that will not happen, certainly not with any frequency or regularity. Rather, I hope that the timeline is used to ensure that disqualifications and co-options take place as quickly as possible, as its proponents insist will be the case. I would again like to acknowledge the efforts of Mr Kinahan and Mr Beggs to rein in that timeline a bit more. I look forward to hearing from them on how they envisage amendment No 2 working in practice.

I remind colleagues in the Chamber that at the heart of this legislation is the quality of our democracy and the level of leadership that we are willing to demonstrate to offer the people of Northern Ireland a system of representation that is as transparent, efficient, open, accountable and effective as possible. I commend those Members who have most recently stepped down from council positions in order to move our democracy closer to the principles and objectives of this legislation. I have no doubt that those who served in local government for a long time have strong regard for that role and that it is not an easy decision to step away from it. I hope that we can work together to ensure that this version of the Bill, which is ultimately created by this Assembly, makes that progression permanent, fully reflects our commitment to responsive, transparent government and is well written and well crafted.

The Chairperson of the Committee for the Environment (Mr Boylan): Go raibh maith agat, a Cheann Comhairle. On behalf of the Committee for the Environment, I welcome the Further Consideration Stage of the Bill. I will outline the Committee's position on the amendments in the first group.

At Consideration Stage, the Committee tabled an amendment that would allow a 60-day period to elapse before disqualification took effect. I thank Mr Weir for tabling that amendment on the day. That amendment aimed to ensure that there was time to fill all council seats before councils held their annual general meetings. The Committee is pleased that that is now part of the Bill. We fully support the sponsor's amendment No 1, which links that provision to the disqualification process identified in the first part of clause 1.

Having been convinced of the need for a period of 60 days to allow for the replacement of MLAs who had also been elected to council seats, the Committee cannot support amendment

No 2, which would considerably reduce the period before disqualification to 14 days. The Committee is concerned that that would provide insufficient time to fill all council seats vacated by newly elected MLAs in the event of simultaneous local government and local general elections. However, the Committee supports amendment Nos 6 and 7, which are technical.

That concludes what I have to say on behalf of the Committee for the Environment on the first group of amendments. With your indulgence, I will speak a wee bit as a Sinn Féin MLA for Newry and Armagh. On behalf of the party, I support amendment No 1 and the technical amendments, but I have issues with amendment No 2. There had been some confusion originally about the aim of the Committee amendment. The intention was that a 60-day period would give people an opportunity to make a decision. However, we are where we are.

In the absence of hearing what Mr Kinahan has to say, Sinn Féin fully supports disqualification and wants to move the process forward. We support amendment Nos 1, 6 and 7 and do not support amendment No 2. Go raibh míle maith agat.

Mr Ross: I, too, will be brief in my comments. As the Chairperson of the Committee said, amendment Nos 1, 6 and 7 are fairly non-contentious, and we can support them.

Amendment No 2 is in the name of Mr Beggs and Mr Kinahan. As the Chairperson said, there was discussion in Committee about the issue that the amendment deals with. We felt that 60 days was more appropriate, so that the entire process could be gone through and that parties could, if they so decided, run their own processes for co-option. Sixty days is more appropriate, so we will not be supporting amendment No 2.

Mr Kinahan: I stand, once again with great pleasure, to speak on the excellent private Members' Bill that Ms Purvis has put together through extremely hard work. Sadly, that is being put at risk by some low deeds by the DUP.

The first group of amendments attempt to put in place an end to dual mandates, which allow people to be elected as Members of the House and as members of their local councils. The last time the Bill was debated, I was especially appalled by the duplicity of the party on my left

when it tried to change the Bill's subject matter from dual mandates. It was typical smoke and mirrors, typical obfuscation, typical bluster, petty point scoring and, in many cases, blatant misinformation. They were trying to move the debate on to double-jobbing and away from dual mandates, which are about holding two paid elected positions.

Mr Speaker: I remind the Member to focus on the amendments as far as possible.

Mr Kinahan: I am just getting there. Amendment Nos 1, 6 and 7 are technical and are easy for all of us to agree, and the UUP supports them.

Amendment No 2, which my colleague Mr Beggs and I have tabled, is designed to put teeth into the Bill in as short and as sharp a way as possible. As the party to my left tries to hide the ill of dual mandates under the heading of "double-jobbing", the amendment tries to tie up all the chances for delay that have been put in by the DUP. At the moment, that delay sits at 60 days; the DUP would probably go for 60 months or even 60 years if it could. The amendment is a way to tidy up the DUP's fudge into a nice neat 14 days.

The amendment allows for those who feel that it is necessary to run as candidates for both the Assembly and a local council to do so in the knowledge that they must organise themselves for the occasion. That is especially important if the candidate is an independent, so that he or she can stand down from the council within 14 days of signing on in this institution.

If, as it has been argued, an independent needs more time to organise a successor, he or she can delay the process quite easily by not signing on here and, therefore, not taking up a salary until everything is in place.

Our amendment is designed to ensure that the public are fully aware of what is happening with the people whom they elect into office. After two months, there is a danger that any co-option will go ahead unnoticed. That is not in the interests of the electorate, and it is not in the interests of democracy. To allow so-called big hitters to go down the electoral ladder and pull unknowns into councils and then to let them away in the smoke after 60 days is not acceptable.

I call on all the other parties to not fall in with the DUP tricks and to support amendment No 2 so that the Local Government (Disqualification)

Bill really works and manages to stop Assembly Members running for local councils.

Mr Weir: Will the Member give way?

Mr Kinahan: No, I am just about to finish. The Member will have his own time in a second.

As a House, we voted to end dual mandates, and it falls on all Members to show the public that they meant it. I support amendment Nos 1, 6 and 7, and I ask all Members to support Mr Beggs, me and the Ulster Unionist Party by backing amendment No 2. That is what the public want.

Mr McGlone: Go raibh maith agat, a Cheann Comhairle. Like other Members who have spoken, I will be brief. I compliment Ms Purvis on her initiative and leadership in bringing the Bill to the Assembly.

I listened intently to Mr Kinahan. However, the SDLP feels that 60 days is a reasonable time frame within which council affairs can be regularised. That would include, for example, the process of a councillor coming in, another being replaced, and simple matters that may not have been factored in, such as how a person being absent from a council's AGM could affect the d'Hondt process where it exists or is operable.

For that reason, and with the best of goodwill, we do not think that 14 days allows sufficient time for a council's normal, proper housekeeping to take place. Therefore, the SDLP cannot, unfortunately, support that amendment. Although I understand entirely, and agree utterly with, the motivation behind the amendment, it just does not allow enough of a gap to regularise normal council matters. Amendment Nos 6 and 7 are technical, and the SDLP supports those.

Dr Farry: As with others, I think that amendment Nos 1, 6 and 7 are fine. The key issue for this section of the debate relates to amendment No 2. I formally declare my membership of North Down Borough Council.

With your indulgence, Mr Speaker, perhaps I could make clear that I have decided, with much regret, that I will not go forward for re-election to that council in 2011. I took that decision based purely on the strength of candidates coming through my party, particularly my local association, and the desire to ensure that new people get opportunities, rather than on any support for this legislation, which fundamentally

breaches the freedom of Back-Bench MLAs to choose to serve their community as councillors.

We will not be supporting the amendment either. Sixty days is better than the original alternative that we were faced with and all its potential difficulties. Our approach to the amendment is one of pragmatism and of making slightly better what we feel is a flawed situation, as opposed to any fundamental principle that it is right even to tinker with that. I have a major difficulty with the notion of having resignations of people who stood for election in May, whether they resign seven, 14 or 60 days after that election.

I fully support the notion of the co-option legislation that we have for the Assembly and local government, for genuine circumstances when people who, for career, family or health reasons, feel the need to step down from the bodies that they are serving on. That is why the legislation is there. Also, in a divided society, it is important that we have the guarantee of co-option, rather than by-elections, to reflect the balance across the community in what is still a deeply divided society. However, there is a world of difference between applying the co-option legislation in that scenario and people stepping down a matter of weeks after they have gone to the electorate, asked for their vote and been elected, with the electorate having assumed that they were electing someone to a full four-year term on a council.

I appreciate that, to an extent, parties dominate elections here, but in many respects we still vote for individuals, and individuals standing under a party label. People vote for the individual, particularly when individuals move between parties. The whole rationale as to why they stay in the Assembly is based on the fact that they were voted in as an individual, as opposed to the party label.

12.00 noon

The notion of voting for the individual is central to our democracy. It is the height of cynicism for people to be going forward to the electorate and then stepping down a matter of days or weeks afterwards. People will feel very let down by that. They will say that they voted for person x and all of a sudden are ending up with person y. I do not think that that is the correct way to go. We have already seen a situation in the fourth year of this Assembly term —

Mr Speaker: I remind the Member to focus on the amendment.

Dr Farry: Sure. I was making the parallel between the reaction of the public and the media and the fact that we have had more than 10 co-options here. People were quite rightly asking MPs who are also MLAs to step down as MLAs. In turn, people are now pointing out that we have Assembly Members who do not personally have a mandate. That has happened in the fourth year of this Assembly term, so just think what will happen to the credibility of a council in the first few weeks of its term.

As regards AGMs, 60 days rather than 14 days is helpful in this respect, because not every council will move to have an AGM within its first 14 days, but every council will have an AGM within the parameters of the first 60 days. Even though the individuals concerned may then be leaving the council with others taking their place, the party balance will definitely be respected within that first 60-day period and will facilitate that turnover.

We also have to factor in the party processes for finding replacements. Legally, the process is based on the nominating officer, but, in practice, virtually every party goes through its internal democratic processes of seeking nominations from candidates. Most parties, including the Alliance Party, also have a process whereby candidates are approved centrally before they go forward to selection. There are then selection meetings in local associations, and those are usually signed off by the party's nominating officer. Although those processes can be moved reasonably quickly and efficiently — much more efficiently than some parties have sought to portray when excusing the time that has been taken to sort out the MLA/MP dual mandate — they do, nevertheless, take weeks to work through. Even though we have the additional 28 days from the point of the resignation, it is important to have the 60 days plus 28 days to ensure that parties have that full opportunity and that individuals, who may not have thought that a vacancy was going to arise in a local area, have the potential to put their name forward for selection and to canvass support among local members of the association beforehand. I think that that is the only fair way to go. For those reasons and out of a sense of pragmatism, we will oppose amendment No 2.

Mr Weir: I declare an interest as a member of North Down Borough Council. I am saddened to hear that Stephen Farry will not be running for council again. He has been a great servant to North Down Borough Council.

As we are talking about local government, it would be wrong not to note the very sad news overnight of the death of Councillor Lawrence Walker from Castlereagh, who has been a great servant to local government. I am sure that all Members join me in saying that our thoughts are with his wife and family at this very difficult time.

I turn to the amendments. Dawn Purvis has tabled three technical amendments: amendment Nos 1, 6 and 7. It may be a unique experience as regards this Bill, but I will not castigate her for those amendments. As has been indicated, they are fairly technical, and I do not see any particular problem with them.

The hub of the debate has been amendment No 2. We were castigated for a lack of knowledge of co-option. The point has been made fairly well by Patsy McGlone and Stephen Farry that amendment No 2 perhaps shows a lack of knowledge of the way in which local government works, particularly as regards the AGM. My party and I have made no secret of our concerns about the Bill. However, I think that the 60-day period was proposed in Committee to deal with a specific issue and to try to make it workable. As has been indicated, it is not simply the case that, within a 14-day period, someone resigns and their place is taken the next day. The technical position is that the person contacts the chief executive of the council. The chief executive of the council then contacts the electoral officer, and the electoral officer contacts the party nominating officer. Then there is a 28-day period during which the party has to find a replacement internally. Any prospective candidate has to go through various regulations. Then the electoral officer is notified, and they in turn notify the chief executive of the council.

Ms Purvis: If an elected local councillor is about to be disqualified, that seat will be filled by the party nominating officer. Is it true that that seat counts towards d'Hondt if it is the council's AGM, if it is committee places or chairperson or vice-chairperson places? Is it true that there does not need to be a named person in the seat and that it is a party seat?

Mr Weir: No. At that point, there is still a vacancy, and it does not necessarily count. D'Hondt provides a degree of protection in certain respects, but there have been arguments in local councils that d'Hondt has not been applied uniformly. Ultimately, there would still be a vacancy. If a resignation has not been filled, it still counts as a vacancy. As Patsy McGlone —

Dr Farry: Leaving aside my personal views on d'Hondt, does the Member agree that the use of d'Hondt in councils is patchy and is not uniform across councils and that there is no statutory basis for the use of d'Hondt in councils? Therefore, the only way in which councils can take decisions is on the basis of those who are present and voting at the time.

Mr Speaker: I remind Members that we are straying from the amendment to the type of system that might be used in councils. I ask Members to focus on the amendment.

Mr Weir: I appreciate the attempts of both Members to distract me. I will listen to your wise words, Mr Speaker.

The problem is that, because of the timescales outlined by Patsy McGlone, if disqualification occurs within 14 days, most council AGMs will probably take place after that 14-day period but within 30 days of the election. Therefore, there will almost certainly be a vacancy, depending on what system is used. Some councils use one form of d'Hondt, some use another, and some do not use d'Hondt at all but have some slightly looser arrangements or simply a winner-takes-all situation. With any type of calculation, that will be a vacancy that is not filled at that point, unless a vacancy occurs within 14 days and is filled within that time. However, if that were to happen, it would completely negate any opportunity for democratic selection within parties, because it would simply have to be an imposed system. I appreciate that the sponsor of this legislation may be keen on such Stalinist tendencies and on a name appearing from on high, but most of us have a desire for democratic accountability.

Mr Kinahan: I am slightly taken aback by the last comment about Stalinist tendencies. Does the Member not feel that most parties can organise themselves well enough so that the person to follow up is in place?

Mr Weir: Taking on board that position, you would be selecting somebody before the election to replace somebody who has been elected, before they have been elected. That may be some crumb of comfort, given that Mr Savage was sent to the Gulag last night. However, ensuring that there are people waiting on the bench is not a particularly democratic way forward.

The Member raised an important point about parties running people as smokescreens. The idea that we are deceiving the electorate in some way is not attractive. It is my understanding that that is not how things work in the Ulster Unionist Party. No matter what happens with the legislation, can the Member give us a cast-iron guarantee that, in the spirit of their desire not to create a smokescreen for the electorate, none of their candidates who are running for next year's Assembly elections will also run for the council elections? I will be more than happy to give way if the Member is willing to give me that guarantee.

Mr Kinahan: We will follow the legislation. That is why we proposed 14 days in our amendment.

Mr Weir: Whether the timescale is 14 days or 60 days, my understanding is that the Ulster Unionist Party has already lined up members to replace its candidates who are elected to the Assembly and councils, and must, therefore, step down within the 14-day or 60-day period. Therefore, it ill behoves the Member to lecture us on smokescreens.

Mr McFarland: On a point of clarification, surely that is to do with a party member running, say, for the Assembly and council elections in 2011. If a party member runs in both elections and is likely to be elected to the Assembly but is worried that he might not be, surely the party will, by that stage, know that, if that member is elected, he will stand down from council and, therefore, it will need someone else to stand in. The argument that time is needed to have selection meetings simply does not stand up.

Mr Weir: With respect, everyone knows that that will not be the case. People will not run for election with cast-iron certainty that they will be elected. My point is that we are being lectured by the Ulster Unionist Party on the timescale, yet it does not intend to follow through in that spirit.

As others have highlighted with regard to amendment No 2, what was suggested by the

Committee and accepted at Consideration Stage was a sensible position to try to make that workable and to allow that window so that no party is disadvantaged, for example, at a council AGM. It seems to be a sensible way forward. As I have said, I have more profound problems with the legislation. At least, that is a solution that cracks a particular problem. Those of us who have experience of local government —

Mr Givan: I am grateful to the Member for giving way. He has rightly highlighted the Ulster Unionist Party's hypocrisy on the issue. Does he agree that parties can take decisions and actions without the need for legislation? The DUP took action to deal with MPs who were also MLAs without legislation being imposed by Westminster. Likewise, the Alliance Party took that action. Sinn Féin and the SDLP have not done the same.

Mr Speaker: Order. I must also insist that interventions deal only with the amendments.

Mr Weir: Obviously, although I agree with the spirit of the Member's remarks, I appreciate the shot across the bows from the Speaker. I will not get involved in that.

The Chairperson of the Committee for the Environment: Will the Member give way?

Mr Weir: I am tempted to say yes, provided that the intervention is germane to the amendment. I am happy to give way.

The Chairperson of the Committee for the Environment: My point relates to the amendment. The AGM issue came up in discussions in Committee, which is why the Committee suggested the timescale of 60 days. I want to clarify that for the House.

Mr Weir: Broad discussion took place in Committee on the time frame during which any disqualification would take effect. We sought advice. Different drafts were put forward, and that one was adopted by the Committee.

Without risking the opportunity for other interventions that may or may not have anything to do with the amendments, I am happy to indicate that my party is content with the three technical amendments. However, it will oppose amendment No 2.

Ms Purvis: I thank all parties and Members who support amendment Nos 1, 6 and 7. As I have said throughout the process, I recognise that

the legislation is a real inconvenience to parties in the Chamber. However, that does not change the fact that it is the right thing to do and that now is the right time to do it.

The Committee Chairperson, Cathal Boylan, welcomes and supports amendment Nos 1, 6 and 7, although he does not support amendment No 2. I welcome the fact that Danny Kinahan and Roy Beggs have made some attempt to rein in the time frame of 60 days. I refer to Mr Kinahan's comment that the amendment is designed to give the Bill teeth, tidy up the fudge of the party to his left and reduce the time for inaction.

The electoral process is riddled with opportunities for bad behaviour. This is no exception. However, legislation cannot control personal choice; it can only guide it. I hope that the Bill is used as a positive opportunity by parties to bring in new candidates and new blood. If it is not, it is my hope that voters will deliver appropriate punitive measures.

I welcome all parties' support for the amendments that I have tabled. I take on board Mr Weir's concerns about council AGMs and other comments that were made, such as those from Mr McGlone.

I remain convinced that co-option legislation provides sufficient time for vacancies to be filled. The easiest way for the issue to be resolved is for parties to decide that running one person for one level of elected office is sufficient.

12.15 pm

I welcome Mr Farry's decision to step down from North Down Borough Council. I am sure that it was a wrench for him, and I am sure that he will be sadly missed by his council colleagues in North Down.

I will finish by offering my sympathy to Councillor Lawrence Walker's wife and family at the sad news of his death today.

Question, That amendment No 1 be made, put and agreed to.

Amendment No 2 proposed: In page 1, line 4, leave out "60" and insert "14". —
[Mr Kinahan.]

Question put and negatived.

Clause 2 (Commencement)

Mr Speaker: We now come to the second group of amendments for debate. With amendment No 3, it will be convenient to debate amendment Nos 4 and 5.

Amendment Nos 3 and 4 are mutually exclusive amendments, setting out different options for delaying commencement of the Bill. Amendment No 5 provides for interim arrangements to have effect prior to commencement of clause 1. It is consequential to the amendments providing for a delay in commencement, so, if neither amendment No 3 nor amendment No 4 is made, I will not call amendment No 5.

Mr Weir: I beg to move amendment No 3: In page 1, line 7, leave out

"the day of the first local general election to take place after Royal Assent."

and insert "1st May 2014."

The following amendments stood on the Marshalled List:

No 4: In page 1, line 8, leave out "Royal Assent" and insert

"the making of the first order to be made after Royal Assent under section 50(10) of the Local Government Act (Northern Ireland) 1972." — [Mr Weir.]

No 5: After clause 2, insert the following new clause:

"Interim Arrangements

2A.—(1) The Department of the Environment shall make regulations under section 36 of the Local Government Act (Northern Ireland) 1972 reducing allowances payable to councillors who are members of the Assembly.

(2) The regulations shall have effect from the end of the period of 1 year after Royal Assent until the commencement of section 1." — [Mr Weir.]

Mr Weir: As Members are aware, this is a matter of grave interest to the House. We had a fairly robust debate, to put it mildly, at Second Stage and Consideration Stage. There is no point in rehearsing a lot of those lines again.

I will put the three amendments into context. As a party, we have major concerns over the Bill. In fact, we question the need for it at all. Our view is that it is an awful lot better to be in a situation in which parties are left to self-

regulate. The DUP has taken steps and actions to do that. Consequently, we are not greatly in favour of the Bill as a package, and we feel that many of the arguments that have been used in its favour have been spurious or weak. However, in a spirit of trying to reach some degree of consensus and secure a compromise position, I tabled these three amendments. The amendments deal with the arguments that have been made, which have some degree of traction.

As the Speaker indicated, amendment Nos 3 and 4 are, effectively, alternatives, either of which we would be happy to see made. I will come to the detail of those amendments in a moment. Amendment No 5 is a consequential amendment. Should either amendment No 3 or amendment No 4 be made, we will move amendment No 5. If amendment Nos 3 and 4 fall, amendment No 5 will become an irrelevance, because it would relate to interim arrangements for a period that would not apply.

I will now speak to amendment Nos 3 and 4. It is our view that, if there is an argument for stepping directly outside the two positions on the RPA, that argument is much stronger when the RPA is in its current position. Consequently, our hope is that we will see the RPA move ahead by 2014 or 2015, and that hope is reflected in amendment Nos 3 and 4.

I will take the amendments in reverse order. Amendment No 4 may confuse people because it is technical, but advice was given to link it directly to the implementation of the RPA. The RPA is a somewhat nebulous concept, so the amendment would link it to the creation of new local government boundaries for councils and, therefore, tie it into RPA directly. However, I was also aware when I tabled the amendments that there may be some in the House with genuine concerns either that the RPA did not happen or did not happen in that sort of time frame. Amendment No 3 seeks to ensure that there is a commitment to put the provision in place before the election in either 2014 or 2015 and gives a specific date. Amendment Nos 3 and 4 deal not merely with the when but with the how.

Without exception, the five main parties have taken steps on a cumulative basis. They have not removed all their people on one date. If dual mandates in local government are to be removed, they need to be phased out. We have suggested a three-year period — three and a half years if counted from today — in which

that could be done. Then there would not be a situation in which on one day there were 50 Members of the House on councils and the next day there were zero. There should be a period during which dual mandates can be phased out. That is precisely the approach that has been taken by all parties; they have all begun to remove people. We have removed our Ministers and most of our MPs, and the other parties, to be fair to them, have followed suit in a range of ways. That allows the new arrangements to be phased in so that we do not face a capacity gap in local government in 2011 with the sudden removal of a large amount of experience. It may not be ideal, but it is a reasonable compromise.

The other issue that was raised is a consequential amendment to amendment No 5. We have said, as have others, that the job of a local councillor is complementary to that of an MLA. Frankly, many of those who come through the doors of our offices do not particularly distinguish whether we are councillors, Assembly Members, MPs or MEPs. There is an argument that there is an overlap between the jobs that could lead to public concern that, in effect, although being a councillor is only a part-time job with a part-time wage, people could be paid twice for the same work. Consequently, if the need for a phase-in period is accepted, during that period MLAs who chose to stay as councillors would not be paid twice for the same post and would get reduced remuneration, if it were felt that there was some degree of overlap. Alternatively, because the phraseology is about reducing payment of allowances, it could be removed altogether. That was the approach of the Conservatives at Westminster when they tabled an amendment to remove the salary of any MLA who was also an MP. They did not put a bar on the dual mandate but on what was seen to be a dual wage. Amendment No 5 would have the same effect. It would require regulations to be brought forward by the Department of the Environment. In order to ensure that that happens within a particular time frame, subsection (2) of the new clause indicates that it would have to be brought in within one year of Royal Assent — in effect in 2011. It would kick in between 2011 and 2014 or 2015, depending on which amendment was accepted. Although not ideal — I suspect that we will soon hear that it is not ideal to the sponsor of the legislation — it is a genuine attempt to reach a compromise on which the House can pass legislation on which it can unite. Further

Consideration Stage is the last chance saloon for compromise.

I commend the amendments to the House. We must ensure that the process is managed and regulated so that there is no capacity gap and that people are not specially rewarded for remaining in office. Therefore, I am happy to propose the three amendments.

The Chairperson of the Committee for the Environment (Mr Boylan): Go raibh maith agat, a Cheann Comhairle. I want to outline the position of the Committee for the Environment on the three amendments in this group.

Amendment Nos 3 and 4 serve to delay the commencement of the Bill substantially. The Committee agreed the commencement of the Bill as drafted, so that, after receiving Royal Assent, it should commence on the day of the first district council general elections thereafter. For that reason, I do not believe that the Committee supports either of the amendments.

Amendment No 5, in the event of either of the other two amendments being made, would introduce measures to reduce the allowances of anyone serving as both an MLA and a councillor in the interim period before the Bill is enacted. As I said, the Committee agreed the commencement of the Bill as drafted and did not discuss the possibility of reducing allowances should there be any delay.

Mr Weir: I appreciate the fact that, given past discussions, we cannot infer that the Committee will support the issue. Will the Chairperson confirm that, because of the timing of our processes, the Committee has not had the opportunity to discuss the amendments directly and, therefore, it has not given a direct opinion on them? At best, the Committee's opinion can be inferred from previous discussions.

The Chairperson of the Committee for the Environment: I take that point on board. I was just about to say that the Committee has no position on amendment No 5. That concludes the Committee's position on the amendments.

I now wish to speak as a Sinn Féin member. Mr Speaker, you said that it is difficult not to stray across the line, and I hope that you can give me a wee bit of latitude in that respect. The legislation is connected to a bigger picture and the perception of people outside the Assembly

about double-jobbing, which we must accept in the round.

Sinn Féin will not support the amendments. The RPA has been discussed, and it is a wee bit rich of Members on the far side of the Chamber to blame others for not bringing forward or holding up legislation, because the RPA turns that into a joke. This Bill would have complemented everything that we tried to do in the restructuring of local government. It is hard to listen to such blame, given past insults and criticism about who held up what legislation.

The Bill is good legislation. I beg your indulgence, Mr Speaker, and seek some latitude. In the Chamber yesterday, we debated a reduction in Assembly running costs. The Bill allows us to offer people an opportunity to enter local government. Graduates cannot get jobs, and we are always asking ourselves what we can do for them. Mr Ross —

Mr Speaker: Order. The way in which the amendments are framed gives us slightly more latitude. However, I must remind the Member to return to the subject of the amendments.

The Chairperson of the Committee for the Environment: The legislation will —

Mr Ross: Will the Member give way?

The Chairperson of the Committee for the Environment: Yes, I will.

Mr Ross: I take the Member's point. However, will he acknowledge the fact that ending the practice of holding two public offices at once will cost ratepayers more money? Additional Members will have to be paid. Amendment No 5, which was tabled by my colleague Mr Weir, will reduce the allowances given to a councillor who is also a Member of the House, whereas the Member's proposition will cost the taxpayer more, not less.

The Chairperson of the Committee for the Environment: That depends on better delivery, which has to be looked at. Mr Ross wants to reduce the number of elected representatives but increase the workload, like his colleague, the Minister of the Environment, who wants to reduce the number of planners and increase their workload. However, that depends on service delivery.

I return to the amendments. Sinn Féin cannot support them. If we are serious about getting

proper legislation through the Assembly, this is such a Bill. It gives a start to local government reform, and it offers people opportunities. It will offer opportunities to graduates who wish to go into public office and political life to learn the trade.

After the debates that we have had recently, it is about time this Assembly stood up and took a decision. Sinn Féin fully supports the disqualification and fully supports commencement of the legislation in 2011. There should be no misperception about double-jobbing. On behalf of my party, I do not support the amendments.

12.30 pm

Mr Speaker: The Business Committee has arranged to meet immediately upon the lunchtime suspension. I propose, therefore, by leave of the Assembly, to suspend the sitting until 2.00 pm, when the next Member to speak will be Danny Kinahan.

The sitting was suspended at 12.31 pm.

On resuming —

2.00 pm

Mr Kinahan: I speak with great pleasure on the second group of amendments. We have heard that the Bill is designed to end dual mandates. Shame on those who try to justify them. During this morning's part of the debate, I was pleased to hear that the DUP is not keen on having people waiting on the bench to replace others, which, as its members said this morning, is not the democratic way forward. It is necessary to point out that many of the changes in the House have taken place because of the stance that my party has taken.

In the rather ineffective debate about the cuts, which brought us all in during recess, we heard that the party to my left deplored the petty point-scoring and brouhaha of Commons debating, but we saw that during the previous debate on this subject. We will probably see it again today, although I hope not, but I make the point that that is exactly the type of thing that the electorate hates seeing.

We heard last time how being a councillor helps in the Chamber. It certainly helps to understand one angle of what representing the electorate is about, but it does not justify hogging two mandates, two salaries, two elected positions and two amounts of taxpayers' money. Shame on those who argue for that. It is good to see the amendment —

Mr Ross: I thank the Member for giving way. The DUP amendments do neither of those things. They would delay when the legislation kicks in, and they directly address the issue that the Member just raised about claiming two lots of allowances. One of our amendments states that, if someone is a councillor and a Member of this House, the allowances for being a councillor would be greatly reduced. The Member is criticising the DUP, but our amendments address some of the concerns that he has just raised.

Mr Kinahan: I am glad that the Member raised that matter. Of course, people could go on taking those two salaries until the action that they have suggested is taken. At the same time, the Member is talking about greatly reducing the allowances, which would be delayed for a year.

Dr Farry: Will the Member give way?

Mr Kinahan: This could take a long time.

Dr Farry: I am grateful to the Member for giving way. He pointed out the problems with dual mandates from his perspective, but why is his party waiting until the law is passed before sorting out the matter internally? Why, if it is such a bad thing, do UUP members not take the law into their own hands, so to speak, and step down with immediate effect? Why wait until the Assembly bans the practice before taking action?

Mr Kinahan: I am glad for that intervention, too. It is interesting to see how the Alliance Party has changed its position today. We are in that process: I stood down the moment I could, so it is happening and we are doing what we say. I praise the party to my left for its third amendment. It is absolutely right.

Amendment No 3 seeks to delay the effect of the Bill until 1 May 2014, which is in three and a half years' time. I do not think that the electorate will put up with three and a half more years of two salaries, of putting off finding successors, of double doses of taxpayers' money, unless the other DUP amendment is passed, and three and a half more years of someone not doing their council or Assembly job as well as it should be done. However, I do not know what else we should expect. The DUP has form when it comes to prevaricating on dual mandates. In 2006, the Transitional Assembly's report on institutional issues stated that it was agreed that multiple mandates should be phased out. Indeed, Peter Robinson stated:

"Every political party wants to have this issue resolved."

It appears that some want it resolved quicker than others. If we agreed to the DUP amendments, it would happen a full eight years after Peter Robinson made the comment on the need for the resolution of dual mandates.

In 2006, the First Minister went on to say:

"Parties will have to develop and broaden their bases. It will be in their interests to encourage other people to come forward within their systems."

In light of the DUP's amendments, we can only assume that it has failed to do just that. Amendment No 3 illustrates that the DUP has not broadened its base or encouraged other people to come forward.

Amendment No 4 is even worse. I think that the electorate will love this. It would put off

implementation for not just three or four years but a possible eight years or more, depending on how long the findings of the Local Government Boundaries Commissioner can be delayed. That is a total disgrace. I sometimes wonder whether trying to stay in power clouds judgement, and whether the parties that promote such amendments as amendment Nos 3 and 4 feel that they are more important than the electorate. That type of arrogance lost Mr Robinson his Westminster seat, and it is the £5 pieces of land, £300 pens —

Mr Speaker: Order. I have repeated myself many times this morning and will do so again this afternoon. I must insist that I would prefer Members to stick to debating the amendments. Do not try to give us a history story, just stick to the amendments.

Mr Kinahan: Thank you very much, Mr Speaker. I was just getting going.

This is a time of severe fiscal constraint and economic difficulty. It is a time when taxpayers expect value for money and their elected representatives to do the right thing. Yesterday, the First Minister called on the Assembly to reduce its costs. Today, his party is arguing that MLAs should be allowed to continue as councillors and retain the dual income from both positions until 2014 or beyond, again, depending on the DUP's final amendment.

Mr Ross: Do you mean amendment No 5?

Mr Kinahan: Thank you, amendment No 5. The public, quite rightly, will not understand those two positions. The public will, quite rightly, see that as talking out of two sides of your mouth at the same time. The electorate will remember the greed of two mandates, shame of two mandates; greed of two elected positions, shame of two elected positions; and the greed of accepting two lots of taxpayers' money. I take on board the fact that the DUP amendment makes an effort to get there, but I think that it is something that the party should think twice about.

Mr Ross: Will the Member give way?

Mr Kinahan: I have just finished. Thank you.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. Thanks very much, Mr Deputy Speaker; sorry, Mr Speaker. I have been corrected by a Member to my left. Sorry about that.

Amendment No 3 would bring the Bill into effect on 1 May 2014, and I have a point to make on that. We see too much legislation delayed and not implemented or enacted by Departments. It would be a poor reflection on us, as Members of the legislature, to delay the Bill coming into effect for potentially another three and a half years. Most people just want to get it done and dusted and move on. Therefore, the SDLP is not in favour of any further procrastination on the matter. Just get it moving, get it on, get it done and get it dusted.

Mr Weir outlined that amendment No 5 is a consequential amendment that depends on the success or otherwise of amendment No 4. We do not, therefore, intend to speak about amendment No 5 at this stage of the debate. Speaking from the SDLP point of view, let us get on with the business: get it done and dusted.

Mr Givan: I am grateful to the Member for giving way. The Member said that we should get on with it and get it done. Does the member agree that there is no need for legislation to make political parties take that approach if that is what they have already decided to do?

Mr McGlone: I accept that that is the case, but the reality is that we are dealing with the legislation before us. Therefore, the Member described a hypothetical situation. We are dealing with the real situation today, and it needs to be done, it needs to be moved on and it needs to be implemented.

Dr Farry: I support either amendment No 3 or amendment No 4, depending on how things work out, and amendment No 5. From our perspective, the legislation is misguided. We want Back-Bench MLAs to have the freedom to make their own judgements as to how they can best represent their constituents, and we respect their ability to do that. The degree of conflict of interest that arises is minimal, can be managed and pales into insignificance when compared with other potential conflicts of interest that arise elsewhere.

Mr Campbell: I listened to the Member, and I agree wholeheartedly about the limited potential for conflicts of interest. However, does he agree that what Mr Kinahan said about cost is completely spurious when one considers that, on occasion, some MLAs who are also councillors do not get a penny piece? They do not claim travel or attendance allowance or

a salary of any kind, thus saving, rather than costing, the taxpayer money.

Dr Farry: The Member's point is factually true: holding a dual mandate does offer the potential of a small saving to the public purse. However, the issues at stake are much bigger than that, so it is probably not the main determinant in taking the matter forward.

The way in which we look at the amendments is governed by a degree of pragmatism. Our preference is for the Bill not to go ahead. Nevertheless, I urge Mr Kinahan not to be confused by the fact that, at the next election, I will be prepared to self-regulate by stepping down from my council voluntarily, out of respect for my colleagues and in appreciation of the fact that people coming through support our view that interfering with choice and the natural democratic process is over the top. In light of that pragmatism and in recognition of the fact that there is a demand to proceed with legislation, however much we may disagree with it in the House, from our perspective, delaying the Bill's implementation makes sense, particularly in light of the amendments that we have already discussed and the potential for cynical moves by parties around elections. Separating the commencement date from the date of the next elections also makes sense for that reason.

It is worth making the point that, potentially, we are being locked into a cycle whereby elections to the Assembly, local councils and, if Parliament goes to its full term, even Westminster will occur at the same time. Therefore, even if we delay the commencement date until 2014 and address some of the problems that may arise in 2011, there will still be potential for problems in the system to arise later. Amendment Nos 3 and 4, which deal with commencement, are pragmatic because they recognise other parties' will to move the matter forward and, at the same time, do not impose the provisions of the Bill straight away.

I was slightly taken aback by Mr Kinahan's lecturing and hectoring of people who happen to be MLAs and councillors, including accusations about the motivations that guide them. In fact, he was extremely disrespectful to his party colleagues who, as I speak, hold dual mandates. If it will be greedy after May 2011, surely it is greedy today. Furthermore, he did not address the point that I made during an

intervention, which came also from the DUP Benches. If it is such a terrible thing, why does the Ulster Unionist Party have to wait for legislation before it is prepared to stand down from council its remaining MLAs who happen to be councillors? The law facilitates doing that today. All they need to do is to submit their resignation letters to the chief executive and the law will take its course.

Moreover, the party has a guaranteed right of co-option, so there is no risk of it losing any seats in a by-election, which, given the way in which things are going electorally for the Ulster Unionist Party, is of particular concern to it. I am simply at a loss to explain why parties are today making pronouncements and preaching about the good life and virtues but are not prepared to act now when the opportunity to do so exists. The excuse was made about needing some sort of process to be in train, but let us not make that too much of an excuse. As I outlined earlier, although it may take slightly longer than 14 days, all the procedures that a party might wish to follow can certainly be completed within a two-month period. If the Ulster Unionist Party and, indeed, the SDLP are genuine about thinking that the legislation is so important and that holding a dual mandate is so wrong, two months from today, we can expect every remaining MLA who is also a councillor to stand down from their council. If they are not prepared to do that, they stand guilty in the court of public opinion of rank hypocrisy.

2.15 pm

Mr McGlone: Correct me if I am wrong, but I remember that, when we last discussed the Bill here, the issue of Mr Farry's position was raised, and he said that that would be a matter of his personal choice. When asked if there was a party position on that issue, the Alliance Party Members became rather evasive and, indeed, Mr Farry disappeared out the door before the issue was discussed further. I do not know what has changed in the Alliance Party since then, but believe you me, the SDLP will make its own policy decisions on those matters, as, I am sure, will other parties, without any advice or guidance, inconsistent as it is, from other parties.

Mr Speaker: Order. As far as is possible, I ask Members to get back to the amendments.

Dr Farry: I appreciate that guidance, Mr Speaker. I will briefly respond to Mr McGlone: our policy on this issue has not changed one

bit. We believe that it is for individuals to make their own choices, which is what I am doing. I am happy to respect the freedom of the SDLP MLAs to make their own choices in the same way that I respect the choices of the Ulster Unionist Party Members. The problem, and the massive hole in their argument, is that they are coming here and proposing legislation to ban dual mandates. They are not respecting anyone else's right to make those choices. They are seeking to impose their views on others.

Mr Speaker: Order. I must insist that the Member comes back to the amendments.

Dr Farry: Thank you, Mr Speaker. You timed that perfectly, because I got the point in, and I will come back to the matter in hand.

I will turn to the issue of linking the issue of dual mandates to the review of public administration (RPA). I was rather taken aback by a comment that was made earlier by Cathal Boylan in his capacity as Chairperson of the Committee for the Environment. He said that we must put the legislation through in order to give employment opportunities to unemployed graduates. If that is the sum of Sinn Féin's employment proposals, we are in trouble. More importantly, however, if we go down the road of giving the impression that being a member of a council is a job, we will create a massive over-expectation about what is at stake.

The Chairperson of the Committee for the

Environment: I was only using that as one example. It is very naive of someone who talks about creating a green new deal and new opportunities to think otherwise. There is an opportunity under the legislation. It is a wee bit rich of the Member, but I will take his comments on board.

Dr Farry: I was only jousting with Mr Boylan.

Mr Poots: Does the Member not conclude that unemployed graduates have suffered enough?

Dr Farry: I was only jousting with Mr Boylan on the first point. I have met Mitchel McLaughlin to discuss his party's proposals. The main point that I want to stress is that being a councillor today is not a full-time job. It is something that people can do while holding down a full-time job. If we are giving the message that people in full-time employment are not welcome to be councillors, we are going to lose a lot of enrichment of local government. Even when the

RPA comes in — I appreciate that we will be in a different context then — no one is proposing that the councillor role will become a full-time post. If it does, the costs will skyrocket, because proper full-time salaries will have to be put in place for councillors. In the current economic environment, no one will contemplate that.

Mr McFarland: Will the Member accept that, at a philosophical level in Northern Ireland politics, it is politically unhealthy for parties to have a small number of people having two or three political jobs, regardless of what they are, and that in theory they should start off at council —

Mr Speaker: Order. I ask the Member to take his seat. I have already said very clearly that even interventions must relate to the amendments. I am listening to Members very carefully, and some are very shrewd at getting away from the amendments and talking about something else. All Members, including the Member who has the Floor at the moment, need to get back to the amendments.

Mr McFarland: I was about to go on —

Mr Speaker: All Members are allowed to go on.

Mr McFarland: I was about to say that trying to put off an end to dual mandates, and amendment Nos 3 and 4 relate to that, in the hope that people with several jobs will get others — after 60 days, they will stand down and be replaced by new people for a four-year term — is really unhealthy for politics in Northern Ireland.

Dr Farry: Thank you, Mr Speaker. I appreciate that I am walking a very thin line and that I need to come back to the amendments. However, Mr McFarland's latter comments were probably more appropriate to the debate on the first set of amendments. I am not sure whether he caught my comments earlier, but I will step down on a voluntary basis to give other people an opportunity. However, that may not be appropriate for every party in every situation.

Mr Weir: Does the Member find it slightly ironic to take lectures on double-jobbing from someone who will not even sit on one Committee here and who is probably not even doing the job that he has been elected to do?

Dr Farry: I better not comment on that; I will get in trouble with the Speaker.

I have some final comments on amendment No 5, which is probably a constructive way to try to take some of the heat out of the issue. First, even though we are talking about an allowance of £9,000 a year per councillor with the potential for some additional allowances based on special responsibilities, it is important to stress that very few councillors are doing this for the money. There may well be some exceptions. However, being a councillor involves a major commitment, and virtually everyone I have met in local government, whether in North Down or elsewhere across Northern Ireland, do so out of concern for their community and to make a difference. A lot of the faces who are in local government today were in local government well before there was any talk of allowances and before people got money purely for attendance. They served through some extremely difficult periods. Let us not denigrate councillors and label them as greedy or money-grabbers. That is not the case.

I concur with Mr Weir's comments that people do not distinguish between the two roles when someone is an MLA and a councillor and there is some sort of overlap in the two roles. One advantage is that people in such a position can work at an issue from both ends, by talking to central government and local government officials, rather than having to pass it to other people. However, fundamentally, there has been recognition of the overlap, in the same way that allowances for people who are MPs and MLAs have been reduced. We look forward to the SDLP sorting that issue out: that is just a quiet reminder.

In light of that dual mandate overlap, allowances have been reduced, and, if dual mandates are to continue, albeit for a short period, it is appropriate that there is a rationalisation of the councillor allowance in light of the fact that MLAs also have access to the office cost allowance. That is a fair and reasonable way to try to alleviate the very misguided point about greed. However, I recognise that that has been put out in the wider community. Thank you very much for your indulgence, Mr Speaker.

Mr Ross: I echo the comments of my party's Chief Whip by paying condolences to the family of councillor Lawrence Walker. He was a servant to local government and a true gentleman, and he will be missed. Our thoughts are with his family today.

I will not speak for too long because Question Time is coming up. I listened to Danny Kinahan's earlier and most recent contributions in which he talked about the shame of dual mandates; drawing two salaries from the taxpayer; and the smokescreens involved when one person stands and another person takes their seat. I could not help but look to his right and see members of his party who have held dual mandates for over a decade. I listened to other Members ask him whether, because the Ulster Unionist Party is opposed to dual mandates as a point of principle, its members will not be standing in both council and Assembly elections. His party was silent on that. Therefore, I echo other Members' comments: it is very hypocritical for the Ulster Unionist Party to take that position in the Chamber today.

I also listened to some other parties around the Chamber talk about dual mandates. Since we debated the matter previously —

Mr Speaker: Once again, I encourage the Member to come back to the amendments.

Mr Ross: I will heed that encouragement to get round to the specifics of the amendments. However, I welcome the fact that the SDLP has made some progress by stepping down one of its MPs from the House. Two thirds of its House of Commons team still has to do so, and Sinn Féin has made no movement on that.

When discussing the specifics of the amendments, Mr Kinahan got very —
[*Interruption.*]

Mr Speaker: Order.

Mr Ross: Mr Kinahan got very upset and angry about the fact that the DUP had tabled a number of amendments. However, the normal legislative process is that a Bill is introduced in the House, parties can table amendments to it, change bits of it and it then comes out the other end. That is normal parliamentary process, and I do not understand why Mr Kinahan gets so angry and upset about that.

The amendments that we have tabled are consistent with the arguments that we made in the House at previous stages of the legislation. Generally, we have been sceptical that legislation is needed to achieve the Bill's aims. Indeed, in the steps that this party has taken towards ending dual mandates, we are far ahead of some of the other parties.

Mr Beggs: Does the Member recognise that his party ended the dual mandate between its MPs and MLAs only when the then Leader of the House of Commons —

Mr Speaker: Order. I must insist that interventions are very much to the amendments. At the Bill's Final Stage, the debate can widen out, but at Further Consideration Stage we talk about the amendments.

Mr Beggs: Will the Member agree that the reason why legislation is necessary, and why amendments are needed to bring it into being shortly, rather than putting it on the long finger, is that it has so taken so long and others have avoided it until legislation comes into being?

Mr Ross: I thank Councillor Beggs MLA for his intervention, and I note that Councillor Beggs is perhaps waiting for the legislation before he stands down from Carrickfergus Borough Council. Perhaps, if this were a point of principle for Mr Beggs, he would have stood down from Carrickfergus Borough Council already, as would his colleagues. I will not take that sort of lecture from the hypocritical Mr Beggs and his colleagues.

Our position on this has been consistent: we have said that, eventually, we want to phase out dual mandates. We think that there should be a phased approach. I remember saying, at the Bill's previous stage, that I do not see individuals holding both positions in public office at local council level and Assembly level in the future. The issue that this party has had is that we want to see that phased in, and the amendments that my colleague Mr Weir has tabled reflect that position. We can phase out dual mandates between local councils and the Assembly over the next number of years, and this party has adopted a pragmatic position on that.

It also addresses some of our issues and concerns that, if all MLAs, who are senior members on local councils, were withdrawn at once, it would create a leadership issue on local councils. We prefer a phased approach to ensure that local councils can build up the capacity of some of their members and put them into leadership roles.

Amendment No 5, which was also tabled by my colleague, will only come into play if the previous amendments are made and the legislation is delayed for a few years to allow the phased

withdrawal of dual mandates. It addresses some of the concerns that we have heard in the Chamber today and previously about the fact that, in the public's eyes, Members are being greedy for drawing two wages and holding two offices. The amendment takes away that issue, because Members who are members of a local council will not get their full pay for that. That is consistent with the approach to Members of the House of Commons who are also Members of the Assembly, who do not get their full wage for being Assembly Members. That is consistent with what happens elsewhere, and it addresses the concerns that have been raised in this House about the issue.

Mr Speaker: Unfortunately, I must interrupt the Member as we move into Question Time. If the Member wants to finish after Question Time, I am happy enough for him to do so.

Mr Ross: I could finish now.

Mr Speaker: Order. I am asking the House to take its ease, because I am moving out of the Chair and the Deputy Speaker is moving in. The Member is quite free to come back after Question Time and finish what he is saying.

The debate stood suspended.

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

2.30 pm

Oral Answers to Questions

Finance and Personnel

Mr Deputy Speaker: Questions 1, 2, 5 and 11 have been withdrawn. Mr McGlone is not in his place for question 3.

Presbyterian Mutual Society

4. **Mr Storey** asked the Minister of Finance and Personnel to outline the likely timescale for resolving the issues surrounding the Presbyterian Mutual Society.
(AQO 460/11)

The Minister of Finance and Personnel

(Mr S Wilson): The spending review, which was announced on 20 October, confirmed that the Government's contribution to the proposed Presbyterian Mutual Society (PMS) solution will be available in the 2011-12 financial year. However, a number of local and EU agreements are required before payments can be made. Executive and Assembly agreement to the overall package can be secured as part of the Budget process. The Department of Enterprise, Trade and Investment (DETI) will take the lead on the Assembly legislation necessary to seek EU state aid approval for the loan. I hope that that work will be progressed as quickly as possible. We are working towards resolving all the issues for the 2011-12 Budget. However, I remind Members that any delay in establishing and agreeing the Budget will have a knock-on impact on the PMS solution.

Mr Storey: I thank the Minister for his answer about an issue that is of grave concern to a considerable number of people in Northern Ireland. One of the outstanding matters is that of small investors. Will the Minister outline today what further steps can be taken to ensure that those investors get 100% of their moneys back?

The Minister of Finance and Personnel: A lot of the Assembly's attention has been focused on the small investors, who make up around 66% of those who have money in the PMS. Although we want to try to ensure that as much money goes back to all the investors as quickly as

possible, most of the Members who have raised the issue in the Assembly have been particularly concerned about the small investors. What can be done to ensure that those investors get all their money back as quickly as possible? Obviously, the bigger the mutual access fund, the more money there will be to give to small investors. The Government at Westminster have put up £25 million, as have the Executive, and the Church has committed £1 million. Obviously, if the Church could provide additional money to increase that mutual access fund, there would be an ability to give much greater sums of money back to small investors.

Mr O'Loan: I am very keen that a fair solution be found for PMS savers, particularly small personal savers, as the Minister and the Member who asked the question said, and long-term savers with the society. Nonetheless, does the Minister agree that the solution must be proper, fair and proportionate to all members of the community whom we serve and that it must reflect the Assembly and the Executive's position vis-à-vis that of the Treasury? Does he also agree that there have to be concerns about what is in the public arena on the potential risk to the Assembly, the Executive and their future finances?

The Minister of Finance and Personnel: From the question, I am not too sure whether the Member is supportive of sorting out the PMS issue or whether he is actually trying to throw objections into the pot. Maybe we will get some clarification about that from his party at some stage. On the one hand, it appears publicly to support the savers, but, on the other hand, it seems — by the tone and nature of that question — to raise some doubt about whether that should be done.

I assure the Assembly that we have gone through a long process with the Treasury. It has looked closely at the figures for the liabilities, the value of the assets and what is likely to be raised from those assets over a 10-year period. The indications are that the £175 million loan that we will take out, which will not impact on the capital programme for the Assembly as it will be over and above what we have been allowed to raise through loans for capital projects, will be not only serviced but paid back. From the surplus, we will be able to reimburse the money that will be put up for the mutual access fund. That is the intention. The quicker the property market picks up, the quicker that

money can be paid back. It is on that basis that we have proceeded.

Mr Deputy Speaker: As I said, question 5 has been withdrawn. Mr Fred Cobain is not in his place for question 6.

Budget 2010

7. **Mr Buchanan** asked the Minister of Finance and Personnel when he intends to provide the Executive with a draft Budget paper for consideration.
(AQO 463/11)

The Minister of Finance and Personnel: We are at question 7 and I have answered only one question. I am going well today. Perhaps there is not as much interest in the Budget as I thought there was going to be.

I made it quite clear that I would have liked to have seen the end of the process by the beginning of January 2011. It was my intention to have a paper with the Executive by now. However, that has not been possible. Despite the fact that there were extensive talks over the summer, for which I made myself available, the Executive have asked for extra time in which to discuss some of the strategic issues and to talk to me about departmental issues. A paper has been prepared for the Executive Budget review group, which it has now had sight of. I hope that that paper will be approved by the Executive Budget review group or, at least, be amended and brought to the Executive, so that I can have Executive approval by 17 November. I could then bring the draft Budget to the Assembly on 18 November. That would mean that the process could be finished by around the middle of February 2011. The timetable is still very tight. However, that is the kind of revised timetable towards which we are now working.

Mr Buchanan: I thank the Minister for his response. What would the implications be for the House should the Executive fail to agree a draft Budget?

The Minister of Finance and Personnel: In the eyes of the general public, the House would be seen to have failed in its primary duty to make available for next year the resources that are required to run Departments, hospitals and schools and to finance industry, capital projects, community groups, and so on. In other words, if we do not agree a Budget, we will be inviting economic anarchy. In an election year, it would

not look well for the House if we were not able to give constituents the certainty that they are demanding from Members all around the Assembly. People want the uncertainty to be removed, and there is only one way that that can happen. People may not like the outcome, and they may not like certain aspects of the Budget that is eventually agreed. However, at least they will know. That is the important thing.

Mr McDevitt: I agree with the Minister that we do indeed need to agree a Budget. Does he agree that the potential impact on welfare cuts could take £0.5 billion out of our economy, which would not be spent in shops and would hit the most marginalised? What effect does he think that that would have on the budgetary process here and on the North in general?

The Minister of Finance and Personnel: The Member knows very well about welfare cuts, because Ministers from his party have had to oversee some of the welfare changes that have been made. Sometimes that was done reluctantly, by Ministers who were not very happy about it.

We have to be very careful that the welfare changes do not leave us out of step with the rest of the United Kingdom, because that would be an immediate hit to our Budget. It would also lead to something that I believe that the Treasury would love to introduce; namely, the regionalisation of benefits. One thing of which we can be absolutely sure is that the regionalisation of benefits will not be to our advantage. Much as we may not like the changes that are coming in welfare reform, there is a far, far greater danger in us moving out of kilter.

The Member is quite right that welfare cuts will remove expenditure from, and have a deflating impact on, the Northern Ireland economy. The point that I made in response to Mr Buchanan's question is that the uncertainty that would be created by us not agreeing a Budget very quickly would have a further deflationary impact. People tend to be cautious about their spending in times of uncertainty, and the activities of the Assembly could remove further spending power from our economy.

Mr O'Dowd: Thank you, a LeasCheann Comhairle. Does the Minister agree that we need to agree the right Budget? Does he also agree that it is only right and proper that Executive members take further time to discuss

and to analyse the options that are open to them and that, as a result of those discussions, we acquire a Budget that manages the economy and not a Budget that manages the cuts?

The Minister of Finance and Personnel: I love the phrase that Mr O'Dowd used:

"Does the Minister agree that we need to agree the right Budget?"

We have to agree a Budget. Do not forget that the discussions did not suddenly arise on 20 October. We were well aware of the situation before then. Indeed, in July, I predicted the outcome within a few percentage points. We have lost a lot of time having discussions on the strategic picture that we should have been putting in place for the Budget.

The Member's question may be an attempt to justify further procrastination, delay and unwillingness to make the tough decisions that will have to be made. Let us face it: no one will like some of the decisions that will have to be made in the Budget. However, money will not fall from heaven, whether we wish it or not. Therefore, we have to be serious and get a Budget in place that we can at least debate and discuss, and the implications of which people can see.

Mr Deputy Speaker: Before calling Dr Farry, I remind Members on both sides of the House that they must not shout across the Floor. All remarks should be made through the Chair.

Dr Farry: Will the Minister expand on the answer that he gave to Mr O'Dowd and confirm that, if the Executive sought to defer difficult decisions to the far side of the election, it would be a betrayal of the people of Northern Ireland? Will he also confirm that any decision to try to defer difficult choices would lead to inefficient use of resources, which is not in anyone's interests?

The Minister of Finance and Personnel: Deferring decisions until after the election is not an option. By the time of the election of new Members to the House, we will be well into the next financial year. If decisions were deferred, schools, hospitals, trusts, boards and a whole range of people would not have any money to carry on their activities. We need to have that money voted on so that those activities can continue. The normal running of the public service and of the private sector's public sector contracts requires us to set a Budget before

the beginning of April. Given the lead-in period and the fact that greater preparation has to be undertaken because the Budget will be tighter than this year's, it was my view that we should give Departments three months in which to plan. As I have said, we will not meet that three-month target. At best, Departments will have six weeks to make those plans. Indeed, if some of the Members opposite have their way, we may not even have six weeks. That would be a disaster.

Mr Deputy Speaker: As Mr John McCallister is not in his place, I call William Humphrey.

Comprehensive Spending Review 2010

9. **Mr Humphrey** asked the Minister of Finance and Personnel for his assessment of the potential value of further negotiations with Her Majesty's Treasury in relation to the outcome of the comprehensive spending review. (AQO 465/11)

The Minister of Finance and Personnel: Mr Deputy Speaker, I hope that you will keep some of them in after class for not turning up today.

As far as the potential for further negotiations on the Budget with the Treasury is concerned, there were significant contacts with the Treasury in the run-up to the Budget in the period until 20 October. Those contacts were not just by the First Minister and the deputy First Minister, me and the Minister of Enterprise, Trade and Investment. I have had at least three meetings with Finance Ministers from the other devolved Administrations in the United Kingdom — Scotland and Wales — to discuss putting forward the case for the regions and the particular difficulties that we face.

2.45 pm

The block grant is not open to negotiation. We did not know the final figure with total assurance until 20 October because our block grant is determined by the allocations that are made to all the Departments in Whitehall. Those Departments get their allocations, and we then get our percentage, which is based on population and on the allocations that are made to those Departments. Therefore, strictly speaking, the calculation is done by a computer.

There are, however, some areas at the margins at which negotiations can be had about end-year flexibility, which is money that has not been

spent by the end of the year and is available in the pot. The question is about the access that we should have to that money. There has been some discussion about additional bids that received Barnett consequentials — for example, money spent on the Olympics, which is a one-off event and is not normally included. The discussion concerned what our allocation should be on the basis of that.

Those discussions will be ongoing, and the First Minister and the deputy First Minister indicated that they want discussions about that. However, we are talking about changes at the margin.

Mr Humphrey: Does the Minister believe that all parties in the Executive realise and appreciate the gravity of the cuts to the United Kingdom Budget and the effect that they will have on the comprehensive spending review for Northern Ireland.

The Minister of Finance and Personnel: I do not know whether they understand the gravity of the cuts. What worries me is that there appears to be a lack of understanding about the gravity of not dealing with the amount of money that is available to us. The important thing is that we know what our budget is and that there may be some limited room for discussion with the Treasury, although that will not make a significant difference to the available pot of money. Therefore, we have to get on with making the wisest and best-informed decisions about distributing the money that we have and ensuring the good running of Northern Ireland.

Mr A Maginness: Will the Minister enlighten the House about the assertion by the Secretary of State for Northern Ireland, Mr Patterson, that the Chancellor of the Exchequer is honouring the deal that the Labour Government entered into for an investment strategy worth £18 billion between 2005 and 2017? In Mr Patterson's explanation, he said that Justice Department funding and an Executive contribution is included in that figure. Will the Minister clarify whether Mr Patterson is right or wrong?

The Minister of Finance and Personnel: I can unequivocally say that Mr Patterson is wrong in some figures that he gave. Some figures are not only open to challenge but are clearly wrong, because the Assembly accounts show that they are.

First, how much of the £18 billion has been spent? We claim that it is £9.1 billion, and if

one looks at the capital programme for the past five years, the sum spent comes to £9.1 billion. The Secretary of State claims that the figure is £9.8 billion. We assume that the only way that he arrived at that figure was by adding in capital spending for policing and justice. That could not have been part of the £18 billion, because policing and justice powers were not even devolved at the time of the settlement.

The second issue is about the money going forward. We know what the allocations are, because we can add it up. If you add the £9.1 billion, the money that will be allocated, and the capital receipts and borrowing that we can have, that takes us up to £13.7 billion by the end of this comprehensive spending review period. Maybe the Government are planning to give us over £2 billion per year to spend on capital projects in the last two years of the 10-year period. I do not know. That is untested. I cannot say yea or nay, but that is not much help to us now, because the demand for capital investment is now.

Mr McLaughlin: Thank you very much, a LeasCheann Comhairle. The Minister referred to the end-year flexibility stocks. My understanding is that some £375 million that was available was removed at just the stroke of a pen. Will the Minister confirm that there is engagement and negotiation on that, given that that access was part of the restitution discussions? Will he also give us some indication of the impact of the withdrawal of that facility from the Department?

The Minister of Finance and Personnel: First of all, the figure is about £316 million, I think. Of course, that money was allocated to Northern Ireland and not spent. Most of it was not spent during the period of direct rule, because in the past couple of years, we spent nearly up to the last 0.3% of our Budget. There has been no accumulation of end-year flexibility in the past two or three years.

We believe that that money still belongs to Northern Ireland, because it was allocated for purposes in Northern Ireland, so there are ongoing discussions with the Treasury about that. We have raised the matter at official level, ministerial level and Prime Minister level, and we will continue to do that because we believe that that money should be available to us.

We still do not know whether the Treasury will replace it with something else, because that is still under discussion. What impact does

that have on Northern Ireland? It was always a useful pot of money to have the ability to draw down on. It was never drawn down on all at once, but just to draw down on when we got into financial problems, and, of course, it is £316 million that is not available to our Budget. We are not unique in this. All the devolved Administrations have lost it, but we are the devolved Administration that had the biggest amount of money in the pot.

Infrastructure Investment

10. **Mr Easton** asked the Minister of Finance and Personnel for his assessment of the potential to fund economic infrastructure investment through the sale of revenue-generating assets.
(AQO 466/11)

The Minister of Finance and Personnel:

Departments and public bodies hold a number of revenue-generating assets, such as car parks and retail premises. Obviously, receipts from the sales of those assets could help to fund infrastructure investment. However, we have to bear in mind that we are in a depressed market, which affects the value of those assets. Therefore, the value for money of any sales, including the implications of the loss of revenue from them, would need to be carefully considered before we decided to dispense with those assets.

However, I am on public record as saying that that is something that the Executive should be looking at, and, indeed, we are looking at it. We have already had a report from the assets realisation team about some of the potential assets that we may be able to gain money from through sales.

Mr Easton: I thank the Minister for his answer. Will the Minister update us on what is happening with the Hillsborough Agreement sites?

The Minister of Finance and Personnel: The Hillsborough Agreement sites are under the control of the Office of the First Minister and deputy First Minister (OFMDFM), which will have the details. As far as I understand, the last time that we talked about it, they were working through the process of their disposal, looking at things such as contamination and planning possibilities on those sites, with a view to having them sold when the market best lends

itself to that. The Member will be aware that some Departments are interested in some or part of those sites for education facilities, for example in Omagh, and in other places.

Mr McCarthy: What is the Minister's view on the redirection of cash from the current budget to the capital budget to help to meet the shortfall and to make the construction industry, which is on its knees, more viable? That would undoubtedly help our tradesmen and tradeswomen to get back to work.

The Minister of Finance and Personnel: I thank the Member for that question. The capital budget was hit much more severely than the current budget. The current budget has been reduced by about 8% and the capital budget by 40%. Therefore, at least on the surface, it appears as though there is potential to move some money from the current budget to the capital budget. However, Ministers are already telling me about the problems that reductions in the current budget will have on their delivery of services. It is a judgement that the Executive will have to make, and it is one that I have some sympathy with. The question is: how much do we take from the current budget? How much can we afford to take? There are projects that show a good return, and we should be considering such a movement.

Mr Deputy Speaker: Questions 11 and 12 have been withdrawn.

Comprehensive Spending Review 2010: Local Government

13. **Mr Hilditch** asked the Minister of Finance and Personnel for his assessment of the impact of the comprehensive spending review cuts on local councils.
(AQO 469/11)

The Minister of Finance and Personnel: Following the conclusion of the spending review by the Chancellor of the Exchequer, the allocation that Northern Ireland will receive in the block grant is now known. We know that current spending will be reduced by 8% over the four-year period. As far as what happens as regards councils, it is up to each Department, once it receives its allocation, to decide where its savings will be made. It will be up to the Minister of the Environment to make his decision on the basis of his Department's allocation as to where he believes that the

savings should be made. That, of course, will have implications for some district councils should that be where he decides to make savings.

Mr Hilditch: I thank the Minister for his answer. Does the Minister agree that, with the February timeline for the rates process being imminent, as much information as possible from central government should feed its way down to local government in that process?

The Minister of Finance and Personnel: The Member makes a very important point. It is not just, as I pointed out, about what block grant goes to councils. Budget decisions about the level of rates will also have an impact on the revenue that is available to councils. Again, the Member's question illustrates the dilemma that we are in. The longer that we take to decide on the process and the longer that we take to make decisions will impact on a whole lot of spending centres, including every local district council, which are going to find themselves in a position of uncertainty because they do not know what rate revenue will be, they do not know what the block grant will be or about some of the other grants that may be available for urban regeneration projects, etc.

Comprehensive Spending Review 2010: Employment

14. **Lord Browne** asked the Minister of Finance and Personnel for his assessment of the likely impact of the comprehensive spending review on employment and GDP growth.
(AQO 470/11)

The Minister of Finance and Personnel: I think that I am going to make it right through the book today.

The substantial cutbacks will, of course, have an impact on growth and employment in Northern Ireland. Members have made that point in some of their questions. If there is less money available for consumers to spend because of welfare reforms, if there is a reduction in employment as a result of some of the spending cuts, if people are more cautious in their spending due to there being less confidence, and, as said in relation to a previous question, if there are reductions in capital spending, which will have an impact on much of the private sector, there is bound to be an impact on growth.

I made representations very early on to the Chancellor that the particular problems of places such as Northern Ireland, where we were still on the downward part of the economic cycle and were heavily dependent on the public sector and where the banking system was much more fragile than other parts of the United Kingdom and, therefore, was not helping the private sector, meant that all those things would have an impact on our economy. However, we have to bear in mind that more than £11 billion will still be spent in Northern Ireland by the Executive, and, therefore, we are not about to implode either.

3.00 pm

Health, Social Services and Public Safety

DHSSPS: Comprehensive Spending Review

1. **Mr Wells** asked the Minister of Health, Social Services and Public Safety when he will be in a position to outline the impact of the comprehensive spending review on future funding for his Department.
(AQO 472/11)

The Minister of Health, Social Services and Public Safety (Mr McGimpsey): The outcome of the UK spending review and its impact at block level means that difficult decisions will have to be made. However, the block has benefited from the protection afforded to health in England. That provides an opportunity for the Executive to do the same here. I will not be in a position to outline the impact of funding for my Department until the Executive agree the budget allocations for my Department. However, what I can say is that by the end of the Budget 2010 period, it will take £5.4 billion per annum to provide a safe and fit-for-purpose Health Service, which is £1.1 billion more than the current budget before any cuts are made. The extent to which my budget falls short could mean that radical changes to the delivery of services will be necessary.

Mr Wells: The Minister will be aware that the Committee for Health, Social Services and Public Safety was deeply concerned that although all of the other Committees in the Assembly received information very quickly after the budgetary adjustment was announced in

February, the Health Committee did not hear the final allocation until the end of May 2010, which was well into the new financial year. Will he assure the Committee that it will receive the details of his Department's budget at exactly the same time as all other Departments?

The Minister of Health, Social Services and Public Safety: My Department recognises that every pressure that we bid for must be delivered by savings, and we are looking at many hundreds of service lines. Therefore, the amount of resource that is allocated to my Department is crucial. The indications are that we are looking at a need to protect against inflation, we need to protect against demographic pressures, and we are aware that our elderly population is the fastest growing population in the UK. We also have to protect against other pressures. However, I do not see that protection coming forward, and I am looking at a gap of £600 million less than that which is provided in England. Therefore, I have to say to Mr Wells and to the House that, reluctantly, radical changes to the delivery of services may be necessary. If we are looking at radical changes to the delivery of services, sadly, we are looking at possible redundancies and closures.

Mr Gallagher: In the face of comprehensive spending review cuts, will the Minister continue to hold to his position of defending the salaries of directors and deputy directors of trusts? Presumably, he believes that they are all doing a good job, but will he accept the views of other Members, as well as the views of many members of the public, that if they are all doing a good job, we should have a much better Health Service? Will he look at that?

The Minister of Health, Social Services and Public Safety: I have to say that that final sneer against the Health Service — that we would have a much better Health Service and that, in other words, our Health Service is not as good as it should be — means that I have to remind Mr Gallagher, as I have done in this House over and over again, that I have reduced the number of senior executives and managers from 188 to 80. I am the only Minister in this House to have completed the review of public administration. No other Minister has done that. My Department is the only Department that has done that. I have reduced the number of health trusts from 18 to six, and I have reduced the number of health boards from four to one. That

means that there are considerably fewer senior executives and managers employed. Our costs in that area are now down to 3.1%: in England, that figure is over 5%. Our figure is the lowest that I am aware of. As for the aspersion and the sneer at the end of the Member's remarks about the Health Service, bearing in mind the resources that are available to the Department and to the Health Service, I think that we have a first-class Health Service.

Mr McCallister: Will the Minister promise to continue to make the case for protecting the Health Service in Northern Ireland like other parts of the United Kingdom?

Mr Deputy Speaker: I call the Minister.

The Minister of Health, Social Services and Public Safety: Thank you, Mr Deputy Speaker.

Mr Deputy Speaker: Minister, please resume your seat. I remind Members again that shouting across the Floor will not be tolerated. Please continue, Minister.

The Minister of Health, Social Services and Public Safety: Of course I will continue to fight to defend the health budget, bearing in mind that the average uplift for health in real terms over the past three years has been 0.9%. Bear in mind, too, the following quotation:

"We advocate increased funding in excess of the Barnett formula to ensure those in the province receive a standard of care that matches the best found elsewhere in the United Kingdom... It is estimated that more than 20 extra spending per capita on health care is required to achieve the same level of service as in England."

Who said that? It was the DUP. Where did it say that? It said that in its 2005 election manifesto, which is still extant and available on the party's website. It is one of the party's 15 key priorities for health. In 2005, the DUP advocated a 20% rise in spending. I have had to fight to get 0.9%.

Members need to understand where the Health Service is going. Looking at the resources that are available for the future, I repeat that radical changes to the service will be required. I regret to say that staff reductions and site closures are now a real possibility. Again, that is contrary to the DUP manifesto, which talked about training and employing more staff. That is the position in which I am now being put. Folk here need to understand that.

DHSSPS: Capital Budget

2. **Mr McNarry** asked the Minister of Health, Social Services and Public Safety for his assessment of his Department's likely capital budget position following Budget 2010. (AQO 473/11)

The Minister of Health, Social Services and Public Safety: Under ISNI II (investment strategy for Northern Ireland), my expected capital budget for the next four years is £1.3 billion. However, early indications show that my capital budget will fall far short of what is required to maintain and develop the health and social care estate. I must warn Members that without an adequate budget settlement, hospital buildings will fail and people will come to harm as a result.

Mr McNarry: I thank the Minister for his answer. I am sure that the House understands well the difficulties that he faces, as he has explained them to us. Can he tell me what his top priorities are for capital projects in the next four years? Does he agree that the redevelopment of the Ulster Hospital should feature in those priorities?

The Minister of Health, Social Services and Public Safety: I have a number of important priorities, which include the radiotherapy satellite centre at Altnagelvin, the Omagh Hospital and development of a maternity hospital at the Royal Group of Hospitals. However, from where I am sitting, the key and most urgent of my priorities is, of course, the ward block at the Ulster Hospital, for which £130 million is needed. The reason for that is the state of the current building. Members will be aware of that because I have referred to it on a number of occasions. The building has concrete cancer and wiring problems that threaten health and safety. If that ward block is not rebuilt, the estimated bill for temporary wiring to make its wiring safe will be £28 million. Other issues relate to drainage, sewerage, and so on. The Ulster Hospital is a 600-bed key acute hospital. My very real concern is that the ward block building might start to fail, which would call into question the Ulster Hospital's ability to deliver its current service in the acute network.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his detailed answer. I express an interest with regard to my constituency. The Minister's

Department has been involved in the development of the policing college, which, as we know, is part of the implementation of the Patten proposals. His Department's investment in that capital project could contribute significantly to development of the local economy and provision of jobs and services in the region. Therefore, I ask the Minister for his analysis of his Department's provision for that project.

The Minister of Health, Social Services and Public Safety: As we go into the Budget 2010 process, which is what we are doing at present, I will not be in a position to comment on the Ulster Hospital's ward block or Altnagelvin, let alone Desertcreat, until capital figures are actually confirmed to me.

We have an involvement in Desertcreat. It is anticipated that the Health Service will spend around £30 million developing a portion of that site for the Fire and Rescue Service. However, as I look at the scenario for the capital budget going forward, I cannot confirm with any certainty that I will be able to deliver that over the Budget 2010 period.

Mr Givan: In the Minister's priorities, where does the development of the Lagan Valley Hospital site, which is in excess of £50 million, rest within his Department? Could it be affected by a reduction of his capital budget?

The Minister of Health, Social Services and Public Safety: In my projections for the investment strategy for Northern Ireland budget and the capital budget, I saw Lagan Valley Hospital having a very bright future. I still see it as having a very bright future, but it requires funding and investment coming forward. I do not see that taking place right now. Neither do I see the revenue stream coming with that. Every build requires a revenue stream, not least in places such as Desertcreat. I will be able to answer with certainty once we get a settlement of the budget. Until then, I am in no position to tell the Member where the redevelopment of Lagan Valley Hospital will stand. He will be aware that we will open the new midwifery-led unit in Lagan Valley Hospital in February. As far as my plans were concerned, that was to be the start of a new beginning for Lagan Valley Hospital as a local hospital.

Mr McElduff: Go raibh maith agat, a LeasCheann Comhairle. Will the Minister outline when building work will commence on the new local enhanced hospital proposed for

Omagh, bearing in mind that he has pledged his commitment to the project as part of an essential three-legged stool under the Developing Better Services model west of the Bann?

The Minister of Health, Social Services and Public Safety: The answer is exactly the same as that in respect of Desertcreat and Lagan Valley Hospital. It will depend on the amount of capital that is allocated to my Department. The Omagh hospital is one of the four top priorities that I have talked about. They are, the Ulster Hospital, Altnagelvin Area Hospital, the Royal, and Omagh hospital. It was not a three-legged stool; it was a four-legged stool. It may be three legs west of the Bann. I am saying to the House: do not saw off any of the legs. If you do so, do not come back looking for Omagh hospital.

Mr Deputy Speaker: Question 3 has been withdrawn.

Public Health Agency

4. **Mr Savage** asked the Minister of Health, Social Services and Public Safety what progress the Public Health Agency has made in engaging with local communities.
(AQO 475/11)

The Minister of Health, Social Services and Public Safety: Since its inception in April 2009, the Public Health Agency has made significant progress in engaging with communities. Community engagement is a central element of how the Public Health Agency conducts its business, and it has, therefore, invested significantly in supporting communities and in building capacity at a local level to ensure active participation and engagement in promoting positive health and well-being and tackling health inequalities. It funds around 600 projects, and engagement is focused on four levels: engagement and the delivery of services; strategic engagement in the planning of services and shaping of agency priorities; personal and public involvement; and relationships locally with health and social care trusts and local commissioning groups.

Mr Savage: I thank the Minister for his answer. Does he agree that the Public Health Agency's approach of engagement with local communities is working and that this is the best way of

informing the public about health and social care issues?

The Minister of Health, Social Services and Public Safety: I agree with Mr Savage's remarks. The Public Health Agency is part of the restructuring that I did with the Health Service when I reduced four boards to one; 18 hospital trusts to six; and 180 managers, senior executives and chief executives to 80. At that time, I set up the Public Health Agency. It is about engaging local communities and the local population in issues concerning their own health, such as obesity, smoking, alcohol, drug misuse, teenage pregnancy, mental ill health and suicide. That is the engagement that the Public Health Agency is about, and the agenda, I believe, has the potential to arrest the increases in demand that we are seeing in our community.

It is a fact that health inequalities are, to a large extent, within areas and communities of disadvantage. The issue is not simply one of public health; it involves other Departments, including the Department of Education. However, the Public Health Agency looks to co-ordinate a response in that area.

3.15 pm

Mr D Bradley: Go raibh míle maith agat, a LeasCheann Comhairle. I thank the Minister for his answer. How much of the Public Health Agency's funding is devoted to anti-smoking campaigns?

The Minister of Health, Social Services and Public Safety: I will write to the Member about the amount of funding that we are devoting to anti-smoking campaigns. It is an important question, because smoking causes lung cancer, which is the single biggest preventable illness in our society. We are losing around 2,400 people annually to it. Those are all lives that would not be lost if we could ban tobacco completely.

Dr Farry: The Minister has rightly spoken about the importance of public health work in tackling health inequalities and addressing funding pressures. In light of the importance of public health work in prevention and early intervention, to what extent is the Minister prepared to try, as far as possible, to direct funding, albeit in a very tight atmosphere, towards those organisations, including community and voluntary groups, that work on the front line of prevention and early intervention?

The Minister of Health, Social Services and Public Safety: That is, in fact, where the Public Health Agency directs its attention. The focus is very much on communities in greatest need. That is where its activity is. As I said, around 600 projects are being taken forward by community organisations, which is proof that the Public Health Agency is engaging exactly along the lines that Mr Farry referred to.

DHSSPS: North/South Bodies

5. **Mr Gardiner** asked the Minister of Health, Social Services and Public Safety what efficiencies have been achieved through the North/South bodies that fall under the remit of his Department.
(AQO 476/11)

The Minister of Health, Social Services and Public Safety: Under the Belfast Agreement, my Department co-sponsors one North/South implementation body, the Food Safety Promotion Board. The 2010 Food Safety Promotion Board budget was reduced by 6%, in line with guidance issued jointly by the Department of Finance and Personnel and the Department of Finance in 2009.

Mr Gardiner: I thank the Minister for his reply. Given the difficult economic climate, will he consider any further efficiencies in North/South bodies so that front line services can be protected?

The Minister of Health, Social Services and Public Safety: All areas are clearly up for scrutiny. The 6% reduction was in line with guidance issued by the Department of Finance and Personnel. Because the Food Safety Promotion Board was set up by treaty, it would be a matter for the Executive to determine that sort of reduction, but, if we can save money in that area or in other areas, I will look to do that.

Ms S Ramsey: Given the difficult economic climate, which the Minister's party colleague mentioned, will the Minister now take the opportunity to publish the North/South feasibility study so that we can see where we can save money through co-operation on health across the island as a whole?

The Minister of Health, Social Services and Public Safety: The North/South feasibility study is not my property; it is the joint property of the Dublin Government and the Executive, and Executive approval would be required for

its publication. The Member is aware of the ongoing areas of North/South collaboration. Those areas are already covered in the feasibility study, which has been published on websites, so nobody is under any illusion about what is in it. I am not going to set up a further bureaucracy, another body and another secretariat to start looking at other areas, which is what that study proposes. Those areas have already occurred to us — areas on which we can co-operate to promote well-being and benefits on both side of the border. Mutual benefit is the key, and I already promote a number of areas along those lines.

Mr Bell: How many of the 920 of the Minister's staff in the £50,000 to £100,000 pay bracket work for the North/South bodies? Is it not unacceptable in these times of financial austerity that, this week, the Minister is advertising a job at grade 3 that pays £160,000, which is more than the pay of the British Prime Minister?

The Minister of Health, Social Services and Public Safety: It would be better if Mr Bell were to direct his question to the Department of Finance and Personnel, which sets Civil Service pay. I do not set Civil Service pay, so his question is not for me to answer. *[Interruption.]*

Mr Deputy Speaker: Order.

The Minister of Health, Social Services and Public Safety: The Member refers to 920 staff. Here we are talking, almost exclusively, about consultants in our hospitals. We have a core of consultants who, in many areas, are second to none. None of them, as far as I am aware, works for North/South bodies, although I might stand corrected on that. I will look at the Member's question and write to him in due course.

DHSSPS: Efficiency Savings

6. **Mr Lunn** asked the Minister of Health, Social Services and Public Safety whether there are any opportunities to make efficiency savings in his Department.
(AQO 477/11)

The Minister of Health, Social Services and Public Safety: There is always room for efficiencies to be made in any Department, but efficiency savings need to be put in context in the DHSSPS. My Department has already made 3% efficiencies a year over the past three

years. In addition, it is the only Department to have completed fully the review of public administration reforms. That is on top of cuts to the health budget on three occasions over the past two years, despite the demand for elective services across health and social care increasing by more than 20%. Without an adequate budget settlement, it will be difficult to ask for further efficiencies to be made at this time. To do otherwise will have a devastating effect on the service that we are trying to provide.

Mr Lunn: I thank the Minister for his answer and I fully acknowledge the efforts that he and his Department have made in achieving efficiencies already. I ask him for an assurance that, in future, his efforts will be directed towards making back-office savings rather than cuts to front line services.

The Minister of Health, Social Services and Public Safety: As far as back-office savings are concerned, if Mr Lunn were apprised of what I have been doing over the past three and a half years to restructure the Health Service, he would see that I have done exactly that. I have reduced dramatically the number of so-called back-office jobs.

The service, however, requires a degree of management and leadership. That is essential. It also requires administrators and secretaries to do essential tasks. If a consultant were compiling a list of patients for his clinic, should he write out the letters or get a secretary to do it? Of course he gets a secretary to do it, and that saves the consultant time. Similarly for a ward sister, and similarly right up and down the Health Service.

We have made efficiency savings, but let me remind Mr Lunn, since he was one of those who voted on three occasions to cut the health budget, that the real-terms uplift for health services over the past three years has been 0.9%, set against a rise in demand for hospital services of around 20%. Anyone who knows anything about mathematics will know that those figures will create huge problems. We are in that situation now. Without an adequate budget settlement that protects us against real-terms inflation, demographic pressures and demand pressures, the Health Service that we deliver in Northern Ireland will continue not simply to be not as good as that in the rest of the UK but will bear little relationship to it.

Mrs D Kelly: I commend the Minister for defending many of the back-room service staff, who are often the backbone of the service and provide assistance to professional care staff, saving them time and generating efficiency.

Has the Minister any intention of reducing the funding of merit awards for consultants? Has he assessed whether there is any opportunity to raise income from the private work of consultants who use Health Service facilities?

The Minister of Health, Social Services and Public Safety: The Health Ministers of Scotland, Wales and Northern Ireland sought to have merit awards reviewed earlier in the year, but the then Secretary of State for Health in London was not of a mind to proceed with that review.

The new Health Secretary, Andrew Lansley, agrees that the merit award should be reviewed, and that review is under way. It is a national award set in London. I do not have the power to change or overturn it, but I have decided that no new merit awards will be made until the review is completed and we have a chance to examine it.

Consultants are under contract to work a set number of hours a week, and that is what they get paid for. If they want to work more than that number of hours, whether in private work or something entirely different, that is a matter for them. They are free agents. Any use of Health Service facilities would attract a charge, and their patients would pay that. A consultant, like anybody else in work, contracts to deliver x amount of hours for a set rate of pay. That is what they get paid for; they do not get paid for anything more than that.

Suicide

7. **Mr W Clarke** asked the Minister of Health, Social Services and Public Safety whether he has requested a meeting of the ministerial subcommittee on children and young people to discuss the recent increase in suicides. (AQO 478/11)

The Minister of Health, Social Services and Public Safety: Suicide occurs among all age groups, with most such deaths occurring in people aged between 35 and 54 years of age. The ministerial subgroup on children and young people is not the most appropriate Committee for co-ordinating cross-departmental action on suicide prevention. Many influencing factors can impact on suicide, including poverty,

unemployment, drug and alcohol misuse, and social deprivation. As those issues cut across government, I have called a meeting of the ministerial co-ordination group on suicide prevention to consider what further action is required.

Mr W Clarke: Go raibh maith agat, a LeasCheann Comhairle. Does the Minister agree that more resources need to be dedicated to young people? I acknowledge his point that suicide happens most among an older section of the community, but there is a real issue in my constituency, where three young people have lost their lives through suicide in the past weeks. Resources need to be dedicated particularly to support, engagement and outreach.

The Minister of Health, Social Services and Public Safety: Mr Clarke will be aware that we have the Protect Life strategy to deal with suicide directly, and that strategy is managed through the suicide strategy implementation body (SSIB). It has a very broad membership; it includes other Departments, churches, the voluntary and community sector, trusts, and bereaved families. It is provided with a budget, and it advises on that strategy and takes it forward. I have increased funding to that body — I think that it has been doubled over the past three years — but this is an issue about what is effective. It is for the suicide strategy implementation body to help me to determine what is effective. It supports and offers success in many projects.

I have never stood in the way and used a money argument on this issue because it is too important. We are talking about young people. Yes, historically, the standard profile or age cohort for suicide is between the ages of 35 and 54, but the tragedy for us, as Members are aware, is that suicide has been occurring among young men between the ages of 16 and 24 over the past years. We want to make an impact on that, and that is specifically where the Protect Life strategy came from. We embrace all the projects and ideas that we can, and, as I said, I will not use money as an argument in that area.

Mr A Maginness: I thank the Minister for his answer and acknowledge the work he has done to tackle this very serious problem. The Minister has introduced an effective series of measures and an effective strategy. However, aside from additional funding, which he said he would bring

forward if necessary, can anything else be done to help to reduce the level of suicides in our society?

3.30 pm

The Minister of Health, Social Services and Public Safety: That is a very difficult question with which many people wrestle. The Member is well aware that suicide is strongest among the younger male cohort in areas of disadvantage. Education and employment play important roles. It is increasingly clear that other factors include drugs and alcohol. As we have seen recently, paramilitarism plays a role as well because it promotes drugs. All of those are factors. The single thing that I would do if I had the power would be to ban drugs because that would make an impact. I am not saying that that would cure the problem, but it would make a huge impact. It would be a bit like the effect that banning tobacco would have on lung cancer rates. If drugs and paramilitarism did not exist, we would see a very appreciable change in that cohort of young people, particularly young males.

Mr Gallagher: On a point of order, Mr Deputy Speaker. The Minister, in his reply to my supplementary question earlier, suggested at least twice that I made sneering comments. I would like to think that I do not make disparaging comments about anybody in the House or pejorative remarks about anybody outside the House. The Minister's remarks were uncalled for. I ask the Speaker to read the Hansard report, reflect on it and get back to the House. The Minister should also reflect on some of his comments in his answer to me today.

Mr Deputy Speaker: The Member's point has been made.

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

Private Members' Business

Local Government (Disqualification) Bill: Further Consideration Stage

Clause 2 (Commencement)

Debate resumed on amendment Nos 3, 4 and 5, which amendments were:

No 3: In page 1, line 7, leave out

"the day of the first local general election to take place after Royal Assent."

and insert

"1st May 2014." — [Mr Weir.]

No 4: In page 1, line 8, leave out "Royal Assent" and insert

"the making of the first order to be made after Royal Assent under section 50(10) of the Local Government Act (Northern Ireland) 1972." — [Mr Weir.]

No 5: After clause 2, insert the following new clause

"Interim Arrangements

2A.—(1) The Department of the Environment shall make regulations under section 36 of the Local Government Act (Northern Ireland) 1972 reducing allowances payable to councillors who are members of the Assembly.

(2) The regulations shall have effect from the end of the period of 1 year after Royal Assent until the commencement of section 1." — [Mr Weir.]

Mr A Maskey: Go raibh maith agat, a LeasCheann Comhairle. I will speak quite briefly.

Mr Deputy Speaker: I apologise, Mr Maskey. Mr Ross has to finish. He was interrupted prior to Question Time.

Mr Ross: Mr Maskey will be relieved that I will not keep him waiting for too much longer. If I had been given an extra five seconds in the minute and a half that I had before Question Time, I probably would have finished my speech.

The position of my party is well known from previous stages of this legislation. We would like

to see a phased withdrawal of the dual mandate system. In that interim period, it would be right and proper that Members who wish to serve on local councils as well as in this House have their allowances greatly reduced. A debate could be had about the level to which those allowances should be reduced. That would be the best way to end dual mandates between councils and the Assembly.

Mr A Maskey: Thank you, a LeasCheann Comhairle. I thank the Member for honouring his one commitment that he would not keep me waiting for long.

Very simply, my party wants to see the legislation passed and taking effect from next May. That is very reasonable. I commend Dawn Purvis for introducing the Bill. It has put a very important focus on the need to bring to an end dual mandates at that level. My party will not support amendment Nos 3, 4 and 5.

As I have previously acknowledged in the House, it is important to recognise that DUP Members have, to some extent, moved to end some of their overlapping and multiple mandates and salaries. That is good and it is welcome. However, that party now says that it supports the end of the dual mandates of councillors and MLAs but not until 2014. We feel that there is no longer any justification for extending the practice of dual mandates beyond May 2011.

The DUP is a large political party. It has quite an array of MLAs and councillors and a strong, popular electoral base. We see no reason, justification or understandable rationale for it wishing to retain dual mandates or double jobs for people holding down councillor and MLA posts when there are so many talented people in the party who could undoubtedly take up those roles.

I listened recently to the DUP leader outlining how to reduce costs and bureaucracy and advising people, including those in a public sector that is often under pressure, that they will have to feel the pain. For him then to say, "yes, that's OK, but we are going to keep two jobs" is a regrettable and open contradiction.

Mr Weir: In the wider context, I appreciate the Member's point. To be fair to the party opposite, it has been, unlike some others in the House, fairly consistent on this issue. However, on the issue of finance, does the Member accept that, if passed, amendment No 5 would reduce rates

bill? Salaries would be reduced because, were a replacement to come in they would be paid at full salary. Whatever other arguments are used, from a purely financial point of view, amendment No 5 would save costs.

Mr A Maskey: I thank the Member for clarifying that. I was coming to amendment No 5. Although it seeks to reduce allowances, it does not say by how much or from when. We are concerned that the party opposite may declare a commitment that sounds good — I do not by any stretch want to misrepresent Mr Weir or impugn his integrity — but his party has failed to deliver on previous commitments.

Mr Weir: I understand that there is always scepticism about any commitment by any party. The difference is that this is not a commitment. If passed, there would be a legislative requirement to act within a specific time frame. The Bill refers to the Department of the Environment, responsibility for which may well pass out of DUP hands. The Member opposite may be the Minister of the Environment this time next year. He may be bringing forward that proposal. I will not say which of the three Members facing me would volunteer for the job.

Although the commitment on a time frame may pass outside my party, it will be enshrined in legislation. I understand scepticism about a manifesto commitment or one made in a public speech, but, if put in place, the commitment in amendment No 5 would be in legislation.

Mr A Maskey: I appreciate the Member's contribution, and I do not want to be too cynical, but, on this occasion, flattery will get you nowhere. *[Laughter.]*

Mr Deputy Speaker, I repeat that I do not want to impugn Mr Weir's integrity. I accept entirely his personal commitment on this matter. However, his party made commitments that were not met. Amendment No 5 talks about reducing allowances, but not by how much. There might have been a better chance of winning sympathy for the amendment had it stated that there would be no allowances and no overlap of any payment. That might have made it a little more attractive.

Mr Weir: I think that the word "reduction" was suggested, but a reduction could be to zero. That would be in whatever proposals the Department of the Environment brought forward. The amendment does not commit to

a figure, but it leaves the question of overlap open. Alternatively, as happened at Westminster, anyone who was an MP and an MLA received no salary at all, and amendment No 5 is open to the same interpretation.

Mr A Maskey: I admire the Member's valiant efforts. Again, given the history of the Department of the Environment — or maybe I should say of the Minister — we are left underwhelmed by those commitments.

I will go back to the essence of the debate, amendment No 3. For the DUP to say that it is prepared to end double-jobbing, but not until 2014, does not demonstrate commitment. Given the array of talent that the DUP has at its fingertips, there is absolutely no reason why the party cannot end double-jobbing now.

Mr Weir: Flattery will get you nowhere.

Mr A Maskey: We will see how the votes tot up.

Delaying the legislation until 2014 is no longer rational or justifiable. It is important to point out that we have a lot of work to do in the Assembly. A lot of people criticise the Assembly for not doing enough, and, to some degree, there is truth in that. I would argue, however, that that is due largely to political commitment and has nothing to do with numbers or the effort that people are willing to put in. There has been a record of failing to honour commitments, and we feel that the failure to end dual mandates is an example either of a failure to honour a public commitment or of an inability to deliver. Whichever is the truth, I am not sure. Nevertheless, it is important to restate that we do not think it is justifiable to extend double-jobbing for councillors and MLAs beyond next May. There is plenty of time to serve notice on all parties to replace Members, whether in local government or the Assembly.

More importantly, each mandate that is exercised is very important in its own right. We do not see a difference in status between councillors, MLAs, MPs, MEPs or, for that matter, TDs. As far as we are concerned, all elected offices are important in their own right. In fact, they are and should be complementary. There may be conflicts of interest, and, for Ministers who are councillors, they have been legion. However, to diminish the role of local government or the Assembly by allowing Members to carry out both tasks is very unfair on Members because they must try to conduct

two jobs and, more importantly, it is very unfair on the electorate because, as we all know, there are great responsibilities involved in taking office.

Even though we have not delivered RPA, which is another problem, a lot of hard work is required at local council level. Those of us who have been privileged enough to be councillors know that great demands are placed on us. That is the privilege and commitment that we take on. Nevertheless, huge demands are placed on councillors, and, increasingly in local government, with people expected to work much more professionally. A lot of time and effort is put into working in local government. Therefore, to expect to be served by a person who splits their time and energy between a local government post and the Assembly is unfair on the electorate, whether it is voting people into the Assembly or a council.

People argue that the electorate vote for candidates anyway, and often they do, because they have faith in most representatives. Consequently, they are prepared to vote for those with more than one mandate. However, at this point in our political development, there is no longer a need to retain a dual mandate, particularly at local government and Assembly level. There is no longer any rationale or justification for doing so, so we ask all parties to agree to send a clear message to the wider public that, in these difficult and austere times, when it is important that we manage our time and efforts, we are acting as one and will carry out one job per representative. In a very important way, we can start by doing that now at local government and Assembly level.

On behalf of my party, although we support the Bill, we oppose amendment Nos 3, 4 and 5.

Ms Purvis: It will come as no surprise to hear that I oppose amendment Nos 3, 4 and 5. I have to say that I have been very impressed with the creativity and determination that Mr Weir demonstrated in trying to find ways to prevent the Bill from being implemented. If he were to use his formidable powers for good, the world might be a much better place.

3.45 pm

Amendment Nos 3 and 4 offer different roads to the same objective, which is, in my opinion, to wreck the Bill and make it ineffective by delaying its implementation for as long as possible. Amendment No 3 is essentially

the same amendment that Mr Weir tabled at Consideration Stage but by different means. It would delay the implementation of the Bill until the local elections that are expected in 2015. Amendment No 3 may mention 2014, but there are no elections planned for 2014, and after next year's local elections, the following elections will be in 2015, which would be the first time that the disqualification can be applied under amendment No 3. That might not be certain, even in a new mandate.

Fortunately, Mr Weir's amendment to delay implementation was not accepted for debate at Consideration Stage. This new attempt at wrecking the Bill has made it to the Chamber after being sweetened with an incentive in the form of amendment No 5, which instructs the Department of the Environment to reduce the allowances of those holding dual mandates for a year up to the 2015 local elections. As other Members, including Alex Maskey, said, amendment No 5 gives no context for such a reduction. It does not say by what amount those allowances should be reduced, nor does it insist that the allowances should be reduced by a meaningful amount, which would, allegedly, remove the incentive for an individual to attempt to hold both levels of office. I have to ask: what is the point of delaying a reduction in allowances for four years? Why wait? Why not do it now?

Advocates of dual mandates in the Chamber have insisted that it is not about money and that the compensation offered for local council work is minuscule. If that is the case, why not reduce such allowances immediately for those with dual mandates or, even better, just remove them entirely? The suggestion that reducing the council allowances of double-jobbing MLAs by an undefined amount four years from now is any form of incentive to leave, or any meaningful penalty for blocking the democratic process, is, quite frankly, laughable.

Mr Weir: I am not sure whether the Member has misinterpreted the issue. The purpose of amendment No 5 is to introduce a reduction that would take effect from that point until disqualification. It is not a question of delaying the reduction for four years until 2014. Presumably, it would come into operation in 2011 and take place until 2014, for example. Perhaps that has been slightly misinterpreted.

Ms Purvis: I am quite clear about my interpretation. If a reduction in council

allowances is to be introduced, it will not be introduced until 2014. There will be a year in the run-up to the election.

Mr Weir: That is not what amendment No 5 says. It says that regulations will be brought in within a year after Royal Assent, which, presumably, if the Bill is enacted, would be at the start of 2011. That means that it would be brought in early in 2011. The Minister can bring forward regulations effectively to change council pay at any stage. Indeed, a number of changes to allowances have been made. We do not have to wait until the end of the council term for those changes to take effect. It is not a question of delaying the reductions until then. That is explicitly indicated, because amendment No 5 is a consequential amendment. In fact, because of that, if it were delaying a change until after 2014, it would be an utterly meaningless amendment, because it would reduce allowances for people to whom it did not apply. Amendment No 5 clearly refers to "interim arrangements" in the period between 2011 and the introduction of disqualification in 2014. That should be fairly obvious.

Ms Purvis: I am sorry, but it is not fairly obvious to me or to other Members. Amendment No 5 is consequential to amendment Nos 3 and 4, which are clearly attempts to delay the commencement of the Bill. Therefore, the effect of amendment No 5 would be delayed until the commencement of the Bill.

Mr Weir: It would not.

Ms Purvis: It would. Mr Weir's amendments are an attempt to create the appearance of something being done about the money side of the issue of double-jobbing when, in truth, very little would happen. They would result in a reduction of an undefined amount four years from now, which is pathetic.

Amendment No 4 continues the trend of meaningless reform. It is a shameless attempt to kick the Bill into never-never land. Amendment No 4 ties implementation of the Bill to the implementation of the new boundaries for the transition from 26 to 11 councils. In principle, that is not such a bad idea, and, in many ways, it would be ideal to connect the end of dual mandates with the implementation of other local government reforms as part of the review of public administration. That way, local councils could try to manage all the changes

at the same time rather than face a prolonged period of adjustment and transformation.

However, as the author of the amendments knows very well, the move from 26 to 11 councils has been suspended indefinitely. Everyone in the Chamber knows that, because the DUP's Environment Minister has already said so. In fact, during Consideration Stage, the author of the amendments said that the review of public administration was dead in the water. Therefore, he is attempting to tie the implementation of the Bill to an event that will not happen in the foreseeable future, and we wonder why people are getting more cynical about politics.

The amendments are disingenuous and misleading and create an impression of trying to work to end dual mandates as directed by the legislation. However, in truth, the language in amendment Nos 3, 4 and 5 would make that reform as weak and trivial as possible. It remains a mystery to me why the DUP and the Alliance Party are fighting so hard against the end of dual mandates. When it comes to building policy about the quality of our democracy, we all surely have the ability to see beyond our own individual needs and beyond this immediate moment in time. I urge parties that cannot find sympathy with the Bill to try to invoke a broader perspective, as Cathal Boylan referred to earlier in the debate, and to think beyond their personal ambitions and those of their parties and consider how they want this Chamber to look when they are gone and what qualities, abilities and culture they want it to have. Despite what we may think of ourselves, we are all temporary, and, ideally, the institutions and processes that we create will be lasting.

There is an incredibly important issue of fairness here. Tens of thousands of people in Northern Ireland are desperately in search of work. They come from all walks of life and from a variety of backgrounds, and the recession has left no part of our society untouched. Amendment Nos 3 and 4, which attempt to delay commencement, are scandalous, and it is stunning to me that, in the middle of a recession of historic proportions, anyone in this Chamber who thinks of himself or herself as a political leader would think that it is appropriate to hang on to two or more professional opportunities that are paid for by the public purse. I find it impossible to understand how

any political party can stand opposed to the Bill in the current economic environment or can work to weaken or delay its implementation. There is absolutely no compelling argument in the public interest for retaining dual mandates for another day.

The argument in support of amendment Nos 3 and 4 about the review of public administration and the need to retain experienced members on councils is a smokescreen. There is a notion that we need to phase in the end of dual mandates. The DUP definition of "phase" is more like my definition of "unfazed" — do nothing, do not move, just sit where we are. I seriously doubt that the work of local councils would come to a screeching halt if a handful of dual mandate members in each council stepped down. There are plenty of experienced members on councils who do not hold dual mandates.

The attempts by the DUP through amendment Nos 3 and 4 to delay implementation of the Bill go a long way to show what that party is about, who will come though next from that party and where it stands on the elections next year. As usual, it is probably frozen by fear. Therefore, I compel Members to reject amendment Nos 3, 4 and 5 and let the Bill stand in its most effective form, which includes its implementation at next year's local council elections.

Mr Weir: I rise feeling somewhat the patron saint of lost causes in today's debate, because, despite some reasoned words from various sides of the House, it is fairly clear that there will not be a degree of the consensus and concession that I sought earlier. That does not appear to have been grasped by Members, but if they miss out on the opportunity to grasp something on which there could be a degree of consensus, we will not be moving forward and there may be consequences.

In their opposition to the amendments, a couple of Members argued that, in the current circumstances of so many people being unemployed, we have to have a professional opportunity. The idea of the massed ranks of the unemployed suddenly being massively reduced by a number of posts serving on a council is utterly spurious, when, as everyone acknowledges, it is clear that being a councillor is a part-time job. Everyone who sits on a council, with the exception of retired people, does another job. It is not a question of creating job opportunities, and some of the Members

who raised that showed a complete lack of knowledge of local government. Indeed, given some of the sources that that came from, I am not entirely surprised.

I will deal with the point that came up last, on interim arrangements. I would be perfectly happy if that amount were reduced to zero. The way that the amendment is phrased makes it not, as has been indicated, a commitment that has been thrown out there. If it were accepted, it would be in legislation and be required to be done. The Bill's sponsor has deeply misunderstood what is there. The proposed new clause is titled 'Interim Arrangements'. It is between the creation of the regulations by the Minister and disqualification.

The Committee of the Environment's brief states:

"If amendment 3 or 4 is made ... amendment 5 would require that any councillors who are also MLAs would have their allowances reduced in the interim period."

It is abundantly clear that that is the period that is being referred to. Ms Purvis has not read the amendment particularly well. It makes reference to this coming in within one year of Royal Assent to section 1. Section 1 is not the commencement provision, so this would be brought in in 2011 and have effect between then and any disqualification period.

Ms Purvis: Will the Member agree that that is a smokescreen? The legislation is about an end to dual mandates, and you have attempted to give a sweetener to take away from the commencement, which is at the next local government election, not one in five years' time or 10 years' time. This is a sweetener; you thought that you would get other parties to agree to this so that you could get amendment Nos 3 and 4 made.

Mr Weir: With respect, I do not see what is so unparliamentary in trying to persuade people to support your position. Indeed, that, perhaps, shows a certain lack of grasp of reality.

Genuine concerns have been raised, and, from these Benches, we have said that we believe that there is complementarity between the work of a councillor and the work of an MLA. In fact, I believe that it is very compatible and fits in well. Unlike a lot of Members who were councillors and became MLAs, I come from the opposite position of having been an MLA for a number of years before becoming a councillor.

We have accepted the argument that there is complementarity between being a councillor and being an MLA, so there is an argument that people are getting paid in some shape or form a second time for doing similar work.

Ms Purvis: Will the Member give way?

Mr Weir: To be perfectly honest and realistic, I have heard enough from you today. I will plough on.

The Chairperson of the Committee for the Environment: Will the Member give way?

Mr Weir: I am happy to give way to the Chairperson of the Committee for the Environment.

The Chairperson of the Committee for the Environment: I take the point on board that being on a local council first gives a good standing and prepares people for here.

You said that the posts complemented each another, and that is correct. However, you have to agree that they also create a conflict, particularly for Ministers. I mentioned this point to you before. Members sit on Committees scrutinising legislation and go through the process of looking at the whole issue of legislation. They then go to down to the local councils and implement such legislation, so surely there is a conflict.

You were not clear on the job issue, which I made a point about. It is about creating opportunities. We all realise that council jobs are part time. That having been said, there is a lot of hours' work involved in those jobs. Take, for example, jobs in multi-stores and everywhere else, most of them are part time too. I just wanted to clarify that point.

4.00 pm

Mr Deputy Speaker: Order. A little reminder: Members must debate the amendments and refer all remarks through the Chair. There should not be references to "you", "you" and "you" across the Chamber.

Mr Weir: There have been enough "ewes" for a flock of a sheep.

Bearing those comments in mind, Mr Deputy Speaker, I appreciate the points that have been made. Opposing the amendments on the basis of job opportunities or on the effect that they might have on the recession is fairly weak. However, from a purely financial point of view, I

admit that amendment No 5 would, in the grand scheme of things, have a relatively marginal effect on public finances in these harsh economic times. The amendment would reduce the amount of money paid out by the public purse and ratepayers. However, it is clear that, even if the allowances were wiped out entirely, only somewhere in the region of £500,000 a year would be saved, and I concede that that is not an enormous sum. Therefore, the financial arguments certainly tend to stack up on that side.

Mr A Maskey: I thank the Member for giving way. I am interested in amendment No 3 and the fact that the DUP is saying that it wants to end dual mandates but not until 2014. Will Mr Weir explain precisely why it is so important that only its Members — I am not sure how many DUP MLAs are councillors, but he is speaking for his party — carry on in their council posts until 2014?

Mr Weir: With respect, I must say that that amendment was not drafted with reference simply to DUP Members. I agree with at least one point made by Mr McGlone, who had no particular problem with parties' self-regulating. That is also where my party comes from. We believe in a phased reduction. However, we need time to do that. Depending on how it is defined, all the parties have had an overlap between councillors and MLAs, and most of them have had an overlap between MPs and MLAs. All the parties have taken the approach of a phased withdrawal rather than of ending every position on the same day. I suspect that the party opposite is probably more proactive than most on the councillor issue.

From a philosophical point of view, the question to some extent is why we need something that imposes exactly the same position on everyone. Why not allow a degree of self-regulation? We have a degree of scepticism about the overall need for this legislation. However, it is clear that others in the House are strongly persuaded of its merits. These amendments are an attempt to bridge that gap by accepting the Bill's principles but indicating that we believe, from a practical point of view, that the practice of dual mandates should be phased out. The amendments, therefore, offer a degree of compromise. In that sense, if we were left entirely to our own devices, we might not feel that there is a need for the legislation at all. It is an attempt to get some consensus among the

parties on the issue. I urge Members to grasp that opportunity.

Amendment No 4 links commencement to the RPA. In principle, that is because we believe the argument that there is, at present, a level of compatibility between councils and the Assembly. Our experience is that it is largely manageable, particularly for Back-Bench Members, to sit on a council and be an Assembly Member. However, that argument will start to shift when the RPA comes in, because it is clear that, when that happens, there will be an added level of responsibility that may make managing a dual mandate impractical. That is why we tabled amendment No 4.

Although we could live with either amendment No 3 or amendment No 4, we tabled amendment No 3 because we were acutely aware that simply linking commencement to the RPA would raise concerns in the Chamber. I want the RPA to be brought in as soon as it can be. However, there is a degree of scepticism about whether that will happen or when that will happen. Consequently, there was a feeling that, although we support it, amendment No 4 could be seen as attaching commencement to something that may not happen or may not happen for a considerable time. Therefore, amendment No 3 ties commencement in with the next mandate. According to amendment No 3, commencement would be in 2014, so all dual mandates would be removed before the 2015 Assembly election, or, as has been mooted on occasion, if there were elections to shadow councils in 2014 under the RPA, commencement would occur before the 2015 election.

As I said, the proposed interim arrangements have, to a degree, been misinterpreted. However, the amendments are a clear indication that we are trying to reach some consensus and to take on board the argument that Members are getting paid twice for the same work. That is the spirit in which the amendments have been tabled.

I conclude, albeit not with a great deal of hope — more in hope than expectation — by urging the House to grasp what I believe to be a compromise bid, which those of us who have concerns about the Bill and those of us who enthuse about it should ultimately be able to live with. I urge Members in all conscience to take account of that and to try to achieve a

degree of consensus on the issue. I am happy to support the second group of amendments.

Question put, That amendment No 3 be made.

The Assembly divided: Ayes 40; Noes 52.

AYES

Mr S Anderson, Mr Bell, Mr Bresland, Lord Browne, Mr Buchanan, Mr Campbell, Mr T Clarke, Mr Craig, Mr Easton, Dr Farry, Mr Ford, Mrs Foster, Mr Frew, Mr Gibson, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy, Mr McCausland, 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 Ayes: Mr McQuillan and Mr Ross.

NOES

Mr Adams, Ms M Anderson, Mr Armstrong, Mr Attwood, Mr Beggs, Mr Boylan, Mr D Bradley, Mrs M Bradley, Mr P J Bradley, Mr Brady, Mr Burns, Mr Butler, Mr W Clarke, Mr Cobain, Rev Dr Robert Coulter, Mr Cree, Mr Dallat, Mr Elliott, Sir Reg Empey, Mr Gallagher, Mr Gardiner, Ms Gildernew, Mrs D Kelly, Mr G Kelly, Mr Kennedy, Mr Kinahan, Mr Leonard, Mr A Maginness, Mr A Maskey, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCartney, Mr B McCrea, Mr McDevitt, Mr McElduff, Mr McFarland, Mrs McGill, Mr McGimpsey, Mr McGlone, Mr M McGuinness, Mr McKay, Mr McLaughlin, Mr McNarry, Mr Molloy, Mr Murphy, Mr O'Dowd, Mr O'Loan, Ms Purvis, Ms S Ramsey, Mr K Robinson, Ms Ruane.

Tellers for the Noes: Mr McFarland and Ms Purvis.

Question accordingly negatived.

Amendment No 4 proposed: In page 1, line 8, leave out "Royal Assent" and insert

"the making of the first order to be made after Royal Assent under section 50(10) of the Local Government Act (Northern Ireland) 1972." — [Mr Weir.]

Question put.

The Assembly divided: Ayes 40; Noes 53.

AYES

Mr S Anderson, Mr Bell, Mr Bresland, Lord Browne, Mr Buchanan, Mr Campbell, Mr T Clarke, Mr Craig, Mr Easton, Dr Farry, Mr Ford, Mrs Foster, Mr Frew,

Mr Gibson, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy, Mr McCausland, 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 Ayes: Mr McQuillan and Mr Ross.

NOES

Mr Adams, Ms M Anderson, Mr Armstrong, Mr Attwood, Mr Beggs, Mr Boylan, Mr D Bradley, Mrs M Bradley, Mr P J Bradley, Mr Brady, Mr Burns, Mr Butler, Mr W Clarke, Mr Cobain, Rev Dr Robert Coulter, Mr Cree, Mr Dallat, Mr Elliott, Sir Reg Empey, Mr Gallagher, Mr Gardiner, Ms Gildernew, Mrs D Kelly, Mr G Kelly, Mr Kennedy, Mr Kinahan, Mr Leonard, Mr A Maginness, Mr A Maskey, Mr P Maskey, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCartney, Mr B McCrea, Mr McDevitt, Mr McElduff, Mr McFarland, Mrs McGill, Mr McGimpsey, Mr McGlone, Mr M McGuinness, Mr McKay, Mr McLaughlin, Mr McNarry, Mr Molloy, Mr Murphy, Mr O'Dowd, Mr O'Loan, Ms Purvis, Ms S Ramsey, Mr K Robinson, Ms Ruane.

Tellers for the Noes: Mr McFarland and Ms Purvis.

Question accordingly negatived.

Mr Deputy Speaker: Amendment Nos 3 and 4 were not made, so I will not call amendment No 5.

4.30 pm

Clause 3 (Interpretation)

Amendment No 6 made: In page 1, line 11, leave out "and 'local government' have" and insert "has". — [Ms Purvis.]

Long Title

Amendment No 7 made: Leave out "from" and insert "for". — [Ms Purvis.]

Mr Deputy Speaker: That concludes the Further Consideration Stage of the Local Government (Disqualification) Bill. The Bill stands referred to the Speaker.

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

Motion made:

That the Assembly do now adjourn. — [Mr Deputy Speaker.]

Adjournment

Ballymacash Social Housing Scheme

Mr Deputy Speaker: Order. Members must resume their seats or leave the Chamber. I remind Members that the proposer of the topic will have 15 minutes in which to speak. All other Members who wish to speak will have approximately seven minutes.

Mr Givan: Members who are still in the Chamber will be glad to hear that I will not take anywhere near my allocated time. When I tabled this Adjournment debate around a month ago, a decision had not been made on the Ballymacash social housing scheme. Funding had not been approved for it. I was bringing the topic to the Chamber to try to focus minds and to get the scheme over the line. Subsequently, last week, the Minister approved the scheme for social housing in Ballymacash. It will now go ahead.

I declare an interest as a member of Lisburn City Council. The scheme originated when the council identified land that was surplus to its requirements. A need for social housing had been identified in the area. However, the council had a problem in obtaining land for that purpose. The council carried out a survey, which found that land was available in the Ballymacash area. Ballymacash has the highest housing waiting list of any part of Lisburn. Therefore, it needs that scheme. The council agreed to proceed down that route.

The land had been zoned for recreational and green space. Therefore, the council was limited in how it could dispose of it. It was also landlocked by adjacent Housing Executive land. There was discussion and dispute over how the council's land could be accessed and whether access would have to be through the Housing Executive's land. Therefore, due to a number of issues, there has been a delay of several years to get to where we are at present.

I want to pay tribute to Lisburn City Council for its proactive efforts to facilitate the scheme. A

number of councillors have complained. They have sought to misrepresent facts about the zoning of that land. They claimed that the land could have been sold on the open market. That was never the case. It could never have been sold on the open market for private residential property because it had been zoned for a different purpose. Therefore, the only avenue that was open to the council was to identify a social need for housing and to have the conditions that had been put on the land lifted. The council identified that social need. Therefore, the conditions were lifted. That is why we are in the current position. Anyone who misrepresents that is wrong and is misleading people.

That said, the Minister has now given his approval for the scheme, which will create 146 new social housing units. It builds on schemes that have been put in place over the past couple of years by Ulidia, which, I believe, has provided 170 social houses. Those allocations have been completed, so people who required housing have got it. The scheme in Ballymacash is providing a further 146 units, and that will go a long way to addressing the needs in that area.

I thank the Minister for what he has done in getting this over the line. We went to see his predecessor, Margaret Ritchie, about the case, and she did good work in trying to move the Housing Executive on. We have got to the point where it has been signed. It is over the line. We are keen that diggers will be in place as quickly as possible. It is hoped that that will happen around March and that the groundwork can commence. I thank the Minister for making the decision that he has made. Hopefully, people in that area will soon have the housing that they so desperately need.

Mr Butler: Go raibh maith agat, a LeasCheann Comhairle. I thank my fellow MLA from Lagan Valley for bringing this to the House. I cannot remember another subject for Adjournment debate that was more or less decided on or before the actual debate. We have got a good result. I thank the Minister. He sent me a letter about it. In fact, I think that he sent the same letter to all the Lagan Valley MLAs. The scheme is good news because it will reduce the amount of people looking for social housing in the Lisburn area and, given the economic downturn, it will be a boost for the local construction industry. The Minister mentioned that in his letter. The local economy in Lisburn will benefit

to the tune of £12 million. That has to be very good news.

I do not want to repeat what Paul Givan said. The issue generated a bit of heated debate in Lisburn City Council. It is not often that I agree with my colleagues facing me in the DUP. We have got the right outcome: 146 social houses will be built in Lisburn. As has been said, the fact that the land belonged to Lisburn City Council helped in getting round the difficulties of sorting out land transactions with the Housing Executive. The land can now be used for social housing.

The Minister will probably get an easy time during the Adjournment debate. I hope that he will not get a hard time from my Lagan Valley colleagues. It is a good news story, and the scheme will go some way to reducing the number of people who are on the social housing waiting list. I hope that there are a number of other schemes. This scheme is primarily in Lisburn, but the Lisburn City Council area also covers the Housing Executive's Dairy Farm district office and Lisburn district office, both of which represent high levels of social housing need. I welcome the Minister's decision.

Mr B McCrea: As others have said, the decision has been taken. I received the letter from the Minister, for which I am grateful. It is a bit disappointing that it has taken so long to resolve the issue but, perhaps, that is the way of the world. At least it is done now. On that basis, I am pleased that a decision has been taken. I welcome the provision of the new houses and will be pleased to see work start as soon as possible.

Mr Lunn: I welcome the Minister's decision. It has been something that Lisburn City Council took its time over; perhaps, at times, unnecessarily. If we had been able to speed up the process, we would, perhaps, have got a slightly better price for the land. However, the Minister can give us only market value for the land, and that is accepted. The main thing is that the building of necessary housing is going ahead during this financial year, and that is to be welcomed.

Mr Poots: I welcome the Minister's decision. It is the right decision. It is a decision that will help to tackle the severe congestion that exists in getting social housing for people in the Lisburn area, which has one of the highest

levels of social housing need in Northern Ireland.

There has been a lack of construction projects coming from the Antrim Street district office of the Housing Executive for a number of years. Therefore, we are glad to see the movements in recent years, and we are glad that one of the housing associations bought around 100 former army houses as part of one of the new cross-community developments that is being taken forward. There have been other movements in the right direction, particularly in the Ballymacash area. We need to see more of those, and the scheme is very important in going some way towards meeting that demand.

4.45 pm

I disassociate myself from the remarks made by Councillor Lunn. A price was agreed for that portion of land, the deal was done, the housing association was in place and, for whatever reason, officials in the Housing Executive dragged their heels for well over a year so that a revaluation had to take place.

Given the lack of building and construction in the area, the people of Lisburn felt that they were getting a raw deal from the Housing Executive for a long time. Had it not been for the intervention of the chairman of the Housing Executive, Brian Rowntree, to whom I pay particular tribute, the scheme probably would not have happened, or, at least, we would not be where we are today. That said, I also pay tribute to the previous Minister for Social Development, Margaret Ritchie, for her work and to the late Councillor Peter O'Hagan, who, unfortunately, is not around to hear that tribute paid to him. It was Councillor O'Hagan who proposed that the land be used for social housing in the first instance and who always played an honourable role in bringing the project about, because he had the interests of the wider community at heart.

All in all, it is to be welcomed that we are where we are. However, the Housing Executive still has a considerable amount of work to do to meet the demand for social housing in the Lisburn area. This should be the beginning of the end as opposed to the end in meeting public demand. We are only at the starting point and nowhere near the finishing point, and there is a lot more for the Housing Executive to do. Ulidia Housing Association has an excellent track record in the area, and we have a lot of confidence in it. I ask the Minister to reflect on that as he reaches

decisions in the future, and I thank him again for his good work on the issue.

Mr Craig: I will begin by declaring a couple of interests. I am a member of Lisburn City Council, and I am also the councillor who seconded the proposal to sell the land for public housing. I reinforce Minister Poots's commendation of Councillor Peter O'Hagan. He proposed the whole project and backed it tooth and nail throughout the years. While others criticised the Department and the Housing Executive for dragging their heels in the negotiations on the sale of the land, Councillor O'Hagan spoke to the Minister on a number of occasions and kept the project moving. Like my colleague, I pay tribute to the former Minister for Social Development for her involvement in the project. We all held meetings with her during the project — I had several private meetings with her — and her intervention was always positive when it came to getting it moving.

Although my party colleague paid tribute to the chairman of the Housing Executive, unfortunately, my experience of the Housing Executive during the project was very negative. Ballymacash is an area of great social need — in fact, it is one of the areas of greatest social need in Lagan Valley — yet the Housing Executive, the body that should promote social housing, dragged its heels and failed the people there, time and time again.

The one thing that I find totally regrettable about all this is that it has taken four years to get to the point at which the Minister was able to make a positive announcement on the project. That is four years of people sitting on a waiting list hoping to get social housing in that area. Many people have been on that waiting list for a lot longer than four years, but they are determined to stay on it because of the hope that the Department has now given them. There are a lot of families who have grown up in that area and their children want to live there. It is testimony to the Ballymacash area that people want to live there with their families.

The one unforeseen in all that, which I will pay tribute to and which was referred to by Minister Poots, was Ulidia Housing Association. I came into contact with Ulidia almost seven years ago, when we forced — I emphasise that — the Housing Executive to use land that it owned to provide social housing for that area. The Housing Executive had no intention of delivering

any social housing in the area. It had to be forced to do so. That was a regrettable and disgraceful position for the Housing Executive to be in. Ulidia delivered 175 homes in the Ballymacash area and, thankfully, it seems to have been selected to deliver an additional 146 houses.

Ulidia's conduct has been impeccable throughout. That association has put itself at financial risk to deliver the project on time. While the Housing Executive and others dragged their heels on delivering the project, Ulidia took the financial risk that needed to be taken to deliver the project on time. We need to be honest: if the project had fallen into the next financial year, the money to deliver it may not have been there. I pay tribute to Ulidia for the risks that it took so that social housing could be delivered in Lagan Valley.

The Minister for Social Development

(Mr Attwood): Given the consensus on this matter, I think that I will retire at the top and take a bit of the glory. I acknowledge what a number of Members have said about the many people who contributed to getting the scheme over the line. I will speak about that shortly. I will make sure that the wife and family of my former colleague Peter O'Hagan receive a copy of the Hansard report so that they can be affirmed, as they will be, in their conviction that Peter was a great servant to the Lisburn area and to politics in Northern Ireland generally. I thank all the Members who acknowledged his contribution to the scheme, going back a number of years. In a personal capacity, I welcome that, and I am sure that his family will feel the same.

I will comment on a number of matters that were raised. I was down there last week with the three DUP MLAs from the area for some publicity for the scheme. It is clearly going to be a very useful scheme for the Lisburn area, as it is very close to the town. It is a part of the country that I am not very familiar with. What struck me more than anything is that one twentieth of all the people in housing need are on the waiting list in that neighbourhood and district, and one tenth of all those in housing stress in Northern Ireland are on the waiting list in that district. That is why the scheme, for all the reasons that were outlined, is going to be the most substantial scheme in the Department for Social Development's (DSD) Housing Executive's budget line during this year, perhaps

subject to one or two developments later in the year. It is going to be the single largest scheme. Given the length of the housing waiting list and the level of housing stress in that district, this will be very useful in addressing all that.

I also acknowledge the role of Lisburn City Council. There has been a lot of toing and froing in respect of this scheme over the past while. As Paul Givan indicated, the council was proactive in bringing this matter to a conclusion. My speech, drafted by officials, says that the cheque to the council will be in the post by the end of January. I read that out with a little caution, but, nonetheless, that is the ambition of the Department.

I also acknowledge the role of Minister Poots — not just Edwin Poots, the MLA for the area, as an advocate of the scheme — but in his role as Minister of the Environment, and also for the contribution of the Planning Service to the planning application.

The scheme is for 124 family houses and 22 apartments. It is an investment of close to £20 million, as Mr Butler said. With any sort of fair wind, and without any challenge to the procurement process, this should be on site by the end of the financial year. I reassure Members and people in the neighbourhood that, whatever the budget line might be in respect of housing, the consequential costs — into next year and the following year if necessary — will be secured, other things being equal.

I also make an appeal. I will imminently be making an announcement in respect of social clauses and DSD spend, and that includes housing association spend. I have to check this matter to find out where in the contractual process this particular scheme lies with relation to Ulidia and its obligations. If it is too late in the scheme to insert such conditions into the contract, I will urge people to make representations to Ulidia to ensure that this £18.4 million scheme has in it appropriate social clauses. I intend to drive social clauses into housing association contracts, and generally across the spend of DSD, for the recruitment of people from the long-term unemployed list. I will be making announcements on that matter, as decisions in respect of it were made this morning.

I want to acknowledge someone else. I look to Mr Craig to confirm this: the chairperson of Lisburn North community group, Jimmy Millar,

was with us last week when we took some photographs near the scheme, and he made an impact on me. He has been chairperson of that particular group for 22 or 23 years. Without going into any of the details, that is not an easy undertaking over that length of time, given the profile and character of some of the stuff that goes on in estates across Northern Ireland, including in the Lisburn area. He demonstrates that, whatever about the political input and the Ulidia input, there are men like Jimmy Millar. I do not know him from Adam, but I know the likes of him in every town and townland across Northern Ireland who, because of years of unpaid and unacknowledged private work, have been able to help communities to stabilise and regenerate. I would appreciate it if these comments could be passed on to Jimmy Millar. He made an impact on me, including some personal comments that he made about my political profile, which I will not share with the Assembly. *[Laughter.]*

I also make the point that, as one of the Members said, if this matter had been delayed any further, it might not have gone on site this year. Given the financial circumstances, it might not have been funded in future years. This scheme demonstrates why there needs to be security around the housing budget in the future. Given the stress that will be added to people and communities already stressed in Northern Ireland because of the ferocity of benefit cutbacks and the pressures on the revenue and capital budgets generally, we cannot have a situation where communities like this one in Lisburn should have to wait longer than they would otherwise have to for social housing and affordable housing provision.

The points that Members have made about the scheme are why we must protect the housing budget line so that the figures of 40,000 people on housing waiting lists and 19,000 people in housing stress do not rise, and those people do not wait a day longer than necessary.

5.00 pm

In this neighbourhood, those people will be rehoused in the next couple of years. The lesson to learn from that is that people in other neighbourhoods should not have to wait either. That is why I agree with Mr Butler's comments about other schemes, including ones in my constituency such as the Dairy Farm and Lisburn district offices, as well as other district offices across Northern Ireland.

I have one little point of caution: because of the magnitude of the contract, it has to go through the Official Journal of the European Communities. As has been outlined, Ulidia is well able to accelerate that, consistent with due process, in order to ensure that we have a select list from which to tender by January. Timelines are tight, but given Ulidia's good offices and good standing in contract management, the anticipated start date of March is on course. If there is any further uncertainty, delay or doubt, I will work with constituency Members to ensure that that start date is honoured.

I thank all Members who contributed. I also thank Margaret Ritchie, because she, as Minister, made sure that this scheme matured after years of delay and doubt. I acknowledge all the people — Peter O'Hagan, the chairperson of the Housing Executive, the local residents and representatives, and all others — who contributed to this good news story.

Adjourned at 5.02 pm.

Northern Ireland Assembly

Monday 15 November 2010

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

Members observed two minutes' silence.

Matters of the Day

Afghanistan: Military Fatality

Mr Speaker: Mr Gregory Campbell has sought leave to make a statement on the death of a soldier who was killed in Afghanistan, which fulfils the criteria set out in Standing Order 24. I will call Mr Campbell to speak for up to three minutes on the subject. I will then call representatives from each of the other political parties, as agreed with the Whips. Those Members will also each have up to three minutes in which to speak on the subject. As Members know, there will be no opportunity for interventions or a vote on the matter. I will not take any points of order. If that is clear, we will proceed.

Mr Campbell: Yesterday, as many thousands of us in Northern Ireland and many tens of thousands across the nation as a whole gathered at cenotaphs to remember the fallen and pay tribute to those who paid the supreme sacrifice, a family near Coleraine was visited by the Ministry of Defence and informed that another young man had paid that supreme sacrifice in Helmand province in Afghanistan.

When 1 Royal Irish was first deployed to Afghanistan, there were very obvious fears among the rest of the community in Northern Ireland and among families and friends that casualties would occur. Indeed, soldiers from Lisburn and Craigavon also paid that sacrifice in recent months. Now is not the time for deliberation or debate on the merits or demerits of the campaign. Now is the time to stand shoulder to shoulder to show solidarity with the family as they endure what, for them, must be the unendurable: the pain and suffering of the loss of a loved one as they await the return of the body before they can properly grieve. We stand with them. Our thoughts and our prayers are with them and with all those who serve. We

trust that sufficient resources will be deployed to ensure the safety and protection of all those who serve as they carry out their duties and the battle for freedom in Afghanistan. Our thoughts and prayers are with the family at this time.

Mr Leonard: Obviously, at such a very difficult time, we all have sympathy with a family preparing to bury a 20-year-old son, in whatever circumstances. All parents of young men around that age will identify with that sympathy. In the context of this death, everyone will know that Sinn Féin opposes the wars in Iraq and Afghanistan. We feel that the British Government are sending more and more young people to their death in such military escapades in various parts of the world. However, today, we sincerely record that this young man's death is, first and foremost, a tragedy for his family and his friends.

Mr McClarty: Now is not the time for political statements about the rights and wrongs of the war in Afghanistan; now is the time for our thoughts and prayers to be very much with the family of the young soldier who lost his life in such a tragic and untimely manner in Afghanistan, particularly given the fact that it happened yesterday, Remembrance Sunday, when the majority of us were thinking about all the young men and women who gave their life for the sake of freedom, not only in this country but throughout the world.

The death is also tragic because this young soldier's mother was actively involved in filling boxes to be sent to our soldiers in Afghanistan. It is difficult for me to find the words to express the deep sense of loss that the Coleraine community will feel on the death of that young soldier, but the thoughts and prayers of all of us have to be with him. I ask the community to support his family, even though I do not feel that I need to, because the community will get

behind and support them in the coming days, weeks and months.

Mr Dallat: As a Member for the area and a parent, I convey my personal sympathy and that of the SDLP to the parents and family of the young man who tragically lost his life so many miles from home. I will certainly not be making a political statement, but it is fair and reasonable to wish that the day soon comes when no young person anywhere in the world will lose their life in such tragic circumstances. We cannot begin to understand the loss to that family and their neighbours. We sincerely sympathise with them.

Dr Farry: I thank Mr Campbell for raising the matter of the day in the Assembly. I, too, reflect on the poignancy of the fact that the death occurred on Remembrance Sunday. It is important that we not only recognise the sacrifice made by the individual from Macosquin but pay tribute to all who have made the ultimate sacrifice of laying down their life for others.

We should also reflect on all those who are serving. Whether from Northern Ireland, the rest of the UK or in armies from other countries, they are all working to bring peace, development, democracy and human rights to troubled lands. It is important as well that we reflect on the fact that our security at home now depends on our action and that taken on our behalf by young men and women from these shores to provide security in lands very far from ours. This death is a sobering reminder of what is happening there and what people are doing to ensure that we are safe here in Northern Ireland and on these islands.

As other Members said, this is not a discussion of the rights and wrongs of our intervention in Afghanistan or of the nature of that intervention and how it should change. This is an opportunity to acknowledge, as is our duty, the strong acts of courage that individual citizens are taking on behalf of us all.

Assembly Business

Mr Gallagher: On a point of order, Mr Speaker. Have you checked the Hansard report of last Tuesday's Question Time, when I asked that the Hansard report be reflected on, further to the Health Minister's response to my fair question, when he made unfair comments implying that I had cast aspersions on and, indeed, sneered at health workers? Furthermore, Mr Speaker, do you intend to caution the Minister?

Mr Speaker: I have listened to the Member and, although I know that he has already raised the matter in the House, I have to say that I see it very much as the cut and thrust of debate in the Chamber. As I have told the House continually, I am not so hooked-up on the words that Members use in the House; I am more interested in the debates, the delivery of debates, what Members might say in a particular debate and in the bigger debate. I know that the Member feels strongly about the issue, but I have cautioned Members on good temperament in the Chamber on a number of occasions. I also recognise that the cut and thrust of debate, even during Question Time, can raise some issues. However, I see it very much as the cut and thrust of debate in the Chamber.

New Assembly Member: Mr Pól Callaghan

Mr Speaker: I advise Members that I have been informed by the Chief Electoral Officer that Mr Pól Callaghan has been returned as a Member of the Assembly for the Foyle constituency to fill the vacancy resulting from the resignation of Mr Mark Durkan. This morning, Monday 15 November, Mr Callaghan signed the Roll of Membership and entered his designation in my presence and that of the Clerk to the Assembly/Director General. Mr Callaghan has now taken his seat.

Ministerial Statements

North/South Ministerial Council: Language Sectoral Format

Mr Speaker: I have received notice from the Minister of Culture, Arts and Leisure that he wishes to make a statement to the Assembly.

The Minister of Culture, Arts and Leisure

(Mr McCausland): In compliance with section 52 of the Northern Ireland Act 1998, I wish to make the following report on the eleventh North/South Ministerial Council meeting in language sectoral format, the seventh since the restoration of the Northern Ireland Executive and the Assembly and the second to be held in 2010. The report has been endorsed by the Minister of Education, who was the accompanying Minister.

The meeting was held in the NSMC joint secretariat offices in Armagh on 3 November 2010. I represented the Northern Ireland Executive as Minister of Culture, Arts and Leisure, along with Caitriona Ruane MLA, Minister of Education. The Irish Government were represented by Pat Carey TD, Minister for Community, Equality and Gaeltacht Affairs. I also chaired the meeting. The meeting dealt with issues relating to the language body and its two constituent agencies: Tha Boord o Ulster-Scotch, the Ulster-Scots Agency, and Foras na Gaeilge, the Irish language agency.

I will now present a summary of the issues discussed by the Council on 3 November 2010. The Council received progress reports from Foras na Gaeilge and the Ulster-Scots Agency on developments to date in 2010. Ministers noted the ongoing collaboration between the agencies, including a recruitment policy for the language body; a joint disability action plan and policy on child protection and code of practice; a contract with HR consultants to draw up staff contracts and to review individual job descriptions; an information leaflet on the language body; and the continuation of the lecture series “Aspects of our Shared Heritage”, including a new lecture on the history of the languages.

Ministers noted progress by the agencies in several areas. On 18 August 2010, the Ulster-Scots Agency marked the occasion of its 100th board meeting. In 2010, the Ulster-Scots Agency provided funding for 27 summer schools and 10 after-school clubs, which continue to be successful

in engaging young people in Ulster-Scots activities. The Ulster-Scots Agency completed a preliminary evaluation of the new community workers scheme, which was introduced on a pilot basis in 2010. The agency's partnership funding scheme has been successful in bringing Ulster-Scots culture to wider audiences through a range of mediums including film, tourism and theatrical productions.

12.15 pm

Foras na Gaeilge established a new office in Gweedore on 1 September 2010. It provided funding for 65 summer camps in 2010. Foras na Gaeilge is finalising the accreditation system for Irish language editors, which will be introduced by the end of 2010, with the first examination taking place early in 2011. Foras na Gaeilge completed an internal review of the GLEO scheme —spoken Irish in the education sector — in advance of the 2010-11 school year.

Ministers thanked John Hunter, the outgoing chairperson of the Ulster-Scots Agency, for his contribution to the work of the North/South Language Body. The Council approved the 2010 North/South Language Body business plans and budgets. Ministers noted progress on the development of the Ulster-Scots Agency and Foras na Gaeilge corporate plans for 2011-13, including the emerging strategic objectives, priorities and efficiency proposals. Both Ministers recognise the challenges presented by the current economic climate and have agreed to work together to implement the measures agreed between both Finance Ministers in the context of their respective budgetary processes. The Council noted that the North/South Language Body's 2006 accounts were laid in the Northern Ireland Assembly and in the Oireachtas on 24 September 2010; audit fieldwork has been completed on the annual reports and accounts for 2007, 2008 and 2009; and consolidation will follow on as soon as possible.

The Council received a presentation by Foras na Gaeilge on the major new English-Irish dictionary and a presentation by the Ulster-Scots Agency on the operation of the community workers scheme, which was introduced on a pilot basis in 2010. Ministers noted progress on the review of the Ulster-Scots Agency's staffing structure and agreed that the designation of Ms Hazel Campbell as interim chief executive would be extended until the end of March 2011. The

Council noted the recommendations of the review of the core-funded organisations that was undertaken by the Ulster-Scots Agency and asked the agency to consider how best to implement the recommendations to ensure value for money and quality. The Council noted the current position of the review of the core-funded organisations that was undertaken by Foras na Gaeilge. Ministers noted proposals for enhanced implementation arrangements, including the appointment of a project manager and the establishment of a steering committee and an advisory committee. They agreed that, in the context of satisfactory progress on implementation being achieved, interim funding may continue to be provided by Foras na Gaeilge to existing funded organisations to the end of May 2011 and that progress will be reported at the next NSMC meeting in language sectoral format.

Ministers noted recent developments in recruitment to Foras na Gaeilge, including nine appointments, comprising five in Gweedore and four in Dublin, and five offers of posts, comprising four in Gweedore and one in Dublin. The Council noted the current position on the new English-Irish dictionary project, following approval of additional contract staff for Foras na Gaeilge, with the cost to be met by reallocation of funding within approved budgets. The Council agreed to hold its next meeting in language sectoral format in spring 2011.

The Chairperson of the Committee for Culture, Arts and Leisure (Mr McElduff): Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom mo bhuíochas a ghabháil leis an Aire as a ráiteas. Tá trí nó ceithre de cheisteanna agam air.

In the light of the review of core-funded organisations that Foras na Gaeilge has undertaken, what guarantee is there that interim funding will continue until May 2011? When will groups know whether interim funding will be made available? In the light of the review of the core-funded organisations that the Ulster-Scots Agency has undertaken, what are the key recommendations on groups' future funding?

Given the delays in the publication of the North/South Language Body's consolidated accounts for 2001 until 2006 and the subsequent delays in the publication of the accounts for 2007 until 2009, can the Minister pinpoint where the problem lies in producing those accounts, and can he give any indication of when the 2010 accounts will be available?

Finally, Foras na Gaeilge provides funding for 65 Gaeltacht summer camps. Is that body undertaking any work to increase affordability and accessibility for low-income families who may want their children to go to those summer camps?

The Minister of Culture, Arts and Leisure: One can always rely on the Chairman to seek value for money by getting four questions in when one is normally allowed. I will answer his questions in some sort of order.

The Member spoke about the recommendations from Foras na Gaeilge's review of core-funded bodies. It was simply noted that interim funding will be provided to the existing funded organisations until the end of May 2011. I can only assume that Foras na Gaeilge will abide by that recommendation, because it has stated that to the two Ministers in the two sponsoring Departments. I anticipate that, because it said it, it will indeed do that.

The Member asked about the Ulster-Scots Agency's review of core-funded organisations. The recommendations arose from the report and are broken down into three categories: agency-level recommendations; cross-cutting group-level recommendations; and specific group-level recommendations. Some of the key recommendations in the three categories are that the agency should provide strategic guidance to groups through the development of a strategy for the sector that sets out the vision and impacts required for it; that the agency should ensure that each group delivers an appropriate action plan to address governance matters; and that the agency will need to continue to provide core funding to the groups in the short to medium term to ensure their sustainability but that there should be a move away from core funding to project-related funding. Those are the recommendations in that report, and the agency is now considering them.

The next question was about delays in presenting annual reports and accounts. That goes back some years, and a delay in one year results in a delay in subsequent years. There is a knock-on effect. To go back to the start of the story, the 2000 and 2001 accounts were qualified by the Northern Ireland Audit Office, and there was a delay in signing off the body's consolidated accounts. That eventually happened in 2004, but, as a result of the delay, the reports and accounts for 2000 were

not published until 2005. Subsequent annual reports and accounts were delayed, as the Northern Ireland Audit Office audits accounts chronologically.

The final question was about the affordability of summer schools for the learning of the Irish language. That matter was not raised at the discussions, but I am happy to respond to the question in due course. We will refer the matter to Foras na Gaeilge to get some information for the Member.

Mr Speaker: Order. Before I call Mr David Hilditch, I remind Members — I am sure that they know anyway — that the convention on ministerial statements is absolutely clear: the Chairpersons of Committees have some latitude, and we saw that today. However, I expect Members to ask one question only from here on in. I do not expect further statements from Members. Members should know the convention, and I should not have to continue to remind them of it. From here on in, let us have one question to the Minister.

Mr Hilditch: I note the Minister's statement. My one question is: did the Minister take the opportunity to discuss additional efficiency savings for the North/South Language Body in light of the current situation in Northern Ireland?

The Minister of Culture, Arts and Leisure: As part of my ministerial remit, I, along with Minister Carey from the Department of Community, Equality and Gaeltacht Affairs in Éire, am responsible, through the North/South Ministerial Council, for the two North/South implementation bodies. As my statement to the Assembly relates to the meeting in language sectoral format, I will comment on the North/South Language Body and its two agencies. We have discussed our concerns about the effectiveness of North/South bodies with Mr Carey. That has to be a priority for us, especially at this time of economic constraint in Northern Ireland and in the Irish Republic. I have asked officials to work up short-term and long-term options to address my concerns as a matter of urgency to provide public confidence about value for money.

Mr K Robinson: I also want to ask the Minister about the economic situation here. Given the serious economic situation that we all face and, in particular, the economic situation that is being reported in the Republic of Ireland, I look at the reference to nine posts and nine

potential posts. Was there no discussion about the economic viability of those posts in Foras na Gaeilge?

The Minister of Culture, Arts and Leisure: That is a long-standing development with Foras na Gaeilge. The posts have been in the pipeline for quite a long time, and there were certain delays in filling them. In fact, as I indicated in the statement, they have still not all been filled. I am sure that the economic situation in the Republic will be very much in the mind of the Minister in the Republic, and I am sure that we will return to that issue.

Mr McCarthy: I thank the Minister for his statement. His progress reports talk about a joint disability action plan. Has provision been made for people who have speech and language difficulties, particularly those who use sign language, of whom there are many throughout the country?

The Minister of Culture, Arts and Leisure: Work by both agencies on the disability plan action has been ongoing. We are keen that the two bodies work together on a range of issues, and that is one of them. Whatever is produced will be common across both agencies. I will endeavour to ensure that a copy of that is made available to the Member.

Mr McGlone: Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as ucht a ráitis. An féidir leis an Aire a chur in iúl dúinn an raibh aon chomh-chainteanna ann nó a ndearnadh aon dul chun cinn le Ranna stáit maidir le hAcht na Gaeilge. I thank the Minister for his statement. Can he apprise us of any joint discussions or progress made with other Departments in regard to the movement on an Acht na Gaeilge, an Irish language Act?

The Minister of Culture, Arts and Leisure: It is not entirely clear to which Irish language Act the Member is referring. If it is the suggestion by some people that there should be an Irish language Act in Northern Ireland, that has been totally ruled out. It is not a matter that would have been discussed at a North/South Ministerial Council meeting because the discussions that I am having on the language strategy relate only to Northern Ireland.

12.30 pm

Mr Humphrey: I thank the Minister for his statement and his answers so far. Has he or his

Department given any guidance to the Ulster-Scots Agency on its strategic direction?

The Minister of Culture, Arts and Leisure: As part of the 2010 business planning process, I asked the agency's board to prioritise four main areas for development. Those areas are: a focus on the high-level promotion of Ulster-Scots culture, heritage and language to local and international audiences; a target to be included in the business plan for the development of high-level strategies to ensure that the work of the agency is better aligned and co-ordinated and that funding decisions are made in a clear, transparent and efficient manner; a high-level, explicit target for the development of infrastructure and capacity in the Ulster-Scots community; and the adoption of a key role in the cultural marketing of all things Ulster Scots by proactively building practical working relationships with other public sector organisations such as the Arts Council of Northern Ireland, NI Screen and Craft NI.

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

I am determined to ensure that the Ulster-Scots Agency is fit for purpose, that it demonstrates value for money and that it reflects the needs of the community that it serves. The 2011 draft business plan and the 2011-13 draft corporate plan are being considered by officials.

Mr McCartney: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas. Tá ceist amháin agam ar an Aire.

I note that the Minister was at two meetings that day with the Minister of Education. Will he inform us of whether he had any discussion with her about helping him to advance the Irish language strategy?

The Minister of Culture, Arts and Leisure: I have had a number of discussions about that with the Minister of Education over some months, and contact continues to take place. However, that North/South Ministerial Council meeting was not the place to discuss it, because it is really part of the internal business of Northern Ireland only.

Mr Callaghan: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Cheann Comhairle as an fháilte a chuir sé romham. Cuirim fáilte roimh an fhorbairt ar an fhoclóir nua, go háirithe go bhuitear le cur le

cumas a fhoirne. Leis an acmhainn bhreise sin, cad é an dearcadh ama atá ann leis an obair sin a bheith críochnaithe agus an foclóir a bheith foilsithe?

Mr Deputy Speaker, I thank you and the Speaker for the welcome today. As an Irish language speaker, I welcome news of the developments on the new dictionary and the additions to the team of staff working on that. Given that additional resource, what is the time frame for the completion of that project and the publication of the dictionary?

The Minister of Culture, Arts and Leisure: Approval was given to Foras na Gaeilge to fill key posts on a contract basis in order to complete the major English-Irish dictionary project by December 2012. The associated costs will be met by reallocation of funding within approved budgets and will not require further allocations from the sponsoring Departments. The project is reflected in the 2008-2010 corporate plan and the draft 2011-13 corporate plan. Completion of the project was noted as a key ministerial priority at the NSMC meeting, in the context of the 2010 business plan for Foras na Gaeilge, along with the draft business plan for 2011.

The posts comprise eight new positions — three translators, three editors and two clerical officers — in addition to extending the existing contract for the project manager to the end of project. The current position on those posts is that applications have been received. Shortlisting for the editorial and translation posts has been completed, and the written examinations took place on 16 October. Shortlisting for the clerical officer posts has also taken place, and the interviews for those posts will be progressed as quickly as possible, with a view to completion by the end of November. Monthly progress reports are submitted to the sponsor Departments outlining the progress of the project and highlighting any delays that may affect its completion.

I assure the Member that that is being done within existing budgets by a reallocation of funding, as I said earlier in my statement, and will definitely not require any further allocations from either sponsoring Department.

Mr Deputy Speaker: That concludes questions to the Minister of Culture, Arts and Leisure on his statement.

North/South Ministerial Council: Inland Waterways Sectoral Format

Mr Deputy Speaker: I have received notice from the Minister of Culture, Arts and Leisure that he wishes to make a further statement.

The Minister of Culture, Arts and Leisure (Mr McCausland): With your permission, Mr Deputy Speaker, I wish to make a statement in compliance with section 52 of the Northern Ireland Act 1998 regarding a meeting of the North/South Ministerial Council in inland waterways sectoral format.

The meeting was held in Armagh on 3 November 2010. The Northern Ireland Executive were represented by me as Minister of Culture, Arts and Leisure, and by Caitríona Ruane, Minister of Education. The Irish Government were represented by Pat Carey TD, Minister for Community, Equality and Gaeltacht Affairs. This statement has been agreed with Caitríona Ruane, and I am making it on behalf of us both.

The chief executive of Waterways Ireland, Mr John Martin, presented a report on progress, which included the provision of 490 metres of additional moorings up until the end of September 2010 and the provision of new publications to promote and support the use of waterways and the sponsoring of key events on the waterways in 2010. The lakelands and inland waterways initiative in the marketing campaign for the Erne/Shannon system continued in that period. The chief executive reported on the restoration of the Royal canal to reconnect it to the Shannon and on the maintenance programme in 2010, with particular reference to the difficulties in tackling extreme weed growth in the Erne and in the canals.

The Council approved the Waterways Ireland business plan and budget for 2010 and discussed the main priorities for Waterways Ireland in 2011. The Council also reviewed the progress that has been made in finalising the corporate plan for 2011-13 and the business plan and budget for 2011.

Both Ministers acknowledged the challenges presented by the economic climate and agreed to work together to implement the measures agreed between both Finance Ministers in the context of their respective budgetary processes.

The Council received a progress report on the restoration work to the Clones to Upper Lough

Erne section of the Ulster canal. The Council noted that work on the strategic environmental assessment has been completed, with work on the environmental impact assessment due for completion in late 2010. The Council learned that a preferred route has been identified.

The Council received a presentation from Waterways Ireland on the future potential of waterways. The presentation focused on the economic benefits of waterways to the local community, recreation industry and tourism industry and to the local and national economy.

The Council consented to four property disposals, none of which were in Northern Ireland.

The Council agreed to meet again in inland waterways sectoral format in the spring of 2011.

The Chairperson of the Committee for Culture, Arts and Leisure (Mr McElduff): Go raibh maith agat, a LeasCheann Comhairle. Cuirim fáilte arís roimh an dara ráiteas seo ón Aire.

I want to ask the Minister about water quality, an issue that was raised recently at our Committee by the Irish Trout Fly Fishing Association. Given that extreme weed growth in the Erne and in the canals has been attributed to the presence of zebra mussels and, according to NIEA (Northern Ireland Environment Agency), has impacted on competitions and angling in the loughs, what priority is being given to tackling that? How will the maintenance programme reported by the chief executive tackle that issue and work with other agencies in that regard?

The Minister of Culture, Arts and Leisure: Since the establishment of Waterways Ireland in 1999, there have been two years in which there was a heavy growth of aquatic weeds in the Erne system, namely 2004 and 2010. In 2010, weeds were a problem in shallow parts of Upper Lough Erne, which has been designated a Natura 2000 site. Waterways Ireland has developed an aquatic weed management strategy in consultation with the Northern Ireland Environment Agency, and an approved method of harvesting weeds is in place. Over four weeks, Waterways Ireland harvested approximately 80 tons of weeds from Upper Lough Erne.

Waterways Ireland has concerns that the aquatic weed problem has the potential to overwhelm the lakes and the navigation. If there was an optimum convergence of weather conditions and

water levels, leading to potentially significant weed growth in both lakes, it could present real difficulties for the maintenance of the navigation. Waterways Ireland will continue to work with the Northern Ireland Environment Agency to establish the best way to address the problem of aquatic weeds, having regard to resources and costs and the constraints that the environmental designation place on maintenance activities.

There was no mention of why the problem is particularly severe in certain years, other than reference to an optimum convergence of weather conditions and water levels. It seems that those are the two issues that contribute to the problem.

Mr Deputy Speaker: Mr David Hilditch.

Mr Hilditch: I am not down to ask a question.

Mr K Robinson: I thank the Minister for his statement. I also thank the Chairman of the Culture, Arts and Leisure Committee for asking my question on zebra mussels. Will the Minister confirm where the 490 metres of additional moorings were placed? On the issue of new publications and the sponsorship of key events, is the Minister certain that there is a balance in the location of events and the literature to give Northern Ireland commercial interests the same basis as those in the South?

The Minister of Culture, Arts and Leisure: Of the 10,590 metres of additional public moorings installed throughout the navigational network between 2000 and the end of October 2010, approximately 2,575 metres were located in Northern Ireland. Therefore, 24% of the new moorings installed by Waterways Ireland are located in Northern Ireland. I think that we get our fair share.

Regarding the precise location of the moorings, in 2010, the total capital expenditure for the Lower Bann, until the end of October, was £452,000. That included signage works at Movanager and jetty retention projects at Camus and Portglenone. Work is ongoing at Movanager and Hutchinsons Quay. On the Erne waterways, work was undertaken at the Round "O" Quay, Naan Island, Crevinishaughy Island East and the Muckcross slipway. Not being a native of Fermanagh, I can only assume that I have given the right pronunciation of the island.

Mr Burns: I welcome the Minister's statement. Waterways Ireland is a tremendous example of cross-border activity and the benefits that work on both sides of the border can achieve. It is a great all-island project. How much money are we putting in to Waterways Ireland?

The Minister of Culture, Arts and Leisure:

Waterways Ireland's budget for the calendar year 2010 was £34.7 million. The Department of Community, Equality and Gaeltacht Affairs in Éire put in £29.56 million to that budget and the Department of Culture, Arts and Leisure in Northern Ireland put in £5.14 million. Waterways Ireland applied a 3% efficiency saving to its 2009 budget, and a further minimum 3% was achieved in 2010 in accordance with the guidance issued by the Department of Finance and Personnel in Northern Ireland and the Department of Finance in the Republic. I trust that that satisfies the member.

Mr McCarthy: I thank the Minister for his statement. He referred to the Ulster canal and said:

"The Council learned that a preferred route has been identified."

Has the Council taken into consideration any possible detrimental effects that that new route may have on interests that are already there? I am thinking particularly of the concerns raised by anglers somewhere in the Lisburn area about actions on the Lagan canal. Something similar may take place further on if those issues are not looked at now.

The Minister of Culture, Arts and Leisure: It is always important in these situations to reach a balance between preserving the heritage features of former canals, protecting the natural environment and providing for modern cruising needs.

The requirement for a formal environmental impact assessment for major works should ensure that environmental and, indeed, heritage interests are taken fully into account. However, to provide an economic return, waterways need to be developed as living assets that cater for modern usage and have appropriate environmental safeguards. I assure the Member that maximum consideration is given to ensuring that nothing is done that is detrimental to the environment in any way.

12.45 pm

Mr Dallat: I also welcome the Minister's statement. As my colleague Thomas Burns said, it is a clear indication of the importance of the waterways of Ireland, North and South. I will be a teeny-weeny little bit parochial: have the long-term prospects for tourism development in the Lower Bann been discussed? Will the Lower Bann be part of the corporate plan?

The Minister of Culture, Arts and Leisure: As the Member will be aware, work is ongoing to see what can be done to develop the Upper Bann.

Mr Dallat: The Lower Bann.

The Minister of Culture, Arts and Leisure: I am sorry; the Lower Bann. It is an important part of our physical heritage. Waterways Ireland published a Lower Bann chart that details key facilities along the navigation. Information on what is there is available to tourists and visitors. We are also looking at how the waterway can be developed. The provision of additional moorings and private hire facilities for water sports, and so on, contribute to making it as attractive a waterway as possible. If additional proposals about how to enhance it come forward, we will be happy to look at those and bring them to the attention of Waterways Ireland.

In the current climate, we need to do all that we can to make Northern Ireland as attractive as possible to visitors. Obviously, the Lower Bann has a part to play in that. As I said previously, not only is the Lower Bann a very beautiful area but it has a great history and heritage. I am keen for that to be built on.

Mr O'Loan: I thank the Minister for his statement. He referred to the contribution of waterways to the economy and, in particular, the tourism benefits. Eight of our Departments contribute to tourism. How does the Minister ensure that Waterways Ireland's tourism work is connected to that of other Departments?

The Minister of Culture, Arts and Leisure: Marketing our waterways is partly the responsibility of Waterways Ireland, and, clearly, the Northern Ireland Tourist Board and Tourism Ireland have a role to play. As yet, I have heard no criticism about the collaboration between those organisations. Therefore, I am satisfied that there is appropriate co-operation between those bodies in marketing our waterways. We need to ensure maximum value for our

investment in promotion. I am sure that we can be satisfied that they co-operate in a satisfactory manner.

Committee Business

Assembly Members (Independent Financial Review and Standards) Bill: First Stage

Mr Weir: I beg to introduce the Assembly Members (Independent Financial Review and Standards) Bill [NIA 3/10], which is a Bill to make provision for a panel to determine the salaries, allowances, pensions and gratuities payable to Members and former Members of the Northern Ireland Assembly; to make provision for a Northern Ireland Assembly Commissioner for Standards; and for connected purposes.

Bill passed First Stage and ordered to be printed.

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

Statutory Committee Membership: Committee for Regional Development

Mr Deputy Speaker: As with similar motions, the motion on Statutory Committee Membership will be treated as a business motion. Therefore, there will be no debate.

Resolved:

That Ms Anna Lo replace Mr Trevor Lunn as a member of the Committee for Regional Development. — [Mr McCarthy.]

Standing Committee Membership: Audit Committee

Mr Deputy Speaker: The motion on Standing Committee Membership will be treated as a business motion, so there will be no debate.

Resolved:

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

Payment of Pensions, Gratuities or Allowances

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

Rev Dr Robert Coulter: I beg to move

That this Assembly resolves that, in accordance with section 48 of the Northern Ireland Act 1998, the Assembly Commission may make provision for the payment of pensions, gratuities or allowances to, or in respect of, any person who (a) has ceased to be a Member of the Assembly; (b) has ceased to be Attorney General for Northern Ireland; or (c) has ceased to hold an office within section 48 (1A) of the Northern Ireland Act 1998 but continues to be a Member of the Assembly.

I move the motion on behalf of the Assembly Commission. From its wording, Members will be aware that the motion is a legally technical one. The Assembly is empowered to make provision for the payment of pensions to its Members under section 48 of the Northern Ireland Act 1998. It can make such provision by passing resolutions that confer functions on the Assembly Commission.

The Assembly passed a resolution on 30 June 2008 that empowered the Assembly Commission to amend the Assembly Members' pension scheme. That resolution followed closely the wording of section 48 of the Northern Ireland Act 1998. However, since that resolution, there have been two important changes that affect section 48 and require changes to the authority conferred on the Assembly Commission by resolution of the Assembly.

First, an Attorney General for Northern Ireland has been appointed, and section 23(5) of the Justice (Northern Ireland) Act 2002 states that section 48 of the Northern Ireland Act 1998 applies to a person who has ceased to be the Attorney General for Northern Ireland. That means that the Assembly may now make pension provision in respect of a person who has ceased to be the Attorney General for Northern Ireland.

Secondly, the wording of section 48 of the Northern Ireland Act 1998 has been

substantially altered by the Northern Ireland Assembly Members Act 2010. It is, therefore, proposed that the above resolution, which follows the wording of the amended section 48 of the Northern Ireland Act 1998 and makes clear reference to the Attorney General for Northern Ireland, be made.

By passing the motion today, Members will be providing the Assembly Commission with clear powers to make pension provision for the Attorney General for Northern Ireland and will be ensuring that the Assembly Commission has the necessary authority to make any further changes to the Assembly Members' pension scheme that may be required in future.

The Office of the First Minister and deputy First Minister (OFMDFM) will pay all employer pension contributions that are due as a result of admitting the Attorney General to the pension scheme. The Assembly will make no contribution in respect of the Attorney General.

I assure Members that the Assembly Commission would not make material changes to the pension scheme without consulting Members in advance. I commend the motion.

Mr Weir: You will be pleased to hear that, although the clock is ticking, I will not be subjecting the House to even the full four minutes that I have been allocated.

I suspect that there was a certain amount of interest among Members, at least initially, when they saw on the Order Paper a resolution that made reference to pension gratuities and allowances. The meat of the motion is quite clearly not as sexy or interesting a subject as some Members may have believed. Hence, the Chamber is not packed out.

As a Commission member, and on behalf of the DUP, I support the proposal put forward by my colleague Dr Coulter. The two purposes of the motion are sound. First, to update provisions in light of technical changes to section 48 of the Northern Ireland Act 1998. That ensures that we are doing things on a firm legislative footing. Secondly, making direct provision for the Attorney General is the right thing to do. After the devolution of policing and justice, the creation of that post opens up a relatively new situation. However, it brings us into line with similar jurisdictions throughout the UK. Consequently, these are common-sense measures, and I am happy to support the motion.

Rev Dr Robert Coulter: I thank the honourable Member for his valuable contribution to the debate. Without further ado, I commend the motion to the House.

Question put and agreed to.

Resolved:

That this Assembly resolves that, in accordance with section 48 of the Northern Ireland Act 1998, the Assembly Commission may make provision for the payment of pensions, gratuities or allowances to, or in respect of, any person who (a) has ceased to be a Member of the Assembly; (b) has ceased to be Attorney General for Northern Ireland; or (c) has ceased to hold an office within section 48 (1A) of the Northern Ireland Act 1998 but continues to be a Member of the Assembly.

Private Members' Business

Apartment Developments' Management Reform Bill: First Stage

Mr McCarthy: I beg to introduce the Apartment Developments' Management Reform Bill [NIA 4/10], which is a Bill to introduce laws relating to the ownership and management of the common areas of certain privately owned residential multi-unit developments and to facilitate the fair, efficient and effective management of bodies responsible for the management of such common areas, and to provide for related matters.

Bill passed First Stage and ordered to be printed.

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

Protection of Quarry and Construction Industries

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

Mr Gallagher: I beg to move

That this Assembly, while noting the Treasury's commitment to introduce a replacement for the current aggregates levy credit scheme from April 2011, expresses its concern over the decision to end Northern Ireland's 80 per cent derogation on 1 December 2010; and calls on the First Minister and deputy First Minister to take all possible steps, including working at Treasury and EU level, to protect the quarry industry, the construction industry and Northern Ireland's wider economy against the implications of this decision and the decision of the EU General Court.

The quarry industry affects almost every one of our constituencies. The industry was rocked recently by the news that the present aggregates levy credit scheme will end the week after next on 1 December. Even though the Treasury intended it to run until March 2011, it has now taken this step following a decision of the General Court of the European Commission.

After that date, all quarry products will again become liable for the full levy. That being the

case, the quarry industry and the thousands employed in or associated with it face serious difficulties. Even the cost of building a single dwelling will increase quite dramatically by at least £5,000. At a time when mortgages are hard to come by and mortgage limits are fairly tightly controlled by lenders, that will present difficulties.

As Members are aware, the present scheme allows 80% derogation from quarry tax. I will point out again that it is an environment tax, and the derogation was introduced here around 2004. At that time, the decision recognised the unique problems that the quarry industry had to contend with, especially the threat to its competitiveness due to the land border with the Republic.

1.00 pm

The scheme brought important benefits, not least in the protection of jobs and the environment. Under the scheme, quarry owners agreed that they would work together with the Department of the Environment to tackle problems such as noise, dust and water pollution at quarry sites. Since then, the use of dust covers, for example, has become commonplace, so too has the use of wheel-washing facilities before loaded vehicles leave quarry premises. New drilling systems have been installed, and new technologies have been introduced to prevent solid and oil substances from escaping and polluting adjoining waterways.

There are further examples of environmental benefits here, including examples of projects where eyesores such as spoil heaps and dangers such as quarry holes have been landscaped and made safe. Today, there are numerous examples where disused quarries have been transformed into wildlife habitats and breeding grounds for a variety of wildlife species. All that work to improve the environment in and around quarries has been done with the co-operation of the Department of the Environment, and quarries have been subject to annual environment audits.

I return to the jobs issue that I referred to briefly. The quarry industry has always been associated with the rural heartlands of Northern Ireland, and it has been especially important in counties Fermanagh and Tyrone. Even in previous times of economic difficulty, the industry has contributed to the sustainability of rural communities. Unless a solution is found to the difficulty with the suspension of

the derogation scheme, serious job losses will be inevitable, because users of our quarry products, such as aggregates, will opt for cheaper materials from the Republic of Ireland.

I will illustrate that point. A cubic metre of concrete costs around €55 across the border. It depends on the day, but that equates to around £48. That is the same price that producers in Northern Ireland charge. However, from 1 December, the levy will add a further £4 per cubic metre, bringing the cost up to £52. The impact will be similar in the case of products such as sand, stones and concrete blocks, and there is no question that purchasers will opt for the cheaper, imported products. We are now in such circumstances that we may well face the closure of many quarrying operations. That is a compelling reason for the Assembly and the Executive to act now on behalf of those who are at risk. Not only will the quarry industry suffer; the construction industry will suffer. Many building schemes and road construction projects are in the balance anyway because funding has not been secured. Some of that work will not go ahead in the face of the price rises, and that will lead to more construction workers joining the many thousands of their colleagues who are already in the dole queue.

I want to turn to the Westminster Government. As well as the Treasury, there is an EU aspect, which is referred to in the motion. There is the potential for a substantial loss of revenue to the Treasury. A fall in the aggregates trade would result in a noticeable drop in the tax and VAT collected on those materials. In County Fermanagh, for example, aggregates products account for around £70 million annually. I understand that the entire industry in Northern Ireland accounts for around £400 million. Obviously, that amount generates a large tax take for the Government, which will drop significantly.

I understand and the motion points out that the Treasury had identified money for a new aggregates credit scheme from 2011. However, in the intervening period, from 1 December 2010 to the beginning of the next financial year, the quarry industry will be left without support, which in itself poses a large threat. There is also the additional worry about the possibility that the Commission might seek to recover derogation money from the quarry industry for the period since 2004, which would be a complete disaster and would result in the closure of many quarries. That is difficult to understand because

members of the Commission were the very people who agreed to and approved the scheme. Their backtracking on the issue appears illogical. I am sure that many Members will agree that it also appears very unjust. Indeed, it might well affect the shape of the new scheme that had been proposed for 2011. For that reason, in proposing the motion, I once again call on the Executive to do everything that they can to protect the quarry industry.

The Chairperson of the Committee for the Environment (Mr Boylan): Go raibh maith agat, a LeasCheann Comhairle. I hope that all Members will support the motion. Although I believe that it should have been an all-party motion, I commend the Members who brought it to the Chamber. During the past few months, the Committee for the Environment has taken great interest in the issue. I met representatives of the Quarry Products Association several times during the past year. I wrote to the Department of the Environment and, indeed, to the Minister to ask them to do as much as possible for the quarry industry.

The EU General Court's recent ruling on the aggregates levy scheme will have a significant impact on construction budgets. Jobs will undoubtedly be put at risk. The impact will be particularly hard on those quarries that operate in border areas because it will mean that purchasers will opt for the more competitively priced aggregates from the South. The Quarry Products Association (QPANI) told the Committee that current levy payments to Revenue and Customs are around £8.4 million and that, if derogation ends, the industry will have to pay the full levy. That payment will rise to £42 million. The impact that such a hike will have is clear. The North is already at a disadvantage, given that, although it has only 3% of the UK population, it produces 12% of the UK's total virgin aggregate supply. The additional cost of £1.60 per ton that the end of the levy will bring represents an increase of some 34%. In the current economic climate, particularly in the construction industry, that price increase will spell the end for many quarry businesses and will bring about job losses, particularly in rural areas where many quarries are located. The Assembly must do all that it can to support the quarry industry as it takes the fight on that ruling to national and European levels.

It would be remiss of me not to mention the Committee's concerns that the Department is

unable to identify how much money is coming back to the North through the block grant on the basis of that scheme and how it is spent. Recently, we were told that the North receives a Barnett formula consequential of any allocations from the aggregates levy sustainability fund, which is included in the overall Barnett allocation. However, the Department stated that any money received through the Barnett formula consequential is not hypothecated and is, therefore, allocated at the Executive's discretion. I find it worrying, as does the Committee, that the Department is not able to identify how much revenue from the scheme is coming back and where it is going. It beggars belief that no one is keeping track of the money that the scheme is generating. That must be addressed. On behalf of the Committee, I call on the Minister and the First Minister and deputy First Minister to do everything in their power to protect the North's quarry industry.

I will say a few words in my capacity as a Sinn Féin MLA for Newry and Armagh. I support the motion on behalf of Sinn Féin and commend the proposer of the motion for bringing it before the House. I pay tribute to QPANI and, in particular, to Gordon Best for his undiminished determination to ensure proper representation of the quarry industry. The quarry industry in the North has been an exemplary model for its counterparts on this island and in England, Scotland and Wales. It has met a high standard of best practice, and it continually meets its environmental obligations.

It is about time that the Assembly adopted a can-do approach and started to support our small and medium-sized enterprises. It is their contribution to our local economy that will pave the way out of the recession and lead us on the path of recovery. The quarry industry provides employment for 3,750 people. QPANI represents 105 quarry companies, affiliated members and associated members and consists of large, medium and small businesses. The industry contributes some £600 million to the economy and helps to provide the infrastructure that drives it. It will play a major role in turning our economic situation around in the coming years. The removal of the derogation will have serious consequences for the industry.

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

The Chairperson of the Committee for the

Environment: Yes, Mr Deputy Speaker. The industry is not looking for a handout; all that it is asking for is an equal and level playing field. I hope that the Assembly will support the motion and start to show some leadership in trying to address this matter and ensuring that this decision is reversed.

Mr Hamilton: I support the motion. I do so as my party's spokesman on construction issues, which is novel for me, because, rather than building things up, I have spent most of my political career trying to knock things down. This is a different experience for me.

In all seriousness, I take an interest in the overall construction industry through what I do in the House, as a member of the Finance Committee and as Chairperson of the Social Development Committee, because the sector has an impact on the work of that Committee and has to have a good relationship with house building. I also have an interest at constituency level, because my constituency, like a great many of those represented in the House, is largely dependent on quarrying and construction for employment and growth.

It would be an understatement to say that the loss of the aggregates levy credit scheme is a deep disappointment to the sector. It will have an undoubted devastating impact on a sector that, as we all know, is already struggling. As others have said, we are mindful that the construction sector has borne the brunt of the downturn, not least in the number of jobs that have been lost. Some people estimate that 30,000 jobs have been lost in the broad construction sector alone. I am always reminded that the three areas in the United Kingdom that had the highest rise in unemployment early in the recession were in mid-Ulster. The highest rises were in Dungannon, Cookstown and Magherafelt. Those three areas have very high levels of employment in the construction sector and are very dependent on that industry, but they are suffering high unemployment — the highest in the UK.

We know why the scheme was introduced in the first place. It was a recognition of the fact that Northern Ireland shares a land border with another state, the Irish Republic, and that its quarrying industry would have a competitive advantage if we did not have the scheme. Those circumstances still exist today. There was also

the issue of the environmental cost of extraction, but, as the Minister of the Environment will probably confirm, compliance in that sector is now at a very high level, and the issue has been addressed. What we are not so sure about is the effect of the loss of the aggregates levy credit scheme. We can surmise what the effect might be on different levels, but, whatever way we look at it, it could be devastating.

1.15 pm

We have an industry that exports high-quality product around the world. I recently had the privilege of visiting the Whitemountain Quarries operation in Ballystockart outside Comber, where I saw the high-quality stone that is being produced and exported from Northern Ireland to the south-east of England to help reconstruct the M25. That is happening all over Northern Ireland, and we should be very proud of the product that is exported. An increase in the price of aggregates coming from Northern Ireland will make that export less attractive.

Limestone is the most exported stone from the constituency represented by the proposer of the motion, and it is estimated by the Quarry Products Association that it will go up in cost by 31%. In anybody's language, that is less attractive. On the contrary, the quarrying operations on the other side of the Irish border become more attractive to people importing into Northern Ireland. That is where the competitive disadvantage rather than advantage or even the level playing field that the Member who spoke previously mentioned comes into play, and it is something about which we should be extremely worried.

We should also be concerned that an increase under the scheme of up to £2 for every ton of sand, gravel or stone will have an impact on the public sector's ability to procure. That rise will increase the price of what we have to purchase from local producers. The public sector is already going to be hit by a 40% reduction in construction spend in Northern Ireland, and now there will be an additional cost to the public purse. The Minister for Regional Development has estimated that it will put a 2.5% increase on the cost of what he is procuring for road building. In another way of speaking, that amounts to a 2.5% reduction in what he can spend on roadworks across Northern Ireland.

I know that considerable efforts have been made by the sector, our Executive Ministers and our Members of the European Parliament,

and there is much talk from the Treasury about finding an alternative.

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

Mr Hamilton: The sector needs to see the detail of that alternative, and we need to see the action behind it as quickly as possible so that we can help to underpin that already ailing sector.

Mr Elliott: I thank the Members who secured the debate. It is very timely. I represent the same constituency as Mr Gallagher, and we are well aware of the impact that the Treasury's decision will have. I want to put on record my thoughts on the industry and the professional manner in which it has carried out its work in the past number of years. It has invested heavily in new technologies and in ways to improve the environment. Anyone who has visited a quarry in recent years will see how quarrying has changed dramatically from 20 or 25 years ago.

As someone who has used quarrying industry products regularly over the past 25 years, I know the difficulties that the Treasury's decision will create for private industries and the public sector. The result of the initial introduction of the aggregates levy — tax, I call it — was illegal quarrying and quite a lot of undeclared imports of quarry material. The levy had the opposite effect to that which the Government assumed it would have.

We need to look at the hard facts of the result of the proposal. First, it will decimate the quarrying industry in the Province. In fact, it will go some way to destroying it. It will also destroy some of the private sector that relies on the quarrying industry — those who rely on the construction industry, which has hit extremely hard times already.

I am well aware that national statistics show a 400% rise in redundancies for construction professionals between November 2007 and November 2009. Had any other sector succumbed to that kind of redundancy level, we would have heard about it from the rooftops and treetops. That has had a huge impact on the overall economy and not just in the quarrying and construction industry. It affects every other industry. If those people are being made redundant and are unable to find other work, they will not spend money in the wider economy. The result is a huge knock-on effect.

We also need to look at the effect on road construction and maintenance. The costs of road maintenance and of other construction sectors will be hugely increased. I can tell Members, as I am sure they are all well aware, that roads in this Province are in need of more maintenance, not less.

Mr McCarthy: Hear, hear.

Mr Elliott: I hear Mr McCarthy agree with me. However, the problems are not only in the Strangford constituency but in Fermanagh and South Tyrone and every other constituency. As I often say, they have stopped putting traffic-calming measures on the roads in Fermanagh and South Tyrone. With holes and potholes in the roads, there is no need to slow down the traffic, for traffic-calming measures are already in place.

A huge amount of investment will be lost because of this proposal. We must look at the outworking of it. We need to lobby central government — the UK Government — to have this proposal overturned. If we do not, it will have a huge impact on the overall economy of Northern Ireland at a time when the position is difficult enough. At this time, we should be helping the quarry and construction industry instead of trying to inhibit it. I call today for help for the industry, not the inhibition of it.

Mr Lunn: I support the motion, and I congratulate Mr Gallagher and his colleagues on bringing it before the House. The points in favour of at least maintaining the present derogation have been well made by other Members, and I agree with them completely.

The importance of the quarries and aggregates industry is starkly illustrated by the bare figures. The average annual aggregate production is 25 million tons, and that has a value of £600 million, although I think my figure differs from that quoted by Mr Gallagher. That perhaps indicates the extent to which the industry has suffered since those figures were produced. The industry also maintains 3,750 jobs and produces around 3% of Northern Ireland's GDP.

Various areas of the country have been mentioned already, and this issue applies very much to County Antrim, Lagan Valley and the Antrim plateau in particular. The quarry industry is fundamental to the construction industry in Northern Ireland. Like industry as a whole, it suffers terribly as a result of the current

recession. Indeed, figures quoted for turnover and employment are probably already out of date.

There is no doubt that Northern Ireland producers have had an advantage over those in the UK since the introduction of this scheme in 2004, but there was a valid and obvious reason why that should be the case, namely the land boundary between Northern Ireland and the Irish Republic, where no levy exists. I doubt that Northern Ireland's advantageous position has seriously affected the industry in the UK, given the sea crossings involved and the higher costs of fuel, transport and extraction in Northern Ireland. It is, therefore, disappointing that, in the opinion of the Quarry Products Association Northern Ireland at least, the driving force behind the decision of the European General Court to review the derogation was, in fact, the British Aggregates Association. It appears likely that Europe would not otherwise have got involved and would have perhaps been content not to oppose renewal.

The matter has extreme consequences for Northern Ireland plc. On present figures, which Mr Boylan has already quoted, current levy payments to the revenue commissioners amount to £8 million. If we lose derogation, those payments will be well over £40 million. Given that the Government of Northern Ireland currently procure around 60% of construction work in Northern Ireland, using around 11.5 million tons of aggregate, the cost to the public purse will be in the region of £23 million a year.

Our aggregates and construction industries are having a difficult enough time without this further imposition. The motion calls on the First Minister and deputy First Minister to engage with the Treasury and EU authorities to protect our quarry industry and to avoid the inevitable knock-on effects of any changes to the present regime. For all those reasons, we are happy to support the motion, and we encourage those in authority to do what they can to protect our precarious position.

Mr Bell: Any objective analysis of what the quarry industry has done as regards environmental compliance will have shown its success. Therefore, if it is not broken, why should we try to fix it? The cynic in me asks whether this was not one of Gordon Brown's taxes that was dressed up in some environmental clothes but was, in reality, just another stealth tax. The environmental

arguments for it are incredibly weak. Our quarry and construction industries in Northern Ireland are very much ahead of the game. To hinder those industries at this time of economic uncertainty, austerity and crisis, to take the derogation away from a sector that is already experiencing job losses in the region of 25% and to increase that pressure on them will drive them out of business and result in a domino effect throughout the construction industry. Strangford, as many Members will say, is absolutely dependent on the construction industry. I can tell you about people from Moneyreagh to Killyleagh and from Newtownards to Portaferry who are absolutely dependent and whose families are absolutely dependent on jobs in the quarry and construction industries.

It is often said that one of the successes of the House is the fact that the construction industry has been kept afloat and fuelled, by 50%, through public sector contracts. I understand that the situation has become even more serious since that statistic was released. Currently, 60% of construction jobs in Northern Ireland have come about as a result of public sector contracts. Why do I say that? What will be the impact of the levy and everything else on the public sector? The impact will be a £25 million tax on the public purse. Somewhere in this region we will have to find £25 million to meet this tax on the public purse, the same public purse that is already providing 60% of construction jobs.

We are looking at how we can remain competitive. There is a lot of talk, as has been alluded to, about what the Treasury can do, might do and thinks that it can do. However, we only have to look at events south of the border today — potentially, the Irish Republic is going to go to the European Financial Stability Facility to request a bailout — and ask ourselves how we can deal with a 400% rise in redundancies in a sector on which so much of our population is dependent.

It is not for the Treasury to talk the talk about what might be done; it will have to walk the walk. I do not need to tell people that £25 million is a lot to tax the public purse. How many new primary schools would that buy? If Members had been with me last Thursday and had seen the shape of the road from Newtownards through Greyabbey and down into Killyleagh and if they had seen the need for road maintenance and for sea walls to be

strengthened and upgraded, there would be no argument that we would be saying today that we want to put a penalty on road development.

That work is necessary. If we do not get this right today, the reality is that that £25 million will come from existing projects that will not be done because tax has to be paid. If that comes out of existing projects, what will be the domino effect on social development and unemployment jobseeker's benefit? What will be the domino effect on households that are entirely dependent on a job in construction? What will be the domino effect on the Department for Employment and Learning as we seek to look at proper apprenticeships to give people a real career? My time has gone. For all those reasons, I support the motion.

1.30 pm

Mr Leonard: Go raibh maith agat, a LeasCheann Comhairle. I support the motion. I speak as my party's representative on the all-party group on the construction industry. Today is an opportunity to stress that there is such a group. Despite the fact that I am a recent appointee, I know, from my local constituency level, many quarry producers and members of the Construction Employers Federation, and I took that work in to the committee. All parties are working together on that group to the best of their abilities. Today's motion, from the industry's point of view, would have been slightly better had it been an all-party motion. That said, however, it is not the end of the world.

We stress that we identify with the genuine interest of the group. Everyone who has spoken, those who are still to speak and those with constituency interests who may not speak in the debate all know of the great difficulties that the industry generally and the quarry producers have suffered. I want that industry to recognise the genuine effort of all parties on that all-party group. It is not about hot air from the hill; it is about the genuine efforts on the hill. Those genuine efforts will continue. They include an all-party group meeting with Minister Sammy Wilson, which will be arranged in the near future.

The motion presents issues for the Department of Finance and Personnel and the Department of the Environment. Despite the fact that they are not mentioned in the motion, I know that the intent is to work with all. It is good that the Environment Minister is here to speak to the motion. The European dimension is covered.

The MEPs have already been lobbied and are working in a similar vein. That is good, and it points quite rightly to the good work that the association does in lobbying.

What we have here, again, is the North — excuse the way that I put this in the context of quarry producers — being caught between a rock and a hard place. GB works for GB. The local quarry producers have not owed anything to the British Aggregates Association (BAA) down through the years. Our excellent research paper outlines the blow-by-blow accounts of the entire issue and shows that the BAA will not exactly be recruiting too many people around the North.

We have this move now, but what happens? I do not move to this point just out of opportunism on the Floor. If there was an all-Ireland aggregates system, maybe we would not be falling between a rock and a hard place. That is what many people in the industry say quietly and privately but perhaps will not or cannot say publicly, which I totally understand. It does not take us too long to say what really matters. Everybody will support the short-term fight with the Treasury to try to get the best possible deal. Everybody is stating their support, and everybody on the all-party group and other Committees is working to support that.

However, there is then the longer-term issue to consider of how we work on an Ireland-wide basis. I am not trying to score party political points by saying that. In our present economic context, the public service purse is being cut in the North and the Dublin Administration will be left to look after themselves financially over the years. We may talk about a European level and a Treasury level, but, given that and the present economic context, where will construction in Ireland go, if, for the next two, five or 10 years, Northern companies talk continuously about the difference between North and South? It is on this island that the construction industry can and will grow, because there will be life after the recession.

Therefore, I would say —

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

Mr Leonard: We are in total support of the motion, but there is a longer-term issue to consider.

Finally, I thank Research Services for its detailed, helpful and enlightening briefing paper on the many issues that are involved. Obviously, we will continue to support the association and the broader construction industry.

Mr T Clarke: At the outset, let me say that I look forward to Billy Leonard's retirement so that he can go and write his book rather than bring his words of wisdom to the House, because much of the time they fall on deaf ears.

Mr Leonard: On a point of order, Mr Deputy Speaker. Is it in order for the first part of a Member's contribution to a very serious debate to be a personal and shallow attack? Can the Member rise to the occasion and reflect the needs of the people who are in the Gallery to hear a debate on a very serious issue?

Mr Deputy Speaker: The Member has made his point. We will get back to issue that is being debated.

Mr T Clarke: Thank you very much, Mr Deputy Speaker. I am quite happy to return to the issue after listening to the rant of the Member who spoke previously. He suggested that we become more joined to the Irish Republic and get ourselves into further debt by sharing the burden that it is imposing on the European Union, to which it recently went in search of a bail out.

I support the motion. At the beginning of the debate, one Member said that there should be cross-party support for the motion, and it is obvious from the contributions so far that all Members support it.

Before I came to the Chamber for this debate, I wondered what I would say. However, in a conversation with Gordon Best of the Quarry Products Association before the debate started, I found out some interesting facts. The information pack provided by the Assembly Research and Library Service has been useful, and many Members focused on the industry itself. Although we should primarily focus on the quarry industry, we also have to think of the wider public and the pressures that are being put on them.

I will not repeat the statistics that other Members put on the record. However, I will use one statistic that Gordon shared. If the status quo were that the quarry industry could continue its business and pass on that tax, more of a

financial burden would obviously be put on those who want to build new houses or whatever. There would be 10% on the cost of concrete. Although we hear that small amounts of money are involved, such as £2 in additional tax, the most startling figure was that there would be a 40% rise in the cost of a load of stones. It is deeply worrying that someone planning to build a house would have to pay almost half as much again for a load of stones.

I encourage that everything be done to resist that. We have read the research paper, and we know that there is support from Westminster and from all our Members of the European Parliament, and it is obvious that there is support in the Chamber. I urge the House to do whatever else it can to deliver a solution as fast as possible. I welcome the motion.

Mr Kinahan: As I am both the construction spokesman and the environment spokesman for my party, I am keen to speak on the motion. I welcome that all parties here have supported it. I was pleased to hear Mr Hamilton say that the DUP will be constructive from now on. That is probably a little unfair, but I could not miss the opportunity to make that remark.

The quarrying and the construction industries play a crucial part in Northern Ireland's economy, producing, on average, £2.84 in economic activity for every £1. Subsequently, they are among Northern Ireland's largest and most important employers. When the aggregates levy was introduced in the UK in 2002, it was clear that, if enforced in Northern Ireland, it would present the quarrying and construction industries with significant difficulties. Allowing for exemptions, the 21 million tons that Northern Ireland produces annually have subsequently been levied at a much reduced rate.

Indeed, if the quarrying industry were to pay the full original levy, rather than the current cost of £8.5 million a year, it would be paying more than £42 million a year. Furthermore, any increase in the levy will almost certainly be reflected in higher aggregates prices.

Given that government currently accounts for more than 60% of construction work in Northern Ireland, the removal of the credit levy scheme has the potential, as we heard, to cost £25 million. We cannot afford to underestimate the impact that a rise in the aggregates levy might have on government bodies, such as the Roads Service. We all know that we have to spend £106 million

annually to maintain our roads and that, at the moment, we plan to spend only a portion of that amount. This will make that even harder.

Some quarrying companies in the Republic of Ireland and Great Britain may think that our firms are getting the levy credit scheme for nothing, but that could not be further from the truth. To even be considered for the relief, Northern Ireland firms need to formally enter into, and comply with, negotiated agreements with the UK Government committing them to a series of environmentally friendly schemes for the duration of that relief. I suggest that the motion should also state that the Executive, the UK and Europe need to put pressure on Ireland to adopt a similar levy scheme in order to protect its environment. It should be done in that way, rather than as was suggested earlier.

Since the current scheme was introduced in 2004, there has been a significant transformation in the mentality and practices of the industry. The extraction, processing and transportation of aggregates can have significant environmental and social impacts. However, rather than being solely profit driven, with little or no regard for the consequences, the Northern Ireland quarrying industry is frequently noted for its environmental performance. Indeed, the Northern Ireland Environment Agency, the Planning Service and the water management unit have all welcomed the ongoing success of the aggregates levy scheme. In quarries in south Antrim, I have seen bird life being protected and the public being given access, and flora and fauna are encouraged in ponds, new pastures and, indeed, wilderness areas.

The EU court's ruling that the aggregates levy credit scheme is somehow an illegal form of state aid was, to put it mildly, most unfortunate. Rather than simply prioritising one region over another, the aggregates levy credit scheme was an indemnity against the financial devastation of a Northern Ireland industry, which, as we heard, is unique in the UK because it shares a land border with another state. Indeed, it is particularly revealing that the legal bid to overturn the exemption in Northern Ireland was supported by two separate quarrying companies in the Republic of Ireland, as well as the British Aggregates Association. Those quarrying companies, close to the border, have a very obvious and long-standing self-interest in seeing the scheme removed, because it would enable them to export their products easily to Northern Ireland.

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

Mr Kinahan: The Ulster Unionist Party wishes to see the Executive and everyone in the Chamber work together to ensure that the new scheme is brought in as quickly as possible.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. First, I pay tribute to the Quarry Products Association for drawing our attention to the issue and for making sure that our focus remains firmly on it. Of course, it could be argued that it is their livelihood, but it is our responsibility and duty to ensure that that livelihood is protected and looked after.

The overwhelming majority of the 183 quarries and sandpits across the North are family-owned, independent operators, producing an estimated £400 million of products a year. Over the past 14 years, the industry's average annual production has been 25 million tons. However, the industry has suffered during the economic crisis, along with many other sectors connected to the construction industry. The Department of Enterprise, Trade and Investment's NI minerals statement showed that in 2009, production had dropped to 19.5 million tons, which is 30% below the 2007 level of 29 million tons.

1.45 pm

There have also been job losses in the industry. Employment in the industry now stands at approximately 3,750, compared with almost 5,000 at the start of 2008. That represents a 25% drop in employment. Mr Hamilton mentioned that earlier, and it has had an impact on my constituency in particular. We have seen in the social security offices in Dungannon, Cookstown and Magherafelt the effect of high levels of unemployment and the loss of construction jobs.

The withdrawal of the aggregates levy credit scheme could prove to be highly damaging to the aggregates industry. It also has huge potential to have a knock-on effect on our construction industry. It has been estimated that the suspension of the levy credit scheme will cost the public sector construction budget an additional £25 million. Indeed, during a conversation the other night I heard a contractor estimating that an additional £70,000 would be added to the cost of one particular scheme. We can see that knock-on effect being replicated across the North. The withdrawal from the

UK Government's autumn Finance Bill of the planned extension of the levy credit scheme for a further 10 years could be absolutely devastating. That is being planned at a time when the Executive's capital building programme is under intense pressure following the Budget cuts, the construction industry generally continues to struggle and our local economy needs all the help that it can get.

The aggregates levy credit scheme has been successful in raising environmental standards in the industry. When it was introduced in 2002, its aim being to address the environmental costs associated with aggregates extraction not already covered by regulation, it was also an attempt to encourage the use of alternative sources such as recycled materials and certain waste products. In addition, the expected environmental benefits were not materialising as intended because of the problems that existed. During the gradual introduction of the aggregates levy, there was an increase in undeclared imports of aggregates into the North from the rest of Ireland on which, obviously, the levy was not being paid. Those benefits were not materialising as intended, and the situation was attributed to the limited availability of levy-free, recycled and alternative materials and the virtual absence of infrastructure for collecting and processing such materials.

The UK found that the gradual introduction of the levy had not given the processed products industry here sufficient time to adapt to that change by switching to the recycled or alternative materials. The new relief scheme was introduced for those reasons. Under that scheme, operators who were established in the North and who had concluded an environmental agreement with the UK authorities were to pay only 20% of the levy up to 31 March 2011. Claimants undertook formally to enter into and comply with negotiated agreements with the UK Government, committing them to a programme of environmental performance improvements over the duration of the relief.

However, because of the recent ruling by the EU General Court on a case brought by commercial competitors to the aggregates industry in the North, the European Commission's support for that relief scheme has been annulled. In essence, the judgement of the court was that the Commission had not carried out a full enough assessment of the related state aid issues. In response to that judgement, the UK

Treasury has suspended the aggregates levy credit scheme in the North from 1 December 2010. Significantly, in a statement announcing the suspension of the scheme, the Economic Secretary to the Treasury confirmed:

"The Government remains a strong supporter of the scheme".

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

Mr McGlone: The Treasury made its position clear. Therefore, I support the motion and trust that Members will endorse that support.

Mr Buchanan: The construction industry in Northern Ireland is under severe pressure, and it seems inevitable that it will suffer further as a result of the enforced cuts in capital expenditure. That pressure is felt by many different sectors of industry, and it is hitting the quarry industry in particular very hard, not least in my constituency of West Tyrone, where there are quite a number of quarries and where people depend a lot on the construction industry. Indeed, over recent months there have been quite a number of job losses in the construction industry and the quarry sector. I know that that is a worrying factor in the west of the Province, where a lot of jobs are being lost.

In light of all that, the decision to suspend the aggregates levy credit scheme, with effect from 1 December, is a devastating hammer blow to a struggling industry, and it could not have come at a worse time. It will do serious damage to an important local industry and lead to further job losses in the sector. It will also lead to a very unwelcome increase in construction costs, and the price of aggregates could rise by up to one third. Members around the House have spoken today about the percentage and the increases and the effect that that will have on the industry across Northern Ireland. At this time, that is the last thing that our Province needs. As Gordon Best of the Quarry Products Association said, it is another kick in the teeth for the construction sector when it is already on its knees. Gordon is to be commended for the sterling work that he does on behalf of the entire industry.

When the aggregates levy was introduced in 2002, it was, quite rightly, argued that our local industry should be given some relief. There were environmental and geographical reasons for that, but the vital issue was that we share a land border with another EU state.

The 80% derogation arrangement, which came into operation in 2004, provided that relief. It acted as an incentive to the industry to make environmental improvements and protected it from stiff competition from undeclared imports from the Irish Republic. The quarrying industry has always been quite heavily concentrated in border areas and, as a representative from west Tyrone, which has a large border area, I know all too well the pressures that that industry faces.

The credit scheme was bitterly opposed by the industry in the Irish Republic and in Britain, and the scrapping of the relief is the result of a case brought to Europe by quarry operators in the Republic and supported by the British Aggregates Association (BAA). They argued that it gives Northern Ireland an unfair advantage and contravenes the rules of state aid. As a result of the court ruling, the relief scheme, which was about to be extended until 2021, will be scrapped in a couple of weeks. It is ironic that the BAA in Great Britain has opposed the tax credit to its colleagues in Northern Ireland simply because it wants to bring a levy scheme to a complete end. That seems a strange way to try to bring about the result.

I welcome the support for our quarry industry from the Ulster Farmers' Union. Given the reduction in their farming income, many farmers obtain much work from the quarry industry. I am encouraged that the Government remain supportive of the credit scheme, and I urge the Executive to keep the pressure on Her Majesty's Treasury and the EU to ensure that a new scheme is put in place as quickly as possible to help to alleviate the serious problem that we face. I support the motion.

Mr McHugh: Go raibh maith agat, a LeasCheann Comhairle. I support the motion. To this point, the Members who have spoken have covered a lot, and the arguments have been made. I also pay tribute to Gordon Best and the Quarry Products Association for driving all the lobbying on the issues since 2001. Mr Buchanan mentioned that. The only weakness is that MLAs here do not necessarily look to or go to Brussels to lobby in the way that they maybe should. We maybe should do that more. That is a weakness not only on this front but on others.

Fermanagh, Tyrone and Armagh are the three counties west of the Bann that depend very much on quarrying and such industries, including manufacturing, which is a big factor

in creating jobs. There are jobs outside of the quarrying. Indeed, some farmers are very dependent on pricing and being able to price. Some quarries that maintain roads or road surfaces will have priced work in the South, maybe months ago. They will be unable to recover the price difference, which can be very considerable, that will arise because of the change. About £500,000 would be lost from the 400 tons of materials.

There is pressure from the environmental lobby in England and less so in Scotland and Wales for us to give way entirely to it by going along European lines. Those places have been able to recycle quarry products in a much greater way than we have ever been able. Historically, we have been in the backwoods in development, and anyone who entered this Assembly in recent years will know that we have been underdeveloped for the past 50 years. Part of the M1 is being done only now when it should have been done 30 years ago. That is only one area. Housing and everything else has been underdeveloped, and, because of that historical underdevelopment, we have to catch up with what some people call the rest of the UK.

We need to concentrate on the island of Ireland. The three counties that I mentioned closely border Monaghan and other counties, which are strongly into quarrying. We will not be able to compete on a level playing field with them. That is important, and, leaving all the politics aside, people should take into account the fact that this is a small island. When making roads North and South, farmers will easily procure aggregates from across the border and perhaps ignore the levies.

The most important consideration is jobs and livelihoods. We can consider the environment, and perhaps the quarries have looked at the environmental issue, but if there were a war, all those considerations would be pushed to one side. The recession is akin to our being at war in that we are trying to keep people's jobs and livelihoods intact. That is my prime motivation as a member of the Committee for Enterprise, Trade and Investment. Few enough jobs are moving towards the west. Although places such as County Antrim will be defended here, in this instance, they are less affected than the counties of Armagh, Tyrone and Fermanagh, and that is because of our nature and closeness to the border.

I support the motion. When I spoke to him last week, Jim Nicholson seemed confident that the decision can be changed for the better of our area. It is important that our MEPs go the extra mile for us if we were to make contact with them either in Brussels or before that.

The Minister of the Environment (Mr Poots):

I thank Mr Gallagher and Mr McGlone, who tabled the motion. I note that it refers to the Office of the First Minister and deputy First Minister, and that reflects the serious and wide-ranging effects of the decision to suspend the aggregates levy scheme. Although I am happy to lead the debate, given the scheme's strong environmental emphasis, I am also aware that it is equally important to other Executive colleagues. For example, in recent weeks, Sammy Wilson, the Minister of Finance and Personnel, and his team have played a critical role in discussing the issue with HM Treasury and HM Revenue and Customs (HMRC). The Minister of Enterprise, Trade and Investment, Arlene Foster, has a clear interest in the potential effects of the decision on Northern Ireland business. Similarly, the decision is likely to affect jobs, which will be of great interest to Alex Attwood in his role as Social Development Minister and to Danny Kennedy in his role as Minister for Employment and Learning.

It will also have a huge impact on our infrastructure programme. Northern Ireland has had an infrastructure deficit for many years, and that is why we had identified an infrastructure programme of some £18 billion, with spending identified of about £1.6 billion per annum. Unfortunately, that has been cut dramatically by the new Conservative/Liberal Democrat Government, which, of course, has a sister party, the Alliance Party, and a party wedded to it, the Ulster Unionist Party, in this House. The quarrying industry and the construction sector are being badly damaged as a consequence of capital cuts of some 40% that are coming from the Treasury, aided and abetted by those two parties that sit with us.

2.00 pm

I was absolutely astonished when Mr Kinahan proposed his party's policy that the £2 a ton levy, instead of being taken away here, should be introduced in the Republic of Ireland. That would create even more pain and make the whole situation even worse. I say to Mr Kinahan that that £25 million would provide

for 12 additional primary schools or a new road somewhere, and it would be very useful in dealing with the infrastructure deficit in Northern Ireland. However, I do not want people in the Republic of Ireland to share more pain simply to level up the position for the quarry and construction industry. I want the people of the UK to benefit from less pain overall. I therefore think that it would be far better if that tax were done away with across the UK because it is not a European tax but a UK stealth tax that Gordon Brown introduced. I hear from the Conservatives that they do not particularly like a lot of Gordon Brown's policies. They could, therefore, get rid of this one very quickly and thereby help the people of Northern Ireland.

Mr Kinahan: Does the Minister not realise that I am trying to make things equal on both sides of the border, that the environment needs to be properly looked after in the Republic of Ireland, and that that is not being done at the moment because there is no aggregates levy?

The Minister of the Environment: Just as I resist the Republic of Ireland's interference in Northern Ireland's affairs, I will resist interfering in the Republic of Ireland's affairs. I am responsible for looking after environmental issues in Northern Ireland.

The quarry industry has been a credit to Northern Ireland in how it has responded to environmental needs over the past number of years. The reality is that the recent suspension of the aggregates levy scheme will have a potentially huge impact on the industry, on the people working in it and their families, and, indeed, on the environment. It is understandable that the Assembly should be interested in knowing why we find ourselves in this position and what we can do about it.

The aggregates levy scheme was introduced in 2004. A key driver for its implementation was that it would deliver environmental improvements and incentivise the quarry industry to operate legitimately. The scheme entitles operators in Northern Ireland to claim 80% relief on the aggregates levy, which is currently £2 a ton. However, it is certainly not a scheme that gives something for nothing. Indeed, I regard it as a fine example of an incentive-based measure. Although the levy is collected by HM Revenue and Customs, my Department is responsible for approving entry to the scheme. On entry, operators must sign up

to a regime of environmental audits. They must undertake to carry out improvements that are outlined in a code of practice, and any issues that are identified are monitored through to resolution.

Quarry operators may be refused entry to the scheme if they have failed to obtain the required planning or environmental permissions. They may also be suspended from the scheme if there is evidence of failure to undertake any environmental improvements that are identified or if they breach the conditions of any regulatory permissions.

I confirm that the scheme has really delivered results on the environmental front. The environmental audit that is used on each site has a ranking system of one to five for each issue, with one and two being non-compliant, and three to five showing compliance at or above defined standards. My Department's records show that, since the scheme was introduced, ongoing work with the operators has reduced non-compliance scores by 98% and that there has been a corresponding 66.5% increase in the top scores of four and five.

The aggregates levy scheme was due to finish on 31 March 2011. However, in order to maintain that high level of environmental compliance in the industry, work on a new scheme post 2011 had already started in conjunction with HMRC and the Quarry Products Association for Northern Ireland.

As you can imagine, Mr Deputy Speaker, I was extremely disappointed by the Economic Secretary's decision to suspend the scheme with effect from 1 December. That follows the intervention of the European Union General Court's judgement on 9 September that annulled the European Commission's state aid approval for the scheme. I should say that that does not necessarily mean that the original approval for the relief scheme was wrong, but that it was not based on a demonstrably robust assessment.

Therefore, any scheme that is produced post-31 March 2011 must be based on that robust assessment and be able to withstand challenges that may arise from the quarries in the Republic of Ireland and from the British Aggregates Association. My colleague the Minister of Finance and Personnel has lead responsibility in liaising with the Treasury. His officials and my officials have been working

closely with their counterparts in HMRC and the Treasury on the issue.

We have known for a number of weeks that this was a possibility. The Finance Minister and I had hoped to dovetail the suspension of the scheme with the approval of a replacement scheme. As I said, the original scheme was, in any event, due to expire on 31 March 2011, and an application for a replacement has been made. After discussions with the European Commission, the Treasury no longer believes that that dovetailing is possible.

I fully recognise that the scheme's suspension is likely to have serious consequences for the quarrying and construction industries at a time when they are already facing severe financial pressures. It also has significant implications for the Executive's capital budget, as it would be difficult to establish at present the additional costs to the Executive of the change to the aggregates levy for existing contracts that were tendered before the announced suspension. The contractual obligation to compensate contractors for changes in law, such as tax variations, varies from contract to contract. However, many contracts, in particular longer-term contracts, include a contractual provision that allows contractors to claim a compensation event if such changes arise.

The Economic Secretary to the Treasury has confirmed that the UK Government still support the scheme and will be pressing the Commission to put the alternative scheme in place as soon as possible. We fully expect that the Commission's consideration of that will still have to include a fresh examination of state aid notification. Officials in DFP and my Department are working closely with the Treasury and representatives of the quarrying industry to provide the Commission with the additional information that it requires to make that new examination. At this stage, we cannot say how long that examination will take, as that will depend on the approach that the Commission takes. However, we are pressing for that work to be completed as quickly as possible, and we are asking the Commission, through the Treasury and the UK Permanent Representation to the EU (UKRep), for greater clarity in that regard.

DFP will also work with Treasury, quarrying industry representatives and the Commission, as appropriate, to find a solution that provides

a level playing field for the legitimate quarry operators in Northern Ireland.

Mr Leonard, in the first instance, suggested that we should have an all-party motion on the issue. He then supported the motion, before seeking to put a fly in the ointment by suggesting that we make the motion, with which he had wanted all parties to join him on, an all-Ireland issue.

In response to Mr Leonard, I say that, thankfully, we are not in a united Ireland, and Northern Ireland does not have the complications that the Republic of Ireland has. By June 2011, the Republic of Ireland will have run out of money, have to be bailed out by the European Commission and have to hand over the running of its economy to European bodies operating outside its jurisdiction. Thankfully, we are not in that position.

Some Members: Hear, hear.

The Minister of the Environment: That is not a solution that the quarrying industry, the general public or anybody else would like to see in Northern Ireland. The solution is for us to work with our colleagues to press for a qualitative case and to ensure that the environmental aspects of how quarries have gone about their business, and from which we have benefited, are sustained, bolstered and moved forward. We must have an aggregates levy scheme that does not impinge on the construction sector in Northern Ireland, whether that be in the public sector or the hard-pressed private sector.

I totally resist the comments made, on the one hand, by Mr Kinahan, who wants to introduce more tax, and, on the other hand, by Mr Leonard, who wants to introduce an all-Ireland policy that would be hugely damaging to the people of Northern Ireland.

Mr O'Dowd: Regardless of what happens to the economy in the Twenty-six Counties between now and June 2011, a quarry industry will exist in Monaghan, Donegal and Cavan, and the way in which that industry is taxed will have a direct impact on the quarry industry here. In ignoring that reality, the Minister of the Environment is doing no one any favours. Regardless of their economic circumstances, surely it is better to work with the Dublin Government on a common tax policy rather than ignore the reality of the situation.

The Minister of the Environment: The solution lies in developing the scheme beyond 31 March 2011 in a strong and robust way. That will mean that it can be defended against people who seek to attack it, whether they are from the Republic of Ireland or the British Aggregates Association. It is critical and essential that we do that.

It is clear that introducing all-Ireland policies into the debate is not helpful. Members may want to reflect on the fact that a Budget is to be produced in the Republic of Ireland that will hit every household to the tune of €6,000. I am thankful that I do not have to go out and sell that to my electorate. The Members opposite may try to say that it would be a brilliant idea to have a united Ireland and glorify it, but that that will cost people an extra €6,000 for the privilege. They may try to do that, but I suspect that their selling of it will result in abject failure.

Mr McGlone: I thank the Minister for that. I listened with some patience to the party political point scoring around the Chamber. However, the livelihoods of the people in my constituency are a bit more important than political point scoring from the Sinn Féin or DUP Benches.

The Minister of the Environment: I thank the Member for his intervention, and I understand that that is his party's number one priority. I was merely responding to an issue that was interjected —

Mr Deputy Speaker: Order. An important debate on the quarry industry in Northern Ireland had been going on. I ask the Minister to return to the subject matter of the debate.

The Minister of the Environment: I was merely responding to an unnecessary intervention and was pointing out that it was unnecessary. I reaffirm my regret that the decision was taken to suspend the aggregates levy scheme. We are happy to work with any party in the House or beyond to seek to minimise the potential damage to Northern Ireland as a result of that decision. I am not without hope that we can reach a positive conclusion in due course, but we are in for some months of pain in the intervening period. We must all apply ourselves in a clear and logical way, wipe out any notions of things that may be introduced and get to the nub of the issue to deliver for the quarry industry.

Mr Dallat: At the outset, I am pleased that we focused on the motion for 95% of the time

and that the political stones began to fly only towards the end of the debate. It brought me back to the old days of the blue skies of Ulster and the grey skies of the Republic. I thought that we had left those behind, but obviously we have not.

In proposing the motion, Tommy Gallagher emphasised the advantages of the aggregates levy scheme and how it transformed the environment. I am sorry that the Minister does not seem to want to listen to me, but I will have to live with that. Tommy also spoke about jobs. Perhaps the wider public do not fully appreciate just how many jobs are at stake, which is all the more reason for listening carefully to the other contributors to the debate. Tommy focused on the border counties of Fermanagh and Tyrone, but you will know, Mr Deputy Speaker, that there are several quarry operators in County Derry. Those companies employ hundreds of people in an area that was devastated by job losses during the past few years, and I want to include them.

As Tommy pointed out, it is not simply the quarry industry that is affected but the construction industry and a plethora of capital works that the Assembly promotes: the very type of work that has helped to cushion us from the worst effects of the depression. That depression is affecting not just the Republic of Ireland but here and many parts of the world.

2.15 pm

Cathal Boylan spoke as the Chairperson of the Committee for the Environment and as a Sinn Féin Member. He gave some very interesting statistics, which should concentrate the mind on the importance of the debate. QPANI has been given credit for the wonderful work that it has done. Despite our little political differences, I think that we would agree that that organisation is a tremendous credit to the industry and to the many people who look to it for inspiration without party political broadcasts.

Simon Hamilton emphasised the job losses and pointed, in particular, to the unemployment crisis in Dungannon in mid-Ulster. It is fair to point out that there is a land border, whether we agree with it or not, and that it has created serious problems. Tom Elliott, who comes from a border region, spoke in support of the motion. He pointed out the possibility and, indeed, the likelihood that illegal quarrying, where there is no management of the quarry environment and all

the negative things associated with smuggling, will become a feature of life again. Jonathan Bell also argued that the environmental issue is important. He asked: if the system is not broken, why try to fix it?

Billy Leonard spoke about people working together. He was a little bit critical of the motion. However, the proposer of the motion told me quietly that Sinn Féin is the party that did not come back with suggestions of how the motion could be improved. We all know that there is an opportunity to amend the motion if so desired.

Mr Leonard: The Member speaks about not playing the party game but then plays the party game. He is factually incorrect.

Mr Dallat: That was a most interesting intervention. I was pointing out a process and a feature of life in the Assembly whereby there is an opportunity to amend a motion if it is not up to one's standard. That is not party political; it is part of a process.

Trevor Clarke supported the motion and rightly gave credit to Gordon Best for the constructive way in which he and his organisation work. I felt a little bit sorry for Danny Kinahan who got himself into a bit of a mess by advocating an increase in taxes on the southern side of the border. However, I would have much preferred the Minister to have focused on the motion rather than on that little slip of the tongue or whatever it was. I am sure that QPANI would have appreciated that as well. Patsy McGlone made a very valuable contribution and talked about the number of jobs that are likely to be lost if the problem is not addressed.

Thomas Buchanan spoke passionately about the issues in West Tyrone, and we all appreciate such issues. Gerry McHugh also made a contribution. We ended with the Minister's blue skies/grey skies syndrome, which is regrettable. However, the vast majority of the contributions from the Assembly today were extremely positive. I hope that the people whose jobs depend on the quarry industry can take some comfort from the debate.

On a positive note, I hope that the Minister delivers on his undertaking to work with his colleagues to ensure that the issue is addressed in the interest of those who depend not just on the quarry industry but on the construction industry to protect their jobs during

one of the worst jobs crises anywhere in the western world.

I thank everybody who contributed to the debate, particularly those who kept to the script and gave comfort to those who depend on the jobs.

Question put and agreed to.

Resolved:

That this Assembly, while noting the Treasury's commitment to introduce a replacement for the current aggregates levy credit scheme from April 2011, expresses its concern over the decision to end Northern Ireland's 80 per cent derogation on 1 December 2010; and calls on the First Minister and deputy First Minister to take all possible steps, including working at Treasury and EU level, to protect the quarry industry, the construction industry and Northern Ireland's wider economy against the implications of this decision and the decision of the EU General Court.

Mr Deputy Speaker: The next item of business on the Order Paper is Question Time. I therefore propose, by leave of the Assembly, to suspend the sitting until 2.30 pm.

The sitting was suspended at 2.21 pm.

2.30 pm

On resuming (Mr Speaker in the Chair) —

Oral Answers to Questions

Office of the First Minister and deputy First Minister

Mr Speaker: I wish to inform Members that questions 7, 8 and 11 have been withdrawn.

Investment Strategy

1. **Dr McDonnell** asked the First Minister and deputy First Minister for an update on the delivery of the investment strategy, including the total spend to date on capital projects. (AQO 487/11)

The deputy First Minister (Mr M McGuinness): One of the urgent tasks that the Executive face is tackling the many years of underinvestment that we suffered in previous decades. When we assumed power in 2007, we found major challenges in every area of investment. Transport networks, schools, healthcare and ageing water and sewerage systems called for major programmes of infrastructural renewal. The investment strategy 2008-2018 sets out our plans to deal with those challenges, with a strategy designed to support the framework of priorities in our Programme for Government. That investment strategy envisaged up to £20 billion being invested up to 2018.

As all Members will be aware, there have been ongoing discussions about whether the British Government have honoured the commitments given under a different Administration. Despite protestations to the contrary, I can tell the Member that, in our view, the proposed CSR settlement does not meet the £18 billion investment strategy, and we are still in discussions with the British Prime Minister and the Treasury to ensure that the North gets the funding that it needs to develop our infrastructure. We are also very concerned about the impact of the Budget cuts on our economy. There will clearly be employment and output consequences for the construction industry in particular. Those consequences can only worsen the impact of the recession in an industry that accounts for around 8% of our economy.

Turning to the period that the Member asked about, I can tell him that the Executive have delivered record levels of new capital investment. Some £3.4 billion was invested in the first two years of the strategy, and the latest projections are that we are on course to deliver the full £5 billion available to us over the three years. Those levels are substantially above that which was delivered under direct rule. It is important to understand that we are succeeding in fully spending all the money available for capital expenditure, unlike the situation under direct rule, with its record of unacceptable shortfall.

Our investment strategy identified 40 major milestone projects for schools, hospitals, roads, public transport, water, waste and regeneration, and 33 of those projects are now either delivered, on site or on schedule. Our projects in education are improving schools and colleges and are modernising facilities for thousands of our young people. In health, we have been delivering new hospitals and substantially upgrading existing hospitals, as well as providing a wide range of other care facilities, such as local health centres and a mental health unit.

We are strengthening our economy through supporting new jobs and investment, direct financial assistance and major investment to upgrade our roads network right across the region. We have also been improving our environment through substantial investment in dealing with waste and improving the lives of thousands of disadvantaged people through regeneration and new social housing.

Although much has been achieved in the past few years, we fully recognise that it is only a start, and a great deal more needs to be done to tackle the decades of underinvestment that we inherited. That is why we continue to fight vigorously for the honouring of the pledge given to us on new investment.

Dr McDonnell: I thank the deputy First Minister for his very eloquent answer. I know the difficulties around getting a Budget together, but can he advise us when we might expect to have some sort of a Budget for the investment strategy going forward? When might that be finalised?

The deputy First Minister: The Member will understand that all the parties in the Executive are represented on the Budget review group, which has met on a number of occasions. It

will meet again this week, and the effort is to ensure that we agree a Budget. There is a lot of nonsense on the airwaves, and a lot of people are pontificating about our ability to do that. Some of those same people were pontificating about whether or not the DUP and Sinn Féin would go into government together, but we did. When we went into government together, they said that it would last only a couple of weeks. Three and a half years later, we are still together. Therefore, the prospects of agreeing a Budget are good. All of us in the Budget review group must bend our efforts to that during the next short while.

Mr McNarry: I thank the Minister for his responses and congratulate him on his optimism. Can he explain the difference between the figures of the Department of Finance and those of the Treasury on the investment strategy and the comprehensive spending review? Does he agree with Minister Wilson's accounting?

The deputy First Minister: I agree with Minister Wilson's accounting and with that of the Department of Finance and Personnel. However, we are in dispute with the British coalition Government because they have dishonoured the commitments of the previous Administration, led by Gordon Brown.

On Monday 8 November 2010, I travelled to London to meet former Prime Minister Gordon Brown at the House of Commons. During our conversation, he made it absolutely clear that, had his Administration been re-elected, he would have honoured commitments that were made to all parties to the talks in Downing Street — not just Sinn Féin and the DUP — at which he made it absolutely clear that the £18 billion was ring-fenced and guaranteed. Furthermore, on the very day when Ian Paisley and I stood up as First Minister and deputy First Minister for the first time, in May 2007, he lodged the agreement in the House of Commons and specified in it that it was guaranteed.

That agreement is being dishonoured by the coalition Government of David Cameron and Nick Clegg. It is hugely significant to point out, particularly when we get questions from the Ulster Unionist Party, that, in the most recent election, that party and the Conservative Party had the same cuts agenda. Now the Ulster Unionist Party is silent on the cuts that are being imposed on our Administration. Neither

that party nor its members can lecture us on how we take that process forward.

Ms J McCann: Go raibh maith agat, a Cheann Comhairle. Given that the Minister said that the CSR settlement does not meet capital needs here, can he assure the House that the Executive will ensure that they get value for money and that any contract that is signed will help the long-term unemployed and those who seek apprenticeships by including social clauses?

The deputy First Minister: I accept completely the Member's point. It is imperative on us all to ensure that we maximise the spend available to us. As we all know, the construction industry is, rightly, lobbying us to address its needs. At the same time, the onus is on the industry to work with the Executive to assist us to attain our priorities. Our Department has led on the use of social clauses in contracts. I am aware that the Minister for Regional Development has ensured that they have been included in many road-building programmes in which his Department is involved. Recently, I read that the Minister for Social Development has also insisted on their use in contracts. Therefore the Executive are adopting social clauses as a way of delivering on our priorities. I call on all Ministers and Departments to ensure that they maximise the spend that is available to them.

Comprehensive Spending Review 2010

2. **Mr McCartney** asked the First Minister and deputy First Minister whether they are taking any steps to oppose the Budget cuts following the comprehensive spending review. (AQO 488/11)

4. **Mr A Maskey** asked the First Minister and deputy First Minister to detail any discussions they have had with David Cameron or Treasury Ministers since the comprehensive spending review announcement. (AQO 490/11)

The deputy First Minister: With your permission, a Cheann Comhairle, I will answer questions 2 and 4 together.

The First Minister and I are continuing to press the coalition Government on the details of the Budget 2010 settlement and its repercussions. Officials are also continuing to examine the implications and bring forward options that the ministerial Budget review group and the Executive will consider. On the basis of our analysis to date, this is not a good or fair

settlement, given the need for us to grow the economy, tackle disadvantage and deliver high-quality public services. The First Minister and I have written to the Prime Minister to ask for an urgent meeting to discuss the details of the spending review. We received a reply from the Prime Minister, and we will respond to him outlining our concerns both about the spending review and the need for him to bring forward a paper on the proposed enterprise zone to include tax-varying powers. We are hopeful that a meeting will take place shortly.

In addition, as part of that engagement process, the Assembly will be aware that we met the Chancellor of the Exchequer, George Osborne, on 20 September and the Deputy Prime Minister on 10 October. On every occasion, we have expressed our deep concerns about the potential impact of public spending cuts here, and, in particular, we have challenged any suggestion that the commitments that the previous Government made are being honoured.

We agree that there is a need to tackle the fiscal situation, but the proposed Budget settlement will endanger economic growth and recovery. It is not only the First Minister and I who think so; PricewaterhouseCoopers's analysis of the cuts suggested that they would have a disproportionately negative impact on the people here. The proposals are not consistent with the £18 billion capital package that the previous Government promised to us and that formed part of the St Andrews Agreement. If we are to achieve our aims of growing the economy, tackling disadvantage and delivering high-quality public services, we require additional resources.

Mr McCartney: Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagra. I thank the Minister for his answer. Will the Minister outline why he feels that the North needs a special package to assist and aid economic recovery?

The deputy First Minister: The First Minister and I believe that the North should continue to be treated as a special case. The Labour Administration recognised that when, through negotiations at St Andrews, we secured an £18 billion additional funding package. That package was to be used specifically to redress the years of neglect and underfunding by successive British Governments, who failed to invest in our roads, rail network, schools, hospitals and water and waste infrastructure etc. It was a

recognition by the then British Government that the North needed special treatment to create a level playing field to enable us to embed the political process and to help us to tackle inequality and disadvantage.

We are only four years into putting our investment strategy in place, and, as I said in my earlier answer, the Executive have delivered record spend in capital investment. However, more investment is needed. In fact, it is more vital than ever in the current economic climate. We know that the economy here relies very heavily on the public sector. Any proposed cuts will impede any attempts at recovery and will make our attempts to grow the private sector and stimulate the economy much more difficult. The combination of the current environment and the legacy of the past means that there are no quick fixes. We must continue to defend the block grant robustly, and we are determined to do so. We take our commitments to deliver on behalf of all our people very seriously, and the Tory-led coalition Government need to honour commitments that were made to us.

Mr A Maskey: Go raibh maith agat, a Cheann Comhairle. I thank the deputy First Minister for his emphasis on the importance of getting such a special package. Will the deputy First Minister remind the House what the parties here need to do to ensure that we get such a package?

2.45 pm

The deputy First Minister: We need to press on, and we need to do what we are doing. We are putting up a good fight. I believe that we have made a compelling case, but we are dealing with an Administration who have been ruthless in dealing with the promises made by a previous Administration. Those people, some of whom are in the media, who argued that we could not make the case that we were special need to understand that this is not England, Wales or Scotland. We are dealing with a society that is emerging from conflict and with a situation in which the commitments that a previous Administration made are clearly being dishonoured. We want to see the coalition Government led by David Cameron facing up to the reality that our expectations and those of the people whom we represent must be fulfilled.

Dr Farry: Will the deputy first Minister give the House a commitment — notwithstanding the concern that we all have about cuts — that his party will support the agreement of a draft

Budget by the Executive before the end of this month to allow for proper public consultation? Will he also recognise that a failure by the Executive will be worse for the economy, jobs and public services?

The deputy First Minister: There appears to be a notion in the media — it is inherent in the Member's remarks — that Sinn Féin is not interested in agreeing a Budget. Nothing could be further from the truth. We have a duty and responsibility to agree a Budget; that is what we are here for and what we are charged with on behalf of the people whom we represent. However, we have not been charged by those people just to impose a cuts Budget. We have a duty and responsibility to look at what we can do within our own ambit of authority to agree revenue-raising powers, for example, or other initiatives that can be taken to ensure that we can continue to grow the economy, help the most disadvantaged and protect front line services.

Sinn Féin is as determined as any other party to agree a Budget, and we will bend to that effort over the next while; however, we will not dole out cuts handed to us from London. The First Minister and I have made it clear to Owen Paterson and David Cameron that we believe that they have dishonoured an agreement that was made with us. That is our duty and responsibility, but it is also our duty and responsibility to ensure that the public services on which people depend are utilised and serviced in the next while. We have a responsibility to agree a Budget, but it has to be the right Budget.

Mr Campbell: Does the deputy First Minister agree that, in preparing for the end of the comprehensive spending review era and for the Budget, the Minister of Finance and Personnel plays a central role? Does he also agree that it is incumbent on every Minister to co-operate fully with the Minister of Finance and to respond to all questions and letters that he may send to them?

The deputy First Minister: All Ministers are behaving responsibly in facing up to the challenges before them and their Departments. The Minister of Finance and Personnel has a key responsibility. However, the Budget is not the Minister of Finance and Personnel's Budget; it is the Executive's Budget. We have a five-party coalition Government, and that means that we have a responsibility to examine every

possible avenue for ensuring that, when the Budget is agreed, it delivers on our Programme for Government and on the stated aims of both the DUP and Sinn Féin. Our responsibility is to continue to grow the economy, protect front line services and help the most disadvantaged.

Public Assemblies, Parades and Protests Bill

3. **Mr Elliott** asked the First Minister and deputy First Minister to outline the process their Department is following to progress the draft Public Assemblies, Parades and Protests Bill. (AQO 489/11)

The deputy First Minister: We carried out a consultation on a draft Public Assemblies, Parades and Protests Bill earlier this year, an amended version of which was prepared to reflect the concerns expressed in the responses. Our intention was to have laid a final Bill before the Assembly about this time; however, the Bill is not proceeding, pending the resolution of subsequent issues that have arisen.

Mr Elliott: Will the deputy First Minister make the amended version of the Bill available, and will he accept that its previous provisions were overly bureaucratic and unacceptable to a wide range of individuals, groups and organisations?

The deputy First Minister: The DUP and Sinn Féin made a genuine effort to put in place processes that would put dialogue and negotiation at the heart of any move forward. It was particularly disappointing that we did not receive what would have been much-appreciated support from some elements in the Assembly.

The fact of the matter is that, in the course of the deliberations, we managed to put in place an approach that many people thought was beyond us. When that approach was put into the public domain for consultation, various opinions were offered. It is critically important, during any consultation period, that we, as a Government, listen carefully to what is suggested, even if some of those suggestions represent what people would consider to be a negative approach. Reparations were made during the course of that, and amended processes were agreed.

In the time ahead, we must try to get everybody who is interested in a resolution — the Orange Order has a key role to play, as the Member well knows — to recognise the importance

of stepping up to the plate in putting this legislation in place in a way that sees us move forward decisively and puts in place processes that will see — very importantly from my perspective — resolutions to what is now a tiny number of contentious situations.

Mr Moutray: Can the deputy First Minister inform the House whether the Ulster Unionist Party made a written submission to the parades working group when it was given the opportunity to do so?

The deputy First Minister: The answer is that the Ulster Unionist Party made no submission whatsoever. For a party that professes to be interested in the whole issue of marches and how they are conducted, that was a fairly irresponsible thing to do.

Mr A Maginness: Will the deputy First Minister not simply admit that this piece of antidemocratic, dangerous and ill-drafted legislation is now dead and should remain so and that the Office of the First Minister and deputy First Minister should enhance the role of the Parades Commission — *[Interruption.]*

Mr Speaker: Order.

Mr A Maginness: — to allow it to get on with the job of mediation and conciliation to bring about local solutions to local problems?

The deputy First Minister: I answered that point in the first answer that I gave.

Ms M Anderson: Go raibh míle maith agat. Given the role of the First and deputy First Minister in developing this legislation, would the Minister welcome a meeting with the Orange Order to discuss its concerns on the way forward on parading?

The deputy First Minister: I would very much welcome a meeting with the Orange Order, but that is a matter for the Orange Order. The Orange Order must decide for itself whether it wishes to play a part in trying to find resolutions to problems that have created huge difficulties for our communities, whether it be the people whom the Order represents or those affected by marches in any given year.

When we see the cost of what has happened in a number of situations, it must be unacceptable to us all that much-needed funds that could be put to much better use are being wasted year in, year out. I hope that there is recognition by

the Orange Order that those of us who wish to engage with it want to do so in a positive and constructive way and in a way that recognises the Order's rights and entitlements.

Mr Speaker: Question 4 has already been answered.

Executive Expenditure

5. **Mr F McCann** asked the First Minister and deputy First Minister what consideration has been given by the Executive to capping the level of contributions made to final salary pension schemes within the Civil Service. (AQO 491/11)

14. **Mr Brady** asked the First Minister and deputy First Minister what consideration they have given to raising additional revenue to assist in growing the economy and to help address disadvantage and inequality. (AQO 500/11)

15. **Mr O'Dowd** asked the First Minister and deputy First Minister for an update on the work of the Executive's Budget review group. (AQO 501/11)

The deputy First Minister: With your permission, Mr Speaker, I will answer Questions 5, 14 and 15 together.

As the Member will be aware, at the Executive meeting convened in Greenmount College in July 2010, it was agreed that a ministerial subgroup would be established to consider strategic issues relevant to the formulation of Budget 2010. The review group has met four times to date and continues to meet. It has had preliminary discussions on important cross-cutting issues, including measures for reducing bureaucracy, capital investment plans, public sector pay constraints and revenue-raising options. Those discussions are continuing.

As part of that work, we have also been in discussion with key stakeholders about potential options to manage the impact of the spending review, including proposals to raise additional revenue. Our priorities when moving forward are growing the economy, tackling disadvantage and delivering more efficient and effective public services. In particular, a major focus in the discussions on the Budget, Programme for Government and investment strategy is how the Executive can address issues that affect the most vulnerable in our society, especially those most at risk from poverty and social exclusion.

In fulfilling our commitment to build a better, brighter shared future, we must ensure that no individual, family or community is left behind. Consequently, we propose that our Department examines, as a matter of urgency, a potential new scheme that would enable hard-to-reach communities to enjoy the benefits of a proposed new community renewal programme. The purpose of the new programme is not to duplicate what other Departments are doing but to identify the problems and find solutions that will make a real and tangible difference to areas. The programme is intended to directly tackle barriers to employment, replace dereliction with development and build sustainable communities. Work is ongoing, and there will be consultation with all relevant Departments as the work progresses.

Although the Budget review group continues to consider issues around public sector pay, superannuation for public sector pension schemes here falls within the remit of the Department of Finance and Personnel to make and maintain pension provision for civil servants in secondary legislation, which does not require consideration by the Executive.

Mr F McCann: I thank the deputy First Minister for his answer. Bearing in mind what he has said about the responsibility for pensions resting with the Department of Finance and Personnel, will he draw to that Minister's attention the indignation and, indeed, resentment felt by many of the people I represent — *[Interruption.]*

Mr Speaker: Order.

Mr F McCann: I will finish now. Will he point out their resentment on reading about the gold-plated pensions that senior civil servants get, while they struggle to survive on the basic pension?

The deputy First Minister: I fully understand the Member's sentiments when referring to the indignation felt by many at the high level not only of pension awards but of pay awards that civil servants receive. It is important to point out that such awards are not restricted to the Civil Service but are replicated across the public sector. Only recently, we have seen, from answers given in the Assembly, the number of people who earn in excess of £100,000, and of course there will be commensurate pension schemes for those people when they retire. As I said, the responsibility for pensions rests with

the Minister of Finance and Personnel, but I will draw his attention to the issue raised.

Mr Brady: Go raibh maith agat, a Cheann Comhairle. Will the Minister assure the Assembly that the community renewal programme that he mentioned will be targeted on the basis of objective need?

The deputy First Minister: At our last Question Time, the First Minister made the point that we had bid for specific funding to target some of our most disadvantaged areas. It was again made clear, in another answer, that a major element of discussion on the Programme for Government and Budget would be how we, as an Executive, can address issues that affect the most vulnerable. We have asked officials to undertake work with colleagues from other Departments to progress priority actions that will benefit the individuals and groups in greatest objective need. I hope that all Members will clearly understand that we are about targeting on the basis of objective need, and I trust that we will receive the support of our Executive colleagues in seeking to ensure that the necessary resources are made available.

Let us be clear what this fund is for: it is to tackle poverty, to get people into employment and to build safe and sustainable communities. Let me be equally clear what this fund is not for: it is most certainly not a fund for former paramilitaries. Nothing could be further from the truth. It must be additional to existing interventions, and it is telling that, instead of supporting this initiative to address poverty and disadvantage, some individuals — even in the Assembly — wish to undermine it through misinformation. That does a grave disservice to the communities most in need.

3.00 pm

Justice

Prisoner Releases

1. **Mr B McCrea** asked the Minister of Justice for an update on the internal review into the recent erroneous release of two prisoners. (AQO 502/11)

The Minister of Justice (Mr Ford): In my statement to the House on 4 October, I advised that I had initiated an urgent inquiry to report to me and the director general of the Northern Ireland Prison Service by the end of October. In addition, I asked Dr Michael Maguire, the Chief Inspector of Criminal Justice, to review the findings of the inquiry. As Members will be aware, last Friday, 12 November, the report of the Prison Service's investigation into the release of Devidas Paliutis and Connolly James Cummins and the report of the Criminal Justice Inspection were published. I am grateful to all those who were involved.

As I assured the House on 4 October, I took the two erroneous releases extremely seriously. I recognise that Members will wish to have clear assurances. The report of the inquiry contained a number of clear recommendations that built on the work that was already in hand following the interim report that was submitted to me in mid-October. There were 24 recommendations in total. In addition, a disciplinary investigation into the release of Mr Cummins was initiated on 8 November.

Mr Paliutis was released from Maghaberry prison. Immediate steps were taken to strengthen the systems at Maghaberry and in general offices in the other prisons. Staff training has been stepped up, procedures have been tightened and duties have been realigned to ensure that the focus is on custody, release and sentence calculation. As regards the release of Mr Cummins from Downpatrick court, immediate steps have been taken, including improved communication flows for prisoner escort and court custody service (PECCS) staff, additional written guidance for all PECCS staff on the processes for checking, and further arrangements to ensure that staff at courts are aware of those prisoners who are not for release. In addition, there are a range of more general recommendations, including

improvements to the Prison Service's prisoner record and information system.

The report from the Chief Inspector of Criminal Justice records satisfaction with the approach that was adopted by the Prison Service inquiry and endorses the recommendations. I agree with the proposal that there should be a follow-up inspection in six to 12 months. As I have already said, arrangements for a disciplinary investigation into the erroneous release of prisoner Cummins were set in place as soon as the final report of the Prison Service inquiry was received.

Mr B McCrea: The Minister will be aware that 97% of all people asked about this took it very seriously. The problem is that, in the past, recommendations have been brought forward and, although accepted, not actually adopted. Will the Minister reassure us that there will be proper training for all concerned, that people will buy in to the recommendations and that this sorry state of affairs will not occur again?

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

The Minister of Justice: The flippant reference in that supplementary question causes me considerable concern.

Some Members: Hear, hear.

The Minister of Justice: Recent comments on security matters from that Member and other parts of the House have added to our concerns. The comments were based on partial information, inaccuracies and little more than rumour. Repeating that as if it were somehow a joke in the context of this question is extremely unhelpful.

Some Members: Hear, hear.

The Minister of Justice: I assure the House that the recommendations will be taken extremely seriously. The House is well aware that a fundamental review of the prison system, chaired by Dame Anne Owers, is under operation. Members are also aware of the strategic efficiency and effectiveness programme that is under way in the Prison Service. I assure those Members who wish to take security matters seriously that those matters are being taken entirely seriously in the Prison Service and the Department.

Mr Givan: I am sure that the Minister agrees that the focus should be on where systems and

procedures need to be addressed. Members of staff should not be made scapegoats. They have done an excellent job over many years and ensured that things like this are very rare.

The Member mentioned the figure of 97%. Does the Minister concur with the Member's assessment of the capability of dissident republicans as compared to the Provisional IRA?

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

The Minister of Justice: I have already made my position absolutely clear. The statement that that Member made last week was not only utterly erroneous but deeply damaging to the situation that faces the House and the institutions in which we work.

In the context of the question — because I think that there was a brief question related to this issue — there is, and it is recommended that there be, no scapegoating. That is why the references to failures in Maghaberry prison are to systemic failures. I remind the Member that a disciplinary inquiry is under way into the release from Downpatrick courthouse.

Mr Speaker: I encourage Members very much to attach their supplementary questions to the original question.

Mr A Maginness: I thank the Minister for his reply. However, may we get back to the central issue of the release of prisoners and, in effect, their escape from justice? Does the Minister regard those two releases as being very serious indeed, particularly when they happened within such a short time of each other? Is it not right that there should be a much further, more fundamental reform within —

Mr Speaker: I encourage the Member to finish.

Mr A Maginness: — a much further, more fundamental reform of the Prison Service to get those systems right?

The Minister of Justice: I thank Mr Maginness for that question. He can be assured that this issue is taken extremely seriously. As I have made clear in public comments, there are tens of thousands of appearances by prisoners every year, and it is deeply unfortunate that two escapes occurred within a few days of each other. The Member is well aware that a fundamental review is under way that will take a serious look at the entire process. However,

there is no doubt that the fact that the Prison Service conducted a speedy review in response to those incidents, and that that review was validated by the Criminal Justice Inspection shows, first, that they were taken seriously, and, secondly, that the remedial measures should be satisfactory and have been seen as such.

County Courts

2. **Mr Molloy** asked the Minister of Justice when the review on the jurisdictional limit of the County Courts will be completed and the recommendations implemented. (AQO 503/11)

12. **Mr Gallagher** asked the Minister of Justice, in light of the proposed increase in the County Court jurisdictional limit from £15,000 to £30,000, what plans he has to provide additional resources to address the increased case load for County Courts. (AQO 513/11)

The Minister of Justice: With your permission, Mr Speaker, I intend to answer questions 2 and 12 together.

I intend to publish the summary of responses to the consultation on County Court jurisdiction in early December. I have not yet reached a final view on the appropriate level of the increases, but, having been informed by the responses — the majority of which were opposed to an increase beyond £30,000 — I tend towards an increase in the County Court ordinary jurisdiction from £15,000 to £30,000; an increase in the district judges' jurisdiction from £5,000 to £10,000; and an increase in the small claims jurisdiction from £2,000 to £3,000. I will, however, want to reflect on the views of Justice Committee members and the observations of any other Members.

On the issue of resources, I believe that there are suitable County Court venues throughout Northern Ireland that are equipped to accommodate any additional business that arises on foot of such increases. The number of County Court judges is a matter for the Judicial Appointments Commission to determine, in agreement with my Department, and we will obviously discuss that matter with the commission. That and other matters will be settled before any jurisdictional changes are brought into operation.

Subject to ensuring that the practical issues are resolved, I intend to give effect to any increases during the course of 2011. It is unlikely that all

the increases will come into operation at the same time. An increase to the County Court jurisdiction will not be in operation before September 2011. The other increases — to the district judges and small claims jurisdiction — may be effected before then.

Mr Molloy: I thank the Minister for his response. Will he indicate how many of the responses came from the legal profession and how many from the general public? Will the Minister ensure that the limit set is based on justice and the community rather than on the demand from some legal teams for higher fees in the High Court compared with the County Courts?

The Minister of Justice: I thank Mr Molloy for his supplementary question. I cannot give him a detailed answer. However, fairly shortly, when the full summary is published, he will see details of exactly where the responses came from. There is no doubt that the issue of legal fees has preoccupied the Assembly and the Department for some time. Mr Molloy can rest assured that we will continue to bear down on unnecessary legal costs, while ensuring proper access to justice.

Mr Gallagher: Does the Minister accept that additional resources will be required when caseloads increase at County Courts? Will he clarify the number of judges who will sit at County Courts following the adoption of the proposals?

The Minister of Justice: I do not necessarily accept Mr Gallagher's contention. Some district judges already sit in County Courts on different issues. The jurisdiction of district judges is also being increased. Therefore, the suggestion that there will be a significant increase in the work of the County Courts will not necessarily be carried through. Of course, when decisions are taken, we will properly assess whether and where additional resources are required.

Legal Aid

3. **Mr Leonard** asked the Minister of Justice what action he is taking to ensure that legal aid is available for those who need it. (AQO 504/11)

The Minister of Justice: I am committed to the principle of providing access to justice for people who cannot afford their own legal services. The legal aid system in Northern

Ireland has served people well, and it assists with more than 100,000 legal problems every year. My officials in the Courts and Tribunals Service are taking forward a comprehensive programme of legal aid reform, which will be implemented in a manner that will ensure that access to justice is maintained for those in need of help and for those who cannot afford to pay for legal aid themselves.

The devolution of justice powers provided an opportunity to consider how we can improve access to justice, which is why, earlier this year, I initiated a fundamental review of access to justice in Northern Ireland. That provides a real opportunity to reinvent the way in which legal services are provided to the public and to put access to justice on a sustainable basis for the future. Jim Daniell, who is leading the review, has begun initial scoping work, and he has had meetings with representatives of the legal profession, the voluntary sector, the Departments, the public agencies and other interested organisations and individuals.

Access to justice for those who need it is one of the review's guiding principles, although it is recognised that that needs to be tempered with the realities of working with finite resources. The recommendations arising from the review will be published next summer, and I am confident that they will provide future Administrations with a blueprint for further reform of public legal services in Northern Ireland.

Mr Leonard: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his answer. I note that he used words such as "tempered" and that he referred to fiscal limitations. Will he assure Members that, after the review, we will not end up with justice on the cheap, which would not render justice for the most vulnerable in society?

The Minister of Justice: I assure Mr Leonard that it is not a matter of getting justice on the cheap. Neither is it a matter of ensuring that funding streams to certain well-placed lawyers will continue ad infinitum.

Mr Bell: Why does the Minister continue to hide the identity of the barrister who earned £1.4 million in legal aid work? Furthermore, is it acceptable that somebody can earn £1.4 million in legal aid, which is public money, and that his or her identity not be revealed to the House?

The Minister of Justice: I assure Mr Bell that I am not hiding the identity of the individual concerned. Matters are under discussion between the Courts and Tribunals Service and the Bar Council, and, only this morning, I discussed the issue with officials. Mr Bell and others can rest assured that the issue will be resolved in the fairly near future.

Mr McNarry: Will the Minister explain the differences between financially accessing a non-molestation order via legal aid in Northern Ireland and the situation that pertains in England, Scotland and Wales?

The Minister of Justice: No, I cannot, because I am not concerned with what happens in England, Wales and Scotland. However, I assure the Member that, as I said previously, we are examining the means with which to make it possible for someone to access a non-molestation order without having to go through the full means-testing process before such an order can be maintained. I hope to bring definite proposals to the House in the near future.

Mr McDevitt: Does the Minister agree that the civil legal aid system is not serving the interests of family law particularly well and that the adversarial nature of many family break-ups and the consequential costs in civil legal aid are, in fact, standing in the way of a positive outcome for parents and, in particular, children?

The Minister of Justice: Normally, it is Mr Bell who reminds me that I used to be a social worker. On this occasion, I am happy to agree with Mr McDevitt that there are major problems with the way in which family law operates on an adversarial basis. That is why we are having a fundamental review to seek to find alternative and better dispute resolution methods.

3.15 pm

Public Prosecution Service

4. **Mr P J Bradley** asked the Minister of Justice what plans he has to address the lack of accountability of the Public Prosecution Service to the Assembly. (AQO 505/11)

The Minister of Justice: Although the current arrangements for the Public Prosecution Service (PPS) have been in place only since 12 April 2010, concerns have been expressed by a number of Members about arrangements for questions on the system of prosecutions

to be answered in the Assembly. Following discussions, the First Minister, the deputy First Minister and I have agreed that we will consult on options for accountability arrangements in the future. Although the Department of Justice has no formal responsibility for the PPS, we agreed that it would be most appropriate for it to lead on the consultation, given its wider focus on the justice system. My officials aim to be in a position to discuss a draft consultation paper with the Justice Committee in the new year.

Mr P J Bradley: I thank the Minister for his answer. Bearing your words in mind, Mr Speaker, my supplementary is attached to my original question. Will the Minister initiate a formal and informed public discussion to address the unacceptable lack of accountability to the Assembly?

The Minister of Justice: I appreciate the Member's point. This matter is under discussion between the Department of Justice and the Office of the First Minister and deputy First Minister (OFMDFM). I cannot make a promise to the Member about the direction of travel of those discussions. However, I can promise that we will have a consultation paper out early in the new year. I hope that that will lead to a full, wide public consultation on the best method forward.

We need to recognise that we are working a system that was set up by the criminal justice review some years ago and which flowed from the Good Friday Agreement, yet has been in operation only since 12 April 2010. We need to ensure that we create a system that works for us for the future.

Mr K Robinson: Will the Minister confirm that the first aim of the PPS is to be independent of political influence, and, in doing so, provide the people of Northern Ireland with a fair and effective prosecution service? Will he further indicate those matters for which the Attorney General is accountable to the Assembly?

The Minister of Justice: I thank Ken Robinson for that extremely loaded question. The PPS must, of course, be independent. We need to ensure that there is total independence of decision-making in individual prosecutions, but we also need to recognise the wider policy implications and areas where the PPS has, in fact, become significantly more responsive in recent years in explaining its thinking. We need to work through the new arrangements, which, as I said to P J Bradley, came into place on 12

April 2010. Those include the precise role of the Attorney General and how he will report to the Assembly. I know that those matters are under discussion in a number of different quarters.

Mr O'Dowd: Go raibh maith agat, a Cheann Comhairle. That answers a large part of what I wanted to ask the Minister.

We have to ensure that certain elements of the justice and prosecution service remain independent. However, does the Minister agree that we have to assure the public that bodies such as the PPS are aware of the realities of people's everyday lives, that they recognise the effects of crime on communities and that there is a correct balance between public concern and justice?

The Minister of Justice: The acting director of the PPS is fully aware of the need to ensure public confidence in justice being seen to be done. Clearly, however, there are specific issues around the accountability mechanisms for the PPS and its policy areas that have yet to be fully worked through.

Dr Farry: Will the Minister confirm that any review will also look at financial management issues, which are particularly important in the current climate, and the issue of the speed of justice? The PPS has an important role in ensuring that we have swift and effective justice, which is in the interests of victims, witnesses and perpetrators.

The Minister of Justice: My colleague can be assured that financial management is nearly top of every Minister's agenda at present. The speed of justice is a key problem as we move forward in this society. I have made it a priority, and I know that some extremely good work has been done between the Police Service and the PPS to ensure that they work more closely together, that they improve paperwork procedures, perhaps using short files with accelerated processes in relatively minor cases, and that they ensure that the proper amount of detailed work is done on more major cases. There are key issues surrounding the speed of justice, but they are, of course, not solely the concern of the PPS, but of the police and the Courts and Tribunals Service.

Criminal Justice: Learning Disabilities

5. **Ms Purvis** asked the Minister of Justice what specialist services are in place to support

victims and witnesses of crime who have learning disabilities, and alleged offenders who have learning disabilities from arrest to prosecution. (AQO 506/11)

The Minister of Justice: I thank the Member for her question. The criminal justice system is absolutely committed to ensuring that every victim and witness has the opportunity to give their best possible evidence. As part of that, a range of measures are available, where needed, to support vulnerable victims and witnesses, including those with a learning disability. The measures available are screening from the accused in court; providing evidence by video recording; removing wigs and gowns in court; giving evidence by means of a live video feed, which may also include the presence of a supporter; using intermediaries to aid with the understanding of any questions; and providing specialist equipment to aid communication in court.

In the case of the accused, the Northern Ireland appropriate adult scheme gives support and advice to mentally vulnerable persons in police custody. Under the scheme, an appropriate adult provides support throughout interviews and other aspects of detention. The appropriate adult will assist the detainee in understanding what is happening and why it is happening. During any remand, vulnerable prisoners of that kind may be brought into the supporting prisoners at risk scheme, which provides support to keep people safe and to help them to adjust to life in prison. At trial, courts have powers to grant the use of an intermediary, where appropriate, and to grant leave to provide evidence by live video feed.

However, we can and should go further to support the vulnerable and to safeguard the interests of justice. That is why I will bring forward a range of measures in that area in the Justice Bill, including expanding the scope of eligibility for special measures, placing the use of supporters and intermediaries on a statutory footing and giving young witnesses a greater say in how they give evidence.

Ms Purvis: I thank the Justice Minister for his answer. He will, of course, agree that that area needs some more attention, and I welcome the fact that he will bring forward some measures. Does he have any plans to extend the appropriate adult scheme? I know that it is there for alleged offenders when they are in custody, but there is also an onus to support

offenders with mental illnesses or learning disabilities through the criminal justice process, whether in court proceedings or elsewhere, and an onus to ensure that they understand the processes in a meaningful way.

The Minister of Justice: I thank the Member for her supplementary question. The appropriate adult scheme was established only on 1 June 2009. It is a contracted service that is funded by the Department and is available 24 hours a day, every day of the year. Therefore, when a mentally disordered or mentally vulnerable person is detained in custody, the police will arrange for a trained and experienced appropriate adult to come to the station to support that person through interviews and other aspects of the detention process. That should not be introduced at a later stage in the scheme but should be available all at points from the time when somebody is brought into custody. If there are any concerns that that is not being operated, I would be grateful if the Member could inform me of the detail.

Mr McCartney: Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire.

I thank the Minister for his answer. As he is aware, the Justice Committee visited Hydebanks Wood last Thursday. The governor informed us that 70% of people in custody at Hydebanks Wood would not obtain level 1 literacy skills and that 90% of them have alcohol-, drug- or mental illness-related difficulties. Does the Minister agree with the observation that many of us made that day, which was confirmed by the people who made presentations, that many people in Hydebanks Wood should not be in prison but should be in institutions elsewhere?

The Minister of Justice: I entirely take Mr McCartney's point although I need to be slightly careful about agreeing with the point as he finely expressed it. There is absolutely no doubt that mental illness and learning disability are key features among a very large section of those in custody. That means that we need to ensure that we find services that meet the needs of people in custody and that assist them in remaining out of custody. However, it is a sad reflection that many have come through formal years of schooling — although perhaps, in many cases, they did not attend those formal years of schooling — in a way that leaves them vulnerable and leads them, in many cases, into crime that results in them being inside a young

offenders' centre. We need to work hard in society to ensure that we start to keep people out of the justice system.

Sir Reg Empey: Will the Minister confirm whether he believes that he and the system have sufficient resources to deliver the proposals that he has outlined? I, like Mr McCartney, visited Hydebanks Wood last week and was very concerned to see how the staff struggle there. The people in those facilities have extensive language issues and a vast number have learning difficulties. That is their background. Given that, do the facilities have the resources to deliver that policy?

The Minister of Justice: Sir Reg makes an extremely valid point about the need for resources, but the issue is, perhaps, the particular use of resources in the Prison Service. We are all aware that the Prison Service here is somewhat more expensive than that in our neighbouring jurisdictions. That issue needs to be addressed, but we also need to look at how resources are used. For inevitable reasons, historically, the bulk of the resources were spent simply on maintaining people in custody rather than looking at rehabilitation work in custody. I trust that Dame Anne Owers's review will direct us to a much greater use of resources going towards rehabilitation rather than to simply maintaining security.

Mrs M Bradley: Will the Minister provide Victim Support with more finances and other resources to assist the victims of crime?

The Minister of Justice: That supplementary question stretches the subject a little bit, but the simple answer is that, among the various NGOs that work most closely with the Department, I have met Victim Support. With the budget not fixed, I am not in the business of promising any organisation an increase in funding. I have promised Victim Support and other NGOs that the Department of Justice will direct its funding to where it achieves the best results, regardless of who provides those services.

Crime: Economic Cost

6. **Mr Armstrong** asked the Minister of Justice how he intends to reduce the cost of crime to the economy. (AQO 507/11)

8. **Ms Lo** asked the Minister of Justice what steps he is taking in response to the report published by his Department 'The Cost of Crime in Northern Ireland'. (AQO 509/11)

The Minister of Justice: With your permission, Mr Speaker, I will answer questions 6 and 8 together.

Last week, I published a research report, which concluded that crime is costing the Northern Ireland economy £2.9 billion a year. That striking figure demonstrates that it is imperative for us to work in partnership across government to tackle crime and to reduce offending. I am committed to looking at all aspects of the justice system and to driving down costs where that can be achieved, whether that is through legal aid reform or reviewing the cost of keeping prisoners.

I have commissioned important work to develop a new comprehensive reducing offending strategy, aiming to reshape fundamentally our approach to tackling the factors that lead people into the criminal justice system and the obstacles that hinder them from getting back out of it. That will require a joined-up and co-ordinated approach across Departments, the justice system and the community and voluntary sector. I have carried out a programme of meetings with Executive colleagues to discuss the way forward on a government-wide approach to reducing offending.

Mr Armstrong: Minister, you did say that you had met Executive colleagues to lead to a joined-up approach on the need to reduce the cost of crime to Northern Ireland's economy. Did you?

The Minister of Justice: If that was a question, yes, I have.

Ms Lo: The Minister mentioned the importance of partnership across government in tackling offending. Apart from the reducing offending strategy, which he mentioned, what can be done to encourage such partnership?

The Minister of Justice: Much can be done by a number of Departments in recognising that we share a responsibility for reducing offending. In introducing the Justice Bill, I highlighted the fact that clause 34, which is part of community safety restructuring, places a duty on public bodies to consider crime and community safety implications in exercising their duties. As I said to the House, I am aware that not all members of the Executive fully saw the benefit of that,

but, at a practical level, that would build on the current voluntary basis of the operation of local community safety partnerships, and it would have a strategic and visible importance through ensuring that a body of devolved Departments is seen to work together on shared concerns. I look forward with interest to hearing the views of the Committee and, indeed, Members of the House on the precise operation of clause 34 when the Bill progresses.

Mr Spratt: In relation to the cost of crime in Northern Ireland, the Minister will be aware that the legal aid system is two or three times more expensive than in other parts of the United Kingdom. Will he ensure that that is reviewed in any exercise to reduce costs in the justice system?

The Minister of Justice: I assure Mr Spratt that the cost of legal aid will be kept under review. He was probably exaggerating slightly when he said that the cost of legal aid here is two or three times that in other parts of the United Kingdom. My understanding is that there is a significant percentage uplift but not as much as twice the cost in England and Wales.

I am fully aware of the concerns that some people have about ensuring proper access to quality justice and about the fact that measures are being taken in England and Wales to reduce the cost of legal aid from approximately the level that we are currently trying to reach. Therefore, there will clearly be issues for the future.

3.30 pm

Assembly Business

Mr O'Loan: On a point of order, Mr Speaker. During questions to the First Minister and deputy First Minister today, to which the deputy First Minister responded, three questions were grouped: 5, 14 and 15. Although there is no specific Standing Order on the matter, there is a clear expectation that, if questions are grouped, they are grouped for a reason and are closely connected in theme. However, that does not appear to have been the case in this instance. That obviously affects Members' opportunities to ask questions. Mr Speaker, it is important that you protect the rights of Members. I, therefore, ask you to take notice of and give consideration to that matter.

Mr Speaker: I certainly hear what the Member is saying. However, it is really up to Ministers to decide which questions they should group. I, therefore, suggest that the Member take that issue up with the First Minister and deputy First Minister's office. I will write to the office, too. The convention in the House has been for Ministers to decide which questions they want to group.

Mr A Maginness: Further to that point of order, I hear what you are saying about Ministers' having the capacity to group questions. However, I ask that you still look at the situation, Mr Speaker, because it seems that, if you give that power and capacity to Ministers, you are actually withdrawing power from the Assembly and the capacity of Members and Back Benchers to ask searching questions. That matter really should be reviewed.

Mr Speaker: As I said, I am extremely happy to write to the First Minister and deputy First Minister to raise the issue. That is on the record now, which is important. I agree with Members that questions that have been grouped must be related. I will, therefore, take that up with the First Minister and deputy First Minister's office, and I encourage Members to do the same.

Mr K Robinson: Further to that point of order, any Minister who groups questions usually opens his or her statement by saying, "With your permission, Mr Speaker".

Mr Speaker: I have already stated my position on this. At the end of the day, it is really up to

Ministers to decide which questions they want to group. That has been the convention in the House for some time. However, as I said, I am very happy to take that issue up with the First Minister and deputy First Minister to see where it goes, and I encourage Members to do the same.

Mr McDevitt: Further to that point of order, Mr Speaker. I appreciate your taking this point of order. It is on a separate issue. The deputy First Minister took three and a half minutes to reply to the first question today. Mr Speaker, I know that that matter has been considered before, but perhaps it is one that you may wish to return to at some point.

Mr Speaker: I and other Members have raised the issue in the House from time to time. The Committee on Procedures has been looking at how long it takes Ministers to answer questions for some time, and I encourage it to get on with that work. I know that it is deliberating on whether to bring in a set time for how long Ministers have to answer a question. However, that work very much sits with the Procedures Committee at the minute. I do not know where it is with that, but I am sure that there are members of the Committee on Procedures here who could probably indicate where exactly that work is.

I have some sympathy for Members when Ministers take some time over answering a question. However, I would like to think that the Committee on Procedures will, sooner rather than later, have that piece of work finished. Hopefully, we will come to a point where there is agreement on the best way forward for putting a time limit on Ministers.

I always encourage Ministers to try to be brief. I have raised the issue on a number of occasions with the First Minister and the deputy First Minister themselves and with other Departments. However, I think that the real work on the matter has to be done by the Committee on Procedures, and I encourage its members to get on and finish that piece of work.

Adjourned at 3.35 pm.

Northern Ireland Assembly

Tuesday 16 November 2010

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

Members observed two minutes' silence.

Executive Committee Business

Commissioner for Older People Bill: Consideration Stage

Mr Speaker: I call the junior Minister Mr Robin Newton to move the Consideration Stage of the Commissioner for Older People Bill.

Moved. — [The junior Minister (Office of the First Minister and deputy First Minister) (Mr Newton).]

Mr Speaker: Members will have a copy of the Marshalled List of amendments detailing the order for consideration. The amendments have been grouped for debate in my provisional grouping of amendments selected list.

There are two groups of amendments, and we will debate the amendments in each group in turn. I have also been advised by junior Minister Robin Newton that he wishes to address clause 8 of the Bill. Following the debate on clause 8 stand part, we will debate amendment Nos 1, 4, 5 and 6, which deal with broadening certain definitions in the Bill and defining the period in which subsequent reviews of the legislation must take place. The final debate will be on amendment Nos 2 and 3, which remove the provision that prevented the commissioner from being called to give evidence in certain legal proceedings, as well as ensuring that the commissioner is not precluded from disclosing information in civil proceedings.

I remind Members intending to speak that, during the debates on the two groups of amendments, they should address all the amendments in each particular group on which they wish to comment. Once the initial debate on each group is completed, any subsequent amendments in the group will be moved formally as we go through the Bill, and the Question on each will be put without further debate. The Questions on stand part will be taken at the

appropriate points in the Bill. If that is clear, we shall proceed.

Clauses 1 to 7 ordered to stand part of the Bill.

Clause 8 (Investigation of complaints against relevant authorities)

Mr Speaker: No amendments have been tabled to clause 8, but the junior Minister Mr Robin Newton has indicated a wish to speak to clause 8 stand part.

Question proposed, That the clause stand part of the Bill.

The junior Minister (Office of the First Minister and deputy First Minister) (Mr Newton):

I wish to provide some clarification of the purpose of clause 8(2)(b) in the light of the concerns that the age sector has raised on behalf of older people. Clause 8 provides the commissioner with the power to investigate complaints made by an older person. I stress that the sole purpose of subsection (2)(b) is to avoid duplication of the commissioner's work with that of other bodies that already possess the responsibility, expertise and resources to act on a complaint raised by an older person. We are committed to providing a strong independent voice for older people in the person of the commissioner. Therefore, it is certainly not our intention for subsection (2)(b) to stymie the commissioner in carrying out his or her key functions on behalf of older persons.

A unique role is proposed for the Commissioner for Older People to provide a strategic vision and focus specifically on the interests of older persons. For example, the commissioner's investigations are based on the interests and rights of older people, and they are driven by the United Nations Principles for Older Persons. Therefore, they have a wide breadth. The commissioner will also be able to focus on the

merit of decisions and actions that affect the interests of older persons.

Although the public consultation showed strong support for the unique role of the commissioner, who will take a holistic and strategic view of all the rights and interests of older people, some concerns were expressed about duplication of the commissioner's work. That issue was also raised during the Committee for the Office of the First Minister and deputy First Minister's consultation and by some Committee members at Committee Stage. We listened to the concerns and retained those clauses, such as clause 8(2)(b), that provide protection both for the commissioner and other bodies where there is a potential overlap.

However, as part of our response to the consultation, where possible, we amended some of the clauses that placed limitations on the commissioner. That will ensure that the commissioner is not prevented from certain actions solely because another organisation has similar powers or responsibilities but will be able to use his or her influence, discretion and judgement, including determining when it is appropriate to provide assistance.

It is important to ensure that the commissioner's powers add to the support that is already there and do not duplicate services that existing organisations already provide. Depending on the nature of the problem, there are existing organisations that can and will act to resolve a matter for an older person. The commissioner will not act in isolation from other regulatory, scrutiny, investigatory or oversight bodies that already undertake duties in association with older persons.

As part of its consideration of the Bill, we provided the Committee with information on the types of issues that can be addressed and potentially investigated by the commissioner. The Committee was satisfied that there was a need for the commissioner to have a wide range of powers, including investigatory powers. Therefore, it is very important to ensure that, when an older person seeks help with a particular issue, there is clarity about which organisation is responsible for that matter; there is no duplication or conflict of responsibilities between different organisations that could cause confusion and inefficiency for all involved; public money is used efficiently by ensuring that, where an organisation is funded

to provide a service, another organisation is not also funded to provide the same service; the commissioner is not disadvantaged or embarrassed by intervening in a case where another organisation has more knowledge or expertise to deal with the matter and help the older persons involved; and the older person gets the right help at the right time.

We provided the Committee with information on the types of issues that can be addressed and potentially investigated by the commissioner. The Committee was satisfied that there was a strong need for investigatory powers. The commissioner will, of course, be able to speak up for older persons. Under clause 4(6), the commissioner is empowered to challenge strongly any organisation that does not respond promptly or appropriately to a complaint from an older person by making representations or recommendations for change.

In addition, if the commissioner believed that the public bodies referred to in the Bill as relevant authorities did not take action or did not in a timely manner adequately investigate a complaint that came under their responsibility, the commissioner has, under clauses 5 and 6, the power to review formally the complaints procedures of the organisations in question. The review could focus on an individual older person's case and could be subject to the formal investigatory powers in the Bill.

With clause 8(2)(b) in place, the commissioner will still be able to act on behalf of older people by using his or her wide range of advisory, promotional, educational, advocacy, conciliation, and review and legal powers for the rights and interests of older persons. We have been advised that an identical provision to clause 8(2)(b) in the legislation for the Northern Ireland Commissioner for Children and Young People has not caused the Children's Commissioner any difficulties and has, in fact, helped to avoid confusion over where responsibility for complaints lies as well as avoiding the duplication of work.

However, if the experience of the Commissioner for Older People is different and problems arise, the issue can be raised through the provisions of the Bill that enable the commissioner to carry out reviews on the adequacy and effectiveness of the legislation. The commissioner can make recommendations to amend the legislation if appropriate.

In the first instance, the carrying out of such reviews is a legal obligation as soon as possible after three years of the Act's coming into force, and, at the latest, every five years thereafter. However, if that provision causes the commissioner difficulties, Ministers will not wait for the outcome of a review but will move ahead of the review process to address and remedy the problem by amending the Act if necessary.

I hope that that provides some reassurance and explains why we wish to retain the clause as worded.

The Chairperson of the Committee for the Office of the First Minister and deputy First Minister (Mr Elliott): In its scrutiny of the Bill, the Committee had numerous discussions with stakeholders and the Department concerning clause 8, which deals with the investigation of complaints against relevant authorities. In particular, we discussed the possible overlap of the commissioner's investigatory powers with those of other investigatory bodies.

In exercising its duties, the Committee wished to ensure that the scope and possible remit of the Commissioner for Older People was large enough and covered areas that other investigatory bodies would not cover. The Committee requested a briefing from officials to highlight the potential gaps in investigatory powers, the areas over which the commissioner's powers would extend and what the commissioner could investigate.

During the briefing, the Committee was advised that there are areas that directly affect the lives of older people on which no statutory organisation has the power to act. The Committee was advised that there is no legislation to cover 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. However, the Commissioner for Older People could investigate such cases based on older people's interests, investigate them as required and make recommendations on future conduct.

The Committee received a briefing paper that highlighted 29 possible areas that the Commissioner for Older People could investigate. The paper also provided real-life examples in which the Commissioner for Older People could have been involved. For

example, the Committee was advised that the commissioner could investigate the financial abuse of older people, end-of-life care, benefit uptake, top-up fees and pensions issues, to name but a few.

The Committee was also advised that the residual clauses place limits on the powers of the commissioner and will ensure that the commissioner cannot investigate where an existing body already has responsibility for a statutory complaints process. That prevents two publicly funded organisations being involved in the same case. The Committee was content that the powers of the Bill were appropriate.

10.45 am

I would like to make a few remarks as an MLA and as a representative of the Ulster Unionist Party. One area that I focused on during the Committee Stage was duplication and overlap. We need to be absolutely sure in these times of fiscal constraints that there is no duplication of the commissioner's remit. Otherwise, it will not be cost-effective.

I have had some concerns about how great the overall impact of the commissioner will be on older people. Obviously, we will know that only when it is tested and someone is put in the role. I hope that we will see the benefits of the Commissioner for Older People within a short period.

I want to put on record the issues with clause 8. I hope that we have got it right, but we may need to review it at some time in the future to ensure that there is no duplication and that we do not have an overlap that puts excessive financial restraints on the Executive.

I also want to be sure that politicians do not use the Commissioner for Older People as a basis for passing complaints. Politicians should not be allowed to get out of their responsibility to act as legislators.

On behalf of the Committee, I welcome the Bill and look forward to its progressing.

Ms M Anderson: Go raibh maith agat. Éirím chun tacaíocht a thabhairt don Bhille. I support the Bill. I will speak about clause 8 in particular.

As a member of the OFMDFM (Office of the First Minister and deputy First Minister) Committee, I know that it received the Deloitte report, which was commissioned by the OFMDFM.

Deloitte was asked to review the case for the creation of a Commissioner for Older People, and it reported that there was a need for such a commissioner to be established.

The Committee began its deliberations after the Bill's Second Stage in June. Not only did we examine the Deloitte report but we requested that research was carried out to map the 13 existing oversight officers who, we were told, act on behalf of older people to some degree. Although on the face of it a significant number of organisations provide an advocacy role for older people, as Deloitte stated and as the Committee ascertained, there are limitations in dealing with the needs of that constituency.

Although the Deloitte report, which touched on the provisions of clause 8, was tasked with identifying any gaps in existing advocacy and protection, it contained very little information on such gaps. Therefore, the Committee sought and received, from officials and from, I must say, the age sector, information about gaps in the current provision that necessitated the establishment of a Commissioner for Older People. The report demonstrated awareness of potential overlaps and duplication between a Commissioner for Older People and other commissioners or organisations. For instance, the Human Rights Commission is carrying out an investigation into how older people who live in nursing homes are treated. The Commissioner for Complaints stated in his evidence to the Committee that his office has powers that enable him to act on behalf of older people. Although his powers do not extend to enforcing recommendations, he said that organisations almost always accept his recommendations.

However, that said, the Committee and the Deloitte report accepted that no one body has the concerns of older people as its primary focus. Therefore, the Committee took any concerns about duplication very seriously.

The Bill places a limitation on the commissioner's power to prevent duplication of work with other bodies that have the responsibility, the expertise and the resources to address matters that affect older people. Therefore, the gaps between existing public bodies and the proposed Commissioner for Older People fall into two main areas where no other public body has the power to act. That includes investigating matters that are of

particular concern to older people and where a public body has the power to act but exercises discretion and does not act. So, the second gap is just as important as the first, as it is about an agency's willingness to prioritise older people, or its capacity, which may be restricted by resources or by the strategic focus to deploy its power.

Although the age sector preferred unrestricted powers to meet the standards of the power's principles, there was no proposed amendment to that, and the formal investigation powers of the Commissioner for Older People are reserved powers, to be deployed in exceptional circumstances. By the very nature of the potential use of the High Court powers, those powers are critical, and they will be enacted on strategic matters affecting the lives of older people.

The commissioner will, as the junior Minister outlined, have a wide range of powers to be deployed in the interests of older people, including advocacy, research, education, communication and outreach as well as investigative powers. The range is very broad. The gaps identified included isolation, and the Commissioner for Older People will be absolutely the only body with a legal duty to have outreach programmes and activities for older people. The Commissioner for Older People will be proactive and will be empowered to assess, identify and act to resolve a problem before it has an adverse effect on the lives of older people. I support what the junior Minister said about clause 8, and I will be speaking to groups 1 and 2.

Mrs D Kelly: The United Nations has called the current global ageing trend a situation without parallel in the history of humanity. Currently, 17% of the population in Northern Ireland is aged 60 or over. By 2030, that figure will increase to 24%, approximately one quarter of the population, and the largest increase will be in the older old. By 2030, there is likely to be more than 130,000 people over the age of 80 in Northern Ireland — a 103% increase on estimates for 2010 — making up about 7% of the population.

On behalf of the SDLP, I welcome the Commissioner for Older People Bill. I thank Ministers and the Chairperson and fellow members of the OFMDFM Committee for their work on the Bill. I pay tribute to the very many

older people who took part in the consultation exercises and who are here today to listen to the debate. I am sure that they would like to see the legislation passed before the Christmas recess, and SDLP Members are also keen to see the Assembly pass strong legislation as soon as possible.

In the debate on the Bill in June, my colleague Mr Mark Durkan expressed concern about the restrictions and exclusions in the legislation, which appear to give powers on the one hand but circumscribe them on the other. We still have a concern of that nature about the Bill.

The Minister, in his opening remarks, referred to clause 8(2)(b). That is something that I have concerns about. However, he was keen to point out that the review process would kick in much sooner than thought if there does not appear to be a shift on that. I welcome that clarification.

There are great expectations across the community about the introduction of the legislation and the establishment of the Commissioner for Older People's office. However, it has to be more than an office: it has to make a real difference to the lives of older people and to call to account all the statutory agencies in their delivery of services to older people.

Last week, the OFMDFM Committee heard an update on the targets for children living in poverty. What struck me during that presentation was that, although some of the targets to reduce the number of children living in poverty had been met, given the present economic constraints, there is going to be a failure to meet the remaining targets. However, what was most pertinent in the presentation was that the number of older people living in poverty was much on the increase, and I hope that the commissioner will address that.

On clause 8(2)(b), the junior Minister said that it was not about duplication of responsibilities but about efficient use of public money. We in the SDLP are behind the junior Minister in that call. However, he said that, under the clause, the Commissioner for Older People could hold to account the other funded agencies and advocate on behalf of older people. The key word is "funded", because we do not want organisations saying that they would act if they had the funds. We want assurances from the Minister on funding for the Commissioner for Older People and the other agencies that

have a responsibility for delivering services for older people.

I would also like the junior Minister to assure me that the commissioner will be able to act where no other body is acting and that any action that is taken will not be judged to be ultra vires. The Minister laboured the point about the role of the commissioner in the menu of roles that exist for other commissioners. If an arbitrator is needed between two commissioners or two scrutiny bodies, how will that arbitration be delivered? Is that where the review process kicks in? Perhaps the junior Minister can clarify those questions. However, we do not want to hold up the legislation.

Before I finish, I want to say a word of appreciation for carers. Social care is complex and can be a source of frustration and distress for many older people and their families. Carers do a wonderful job, and it is estimated that, in Northern Ireland, they save the Health Service £3.12 billion a year. Many carers are elderly themselves, yet they look after their spouses, partners or grown-up children, and, in some cases, even their parents. Although our budgets may be under pressure in the present economic climate, we have a moral responsibility not to let the burden fall unfairly on to the vulnerable in our society. We can choose to use resources more effectively to promote the health and well-being of older people here.

There is much talk about the protection of health services, but the other side of the health coin is social care. If healthcare is to be effective, social care needs to be protected as well. Many older people live alone and many live in isolated rural communities. The commissioner, when appointed, will have a busy time ahead advocating for the needs of older people across society.

Dr Farry: I, too, welcome the Consideration Stage of the Commissioner for Older People Bill. It has been long awaited, and there is a keen interest in it. Especially after last week, I am very conscious of the need to stick strictly to the matters under debate. I welcome the clarification that junior Minister Newton gave on clause 8(2)(b), and I appreciate the reasons that he felt the need to do that, because it remains an issue of some concern in the age sector.

At this stage, I want to stress two important points. First, we are talking about moving from a situation in which we were purely talking

about having an advocate to one in which we are talking about an office being created and being given investigatory powers. That is a major leap forward, and we should acknowledge the progress that has been made. Secondly, as the Chairperson said at the outset, we must appreciate that we are operating in a very difficult financial context at the moment, so we need to ensure that every pound and penny at our disposal is used to best effect.

I have no doubt whatsoever that investing in a proper office to deal with the interests of older people will provide value for money and will lead to a situation in which we can invest properly in prevention and in early intervention and save the public purse in the long term, as cases are addressed by the office and issues are advocated for. Obviously, we are extremely mindful of finances in how we set up the structures. We have to acknowledge the existing architecture in Northern Ireland with investigatory powers. We must ensure that the office fits neatly into that architecture and does not create unnecessary duplication.

We also need to be mindful of the prospect, at some stage in the future, of an overall review of Northern Ireland's investigatory commissions and how they fit together. All that needs to take place in that context.

11.00 am

I also understand why the clause has been drafted with a restrictive basis to rule out areas where a commissioner may intervene rather than with an enabling approach. On balance, that is the correct way to go, and I appreciate why the Department wishes to retain that approach.

An area of concern that I wish to probe a little with the Minister is a situation in which the commissioner may be better placed to take an issue forward even though it is a different body's statutory responsibility. I am concerned to ensure that the legislation is sufficiently robust and flexible to allow, for example, another ombudsman to ask the Commissioner for Older People to take a case forward as he or she might have better institutional knowledge and research for the case to be more effective rather than a different office having to reinvent the wheel. I am not sure that the Bill is sufficiently flexible to allow such a circumstance to arise. However, the area in the Bill that might require some minor review, perhaps at Further Consideration Stage, would be narrow.

That would give two offices the flexibility to work together seamlessly. It would not be a power grab of someone else's turf by a new commissioner. We hope that in that situation, two commissions could work together in close harmony to make a judgement that office A is better placed to take a case forward even though office B may have strict formal statutory responsibility. Clarification on that would be useful.

Not every area where an investigation might need to take place is governed by statute, nor, even, are areas where existing bodies intervene. As things stand, the scope for a commissioner beyond issues that other Members have mentioned could be quite broad. That highlights the importance of the various commissions in Northern Ireland working out memoranda of understanding on how they can co-operate and share.

The Chairperson of the Committee for the Office of the First Minister and deputy First Minister:

Given what the Member has just said, does he agree that it would be useful to have an overall review of all the commissioners and bodies that look at those issues?

Dr Farry: As the Member is my Chairman, I have to agree with him. In this case, however, I agree with him because he is right. It is important to stress that we are doing that now because there is an importance and urgency to it. It has been a long-standing issue on the Assembly's agenda. It is also important to ensure value for money and the most effective response to all the needs of people in future. Provided that there is no diminution of the service and response to older people's interests, I concur fully with the Chairman. I shall leave it there, Mr Speaker.

Mr Kinahan: As a newcomer to the Committee, of which I am extremely pleased to be a member, my knowledge of the Bill is a little limited compared to that of my colleagues. I want to make a few broad comments that reflect my initial analysis of the information that I have seen. First, I want to say that there can hardly be a more important or serious matter, nor a more important group of people who need support now.

Northern Ireland and the United Kingdom have an ageing population, and that throws up many problems with which the commissioner will be able to help. One such problem is

that considerably more older people live in poverty in Northern Ireland than in the UK: 23% compared with 16%. Low benefit take-up robs the Northern Ireland economy of much-needed stimulation. The reasons for low uptake are well documented: older people believe that they are ineligible for benefits, the claims process is complex, and older people are unaware of their entitlements. It is startling that only 19% of older people who are defined as living in poverty receive pension credit.

Although benefit matters are within the ambit of Westminster, there is a role for a commissioner with an unambiguous remit for older people's interests here to shine a light on the problem and to ask awkward questions. Not only would older people be better off if the automatic payment of benefits were introduced, but the whole economy would get a boost. There are other examples that make the Bill worthwhile and which show the public that the Commissioner for Older People is needed, because no existing body takes a holistic view of the issues affecting older people.

Sir Reg Empey: Given the circumstances in which we find ourselves, with difficult public expenditure and the pressures that will, obviously, affect all commissions, does the Member feel that this commissioner will have sufficient independence to deliver on behalf of the constituency for whom it has been designed?

Mr Kinahan: We have to make sure that he has the independence and the powers and that there is not a great deal of overlap. We have got to give him full support when we can. I reiterate the commitment of my party leader Tom Elliott to the creation of a Commissioner for Older People.

The junior Minister (Mr Newton): Since a number of Members have raised the same theme of the potential overlap of duties, I imagine that it is of concern. I will provide clarification on the question of potential overlap. The Commissioner for Older People will not replace or duplicate the duties of existing public bodies. We believe that the creation of the commissioner will simplify matters for older people who are seeking help and feedback from public consultation. The concern of duplication is addressed in two key approaches. The residual clauses in the Bill place limits on the powers of the commissioner and will ensure that, where an existing body

has responsibility for a statutory complaints process, the commissioner will not be able to investigate. That avoids a situation in which two publicly funded organisations are involved in the same case.

There is potential for a memorandum of understanding with other regulatory bodies to ensure that there is a joined-up approach, which will be in the interests of older persons. The older persons' commissioner will work in partnership with other bodies to promote and to safeguard the interests of older people and to ensure that they understand and co-ordinate their respective functions. We expect all public bodies to work collaboratively to ensure value for money and that there is no duplication of effort or service. Should any of those problems arise, there is the potential to review the legislation as we move through its first five years.

Mr Kinahan: I thank the Minister for clarifying matters. I reiterate that we will need a review in the future to make sure that what he says will happen is exactly what does happen.

The Chairperson of the Committee for the Office of the First Minister and deputy First Minister:

I thank the Member for giving way on a number of occasions. I understand what the junior Minister is saying, but does Mr Kinahan agree that if public bodies in the Province were to disagree on who was responsible for taking something forward, it would not be the first time? I can see nothing in the legislation to stop that happening in this instance. We could be in a situation where public bodies will disagree on whose remit it is to take matters forward. That is why I welcome the opportunity for a review within five years, but we may come up against some barriers within that time.

Mr Kinahan: I agree entirely with my colleague. It is essential that there is a speedy process that will allow us to review matters as quickly as we can. I recognise that the Bill is balanced between advocacy, advisory, research, educational, communication and outreach powers, as well as investigatory powers. I am in no doubt that the overwhelming majority of the Bill is entirely right and proper. However, there remains an issue surrounding the investigatory powers of the commissioner, as was touched on when an overlap was mentioned. We must make sure that there is not too much of an overlap with the Northern Ireland Ombudsman and

the Human Rights Commission. That view was shared by the ombudsman when he came to the Committee. We must keep an eye on that area.

At this time of fiscal and economic difficulty, it is extremely important that older people are given the protection and the voice that they deserve. However, it is also extremely important that we provide value for money to the taxpayer and remove any inefficiency and overlap. We in the Ulster Unionist Party welcome the Bill.

Mr Spratt: I welcome Consideration Stage of the Commissioner for Older People Bill. Today's debate is a good news story and it is good to see so many of the elderly population in the Public Gallery. They have played a pivotal role in the Bill's coming through. It was good to see on so many occasions at the Committee that various groups were represented, and older people took a very active role in the consultations that took place. Looking at some of the amendments, it is clear that much of what was said in evidence to the Committee during that consultation process was listened to by officials. I pay tribute to the officials from the Department, my ministerial party colleague and other Ministers who have listened to what has been said about the Bill. It is a Bill that has been pushed on.

It is important that there is a dedicated focal point to promote and to safeguard the interests and dignity of older people in this community because, over time, we have seen many circumstances and incidents in which older people have suffered many unpleasant things, such as elder abuse. As a member of the Committee, I recently had occasion to be a fairly regular visitor to one of our hospitals, and I was horrified to see a number of older people there who were not really being looked after, in relation to nutrition or anything else. Food was set in front of them and left there.

There is clearly a great need for the legislation, and I welcome that the Bill is going through the House today. The Chairperson has raised the issue of costs, but I think that it is something that we cannot afford not to do. Older people have been waiting for it for a long time, and it is important. I have concerns around how organisations can spring up, but the Older People's Advocate clearly indicated that that office would look at joint secretariats and stuff like that, as cost is an important factor.

I welcome and support clause 8. There will be support for it from this side of the House. It is good that there has been support for the Bill right around the Chamber. We want to get it on the statute book as quickly as possible. I intend to speak to some of the other clauses at a later stage.

Ms Purvis: Like others here, I welcome the Bill. It is a timely initiative. Article 25 of the European Charter of Fundamental Rights reinforces the importance of the United Nations principles when it states:

"The Union recognises and respects the rights of the elderly to lead a life of dignity and independence and to participate in social and cultural life."

Most older people are seen as dependent, frail and in need of services and support, and that can obscure their potential. However, there is another side to the picture, as can be seen from the projection that the number of economically active in Northern Ireland over the age of 50 will rise from 180,000 by 30,000 to 50,000 by 2020. Some of that rise will, of course, have been prompted by the removal of the default retirement age.

11.15 am

Older people contribute to the development of our communities, and it is not often recognised that they are carers, volunteers, mentors, employees, employers, campaigners and grandparents. Therefore, the Bill and its Consideration Stage are very welcome.

We need to have a strong commissioner to work on behalf of the older population, as there are breaches of older people's rights through neglect, abuse, malnutrition and inappropriate use of medication, as well as through lack of dignity and privacy. There are also confidentiality issues. There is a significant distinction between a duty to provide under care standards legislation and a right to receive under human rights legislation. Westminster's Joint Committee on Human Rights has found that laws, policies and practices inadvertently discriminate against older people in many areas, and the extent of that discrimination tends to be hidden. Poverty, isolation and loneliness, lack of mobility and access to transport, and the availability of affordable and adaptable housing and insurance are some of the challenges that older people face.

There is evidence that older people are treated in a discriminatory way by those providing goods and services. Clause 8 is extremely important in that regard. A report in 2008 found that it was prevalent among insurers to use age as a proxy for risk or to exclude people from accessing financial services solely on the basis of age. I hope that we will see this Bill to establish a commissioner followed swiftly by legislation outlawing discrimination on the basis of age in goods, facilities and services, similar to the legislation introduced recently in GB.

Other Members have quite rightly spoken of the ageing of the UK's population, with Northern Ireland leading the field. I was struck by the fact that the United Nations called the global ageing trend a situation that is without parallel in the history of humanity. Like many in the Chamber, I want to see a commissioner with full and strong powers to protect and to promote the interests and rights of older people. The commissioner must be able to act to safeguard the interests of older people where she or he believes that it is important to do so, especially when no one else acts on the matter. I welcome the junior Minister's intervention on that. She or he must be able to exercise powers over all the relevant authorities and bodies, and it is important that the Bill includes bodies that provide functions under health and social care in addition to the normal list of public authorities. Those independent providers, whether in the private or voluntary sector, offer an important public service that older people rely on, so they should be covered in the legislation.

Furthermore, delivery agents for public functions can change, for example, where additional public services are contracted out. That might require bringing other independent providers within the commissioner's ambit, although the junior Minister may not be able to foresee which those might be at present. I ask him to assure us that that possibility is not ruled out. I appreciate that it can be difficult to ensure that all public bodies are covered by legislation, whether by name or under the various schedules. However, this is our opportunity, and we must try our best. All public bodies, without exception, should be included. I invite the junior Minister to let us know that he will regulate at a later date to bring any public body under the legislation if that is found to be necessary.

Like my colleagues, I look forward to the swift passage of this legislation. A Commissioner

for Older People would be a fitting Christmas present for all our older citizens.

Question, That the clause stand part of the Bill, put and agreed to.

Clause 8 ordered to stand part of the Bill.

Clauses 9 to 11 ordered to stand part of the Bill.

Clause 12 (Conciliation of disputes)

Mr Speaker: We now come to the first group of amendments for debate. With amendment No 1, it will be convenient to debate amendment Nos 4, 5 and 6. The amendments deal with broadening certain definitions in the Bill and defining the period in which reviews of the legislation must take place.

The junior Minister (Mr Newton): I beg to move amendment No 1: In page 8, line 20, leave out subsection (7) and insert

"(7) In this section 'conciliation services' means services provided —

by a person who is not a party to a dispute;

to the parties to the dispute; and

with the aim of enabling the dispute to be settled by agreement and without proceedings."

The following amendments stood on the Marshalled List:

No 4: In clause 21, page 15, line 4, after "years" insert ", or later than five years,". — *[The junior Minister (Office of the First Minister and deputy First Minister) (Mr Newton).]*

No 5: In clause 26, page 17, line 21, after "authority" insert

"is a reference to action taken for the purposes of a function exercisable in or as regards Northern Ireland and". — [The junior Minister (Office of the First Minister and deputy First Minister) (Mr Newton).]

No 6: In clause 27, page 18, line 6, at end insert "'interests' includes rights;". — *[The junior Minister (Office of the First Minister and deputy First Minister) (Mr Newton).]*

The junior Minister (Mr Newton): While speaking to amendment No 1, I will explain the rationale for amendment Nos 4, 5 and 6. Amendment No 1 relates to the commissioner's power to arrange for the provision of conciliation services to help to resolve disputes involving

the interests of older people. The power to provide conciliation services contained in clause 12 was inserted in the Bill as part of our response to representations made by the vast majority of respondents to the Department's public consultation on the Bill and its proposals. It specifically empowers the commissioner to make arrangements for the provision of conciliation services in relation to disputes that may lead to legal proceedings involving law or practice concerning the interests of older people. It aims to prevent older people becoming involved in lengthy, costly and stressful court cases if that can be avoided. That is in line with developments in other areas of public policy.

The Minister for Employment and Learning recently advised us that his Department is working in partnership with the Labour Relations Agency and other key stakeholders to promote conciliation, mediation and arbitration services. We also understand that the Department of Justice is conducting a review of access to justice here. One of the terms of reference of that review will be to examine the scope for alternative approaches to resolving those disputes that could potentially end up in the legal system.

When commenting on clause 12 as part of their response to the Committee for the Office of the First Minister and deputy First Minister's consultation on the Bill and the policy proposals, the age sector and the Older People's Advocate recommended the replacement of the term "conciliation services" with "dispute settlement services". They also called for a wider definition of the term. We have been advised that "conciliation services" is the appropriate term, as it is used in comparable legislation to achieve the same purpose.

However, we have agreed that an alternative and broader definition of "conciliation services" could be inserted to replace the current definition of the term at clause 12(7). Similar wording to what we are proposing was used in the Equality Act 2006. It is considered to be a much broader definition, including both conciliation and mediation services. We wish to maximise the number of alternatives to court proceedings involving older people that are available. The OFMDFM Committee scrutinised and agreed the amendment, and I am grateful for its consideration of and support for this clause, which received such widespread support

during the Department's public consultation on the Bill and the proposals.

Amendment No 4 relates to the power that clause 21 gives the commissioner to review the working of the legislation and to report on it to the First Minister and deputy First Minister. The commissioner will report on the adequacy and effectiveness of the Act and may offer recommendations as to how to amend it. Although the Bill specifies that a review of the legislation cannot be carried out more frequently than every three years, no maximum period is specified during which a review must be carried out.

The age sector suggested an amendment to make it a requirement in the Bill that reviews of the Act under clause 21 are carried out at least every five years. We consider that a helpful suggestion to ensure that the legislation is kept under review and, therefore, propose such an amendment. The OFMDFM Committee scrutinised and agreed the amendment, and I am again grateful for its consideration and support.

Amendment No 5 is designed to remove any doubt that the Bill is within the legislative competence of the Assembly, and it is being brought forward on the recommendation of the Attorney General. The Bill includes reference to public bodies and relevant authorities, such as the Pensions Ombudsman, whose functions extend to England, Scotland and Wales. The amendment is to make it clear that the commissioner's specific powers relating to relevant authorities apply only in regard to the functions that relate to Northern Ireland.

I stress that that limitation will not affect the ability of the commissioner to act as an advocate for older people in relation to reserved and excepted matters and making representations to, for example, Departments in Westminster. Clause 4(6) empowers the commissioner to make representations or recommendations to any body on any matter that concerns the interests of older people. The commissioner can stand up for older people in that way.

Amendment No 6 is proposed in response to a request from consultees during the OFMDFM Committee's consultation on the Bill. It proposes that the Bill should specify that any references to older people's "interests" include their rights. This has been an ongoing lobbying issue, and the Department has previously clarified that the term "interests", when used

in the Bill, is wider but includes rights. That was specified in the Department's consultation analysis report, which was published in May this year, and also in the draft explanatory and financial memorandum for the Bill.

Additionally, during Second Stage on 7 June, my colleague junior Minister Kelly made it clear that "interests" is a broader term that covers the wider picture, including rights. However, as the age sector, the Northern Ireland Human Rights Commission and the Older People's Advocate, Dame Joan Harbison, appear to have an ongoing concern about the matter, we have agreed to propose an amendment to clause 27, which is the interpretation section of the Bill, to clarify that whenever the term "interests" appears in the Bill, it includes rights. The OFMDFM Committee scrutinised and agreed that amendment, and I am grateful for its consideration and support.

The Chairperson of the Committee for the Office of the First Minister and deputy First Minister:

I thank the junior Minister for his explanations as he addressed this group of amendments. I will refer briefly to the Committee's scrutiny of the Bill. Over the past 18 months, the Committee has scrutinised in detail the development of the legislation. I take this opportunity to thank the departmental officials and Ministers for their regular briefings and for the information and clarifications that were provided. I also thank the Committee staff for their help and support in taking forward the legislation. In addition, I thank the stakeholders in the sector for their input in aiding the Committee in its scrutiny of the Bill.

The Bill was referred to the Committee on 7 June 2010. In response to its call for evidence, the Committee received 10 written submissions from key stakeholders. The Committee took oral evidence from the Older People's Advocate, the Northern Ireland Human Rights Commission, Age NI, the Age Sector Platform and the Northern Ireland Ombudsman. During the evidence sessions, the Committee considered and discussed a number of issues with stakeholders, including the possible overlap of work, the definition of the term "interests" and the commissioner's powers of investigation and inspection.

Following the oral evidence sessions with stakeholders, the Committee was briefed by the Department on 8 September 2010 on issues that were raised during the evidence sessions.

The Department advised the Committee of clauses that Ministers would be prepared to amend if the Committee agreed. At the meeting, the Committee requested further information from the Department on gaps in investigative powers in relation to older people, what the legislation would allow the commissioner to investigate and in relation to placing a duty on the commissioner to report criminal acts. The Committee also agreed to seek legal advice from the Assembly's Legal Services in relation to inserting a clause that would place a duty on the commissioner to report a criminal act. On 15 September, the Committee considered advice from the Assembly's Legal Services and was content that there was no requirement to include such a clause. The Committee was also briefed by departmental officials on the gaps in investigatory powers in relation to older people.

The Committee undertook its formal clause-by-clause scrutiny of the Bill on 15 September 2010.

During that clause-by-clause scrutiny, the Committee agreed with the Department to amend clauses 12, 21 and 27. The Committee was also content with all the clauses and schedules as drafted.

11.30 am

On 3 November 2010, the Committee agreed that it was content with two amendments to clause 20 and an amendment to clause 26, as suggested by the Department. The Committee considered amendment Nos 1, 4 and 6 on 8 September 2010. Those amendments were proposed by the Department following the Committee's consultation on the Bill.

Amendment No 1 provides for a broader definition of the word "conciliation" to include conciliation and mediation. Stakeholders raised that issue, and, at its meeting on 15 September, the Committee agreed that it was content that Ministers propose amendment No 1, and it agreed the context of the amendment.

Amendment No 4 relates to the review of legislation. The Bill states that a review cannot be carried out more frequently than every three years but specifies no upper time limit. The age sector suggested that the maximum limit should be five years. At its meeting on 15 September, the Committee agreed that it was content that Ministers propose amendment No 4, and it agreed its text.

Amendment No 5 was proposed by Ministers following the Attorney General's consideration of the Bill's legislative competence. Given that bodies that will operate in the reserved or excepted fields are listed in the Bill as "relevant" authorities, amendment No 5 clarifies the geographical scope of their work that is to be brought within the commissioner's remit. At its meeting on 3 November, the Committee agreed that it was content with the proposed amendment.

Amendment No 6 would change clause 27 to provide that "'interests' includes rights". That issue was raised by the majority of stakeholders during evidence sessions. Amendment No 6 clarifies the Bill's reference to rights. At its meeting on 15 September, the Committee agreed that it was content that Ministers propose amendment No 6, and it agreed its text.

Mr Humphrey: I support the Bill. As a new member of the Committee, I thank colleagues for their scrutiny of the Bill during its passage through Committee over the past year and a half or so. Today and the Bill are good for older people in our community. From my constituency work with the Greater Shankill Senior Citizens Forum, I know that the drive and energy of older members of our community serve as an example to some of us. That is exemplified by their commitment to make our communities much better. In many cases, they set an example to us all of how things should be done. We have so much to learn from what is a hugely wealthy resource in our society.

I also pay tribute to organisations in the community, many of which are represented in the Public Gallery today, for their contribution during the consultation process over recent months. It is essential that the House and the Executive focus on promoting and safeguarding the interests of older persons, many of whom are among Northern Ireland's most vulnerable people. We should keep to the forefront of our mind the contribution of so many thousands of older members of our community to this nation, not least, considering the week that we are in, during wartime.

Older people should be cherished, and they have a special place in our community, particularly in Northern Ireland, which is, perhaps, a much more caring part of this kingdom than other parts. People who have passed on good, sound

advice serve as good role models and examples in our lives, and we have all benefited.

The commissioner will have the clear role of being a champion for older persons and an advocate for their various agendas and strategies. Surely the use of conciliation to resolve disputes in a way that prevents protracted legal cases is better for this state and will be of benefit by saving money in the wider world's prevailing financial climate. In addition, such disputes generate stress and anxiety, which affect older people's circumstances; therefore conciliation and dispute resolution are a much better way forward.

In clause 4, the Bill must be adequate and effective and be reviewed on an ongoing basis. The role of commissioner makes sense, and the House and the Executive will benefit from it. Clauses 6 and 27, which protect the rights and interests of older people, are common sense. Again, I pay tribute to colleagues on the Committee for the Office of the First Minister and deputy First Minister for their contribution.

The cost of the Bill and of a commissioner was mentioned. However, we have no choice: older people deserve an adequate and articulate spokesperson for their rights to ensure that they get fair play. In Northern Ireland, we hear much about equality, which should also apply to older citizens. Older people must be protected. We all know of family members, neighbours or people who are among the most vulnerable in society and must be protected. Their rights are sacrosanct and must be to the forefront of our thoughts as we shape the Bill.

Our ageing population is a live issue, so resources must be applied not just now but, perhaps at a greater level, in the future. As we approach retirement — some sooner than others — we need to be mindful of the fact that, in a few years, it may well be we who find ourselves in unfair circumstances. We must ensure, therefore, that older members of the community are protected. They deserve their benefits and their right to transport, health and top-up benefits. We on these Benches support the Bill.

Ms M Anderson: Go raibh míle maith agat. Éirím chun tacaíocht a thabhairt do leasuithe uimhir 1, 4, 5 agus 6.

I support amendment Nos 1, 4, 5 and 6. As a member of the OFMDFM Committee, I found the scrutiny process very interesting, to say

the least, and, on behalf of the Committee, I put on record members' thanks to the age sector in particular for challenging us to take an interest in the Bill, which we did, to listen to what it said and to support its amendments — amendment Nos 1, 4, 5 and 6. That demonstrates participatory democracy in action, because it was not about us in the house on the hill making legislation without engaging with the relevant sector. I do not want to come across as a smoothie, but I am proud of the role that the sector played in shaping the legislation. That demonstrates how this place works and how people can become involved.

We have an ageing population, and, as we heard throughout the evidence that was presented to us, it is estimated that by 2041 42% of the population will be aged 50 or over. People of pensionable age will represent 25% of the population, and the proportion of people aged 75 and over will double to at least 14%. I suppose that I should declare an interest as someone who will, unfortunately, probably be in one or other of those brackets by 2041, and, if God spares me, in the latter bracket.

Clause 25 defines an older person as:

“a person aged 50 or over”.

That definition is probably applicable to most MLAs in the Chamber. A range of challenges currently impact on older people. Amendment No 1 deals with conciliation of disputes and allows us and the Commissioner for Older People in particular to address challenges, such as those that relate to health and social care, domiciliary care, poverty, including fuel poverty, low benefit uptakes and housing adaptation, to name but a few. Indeed, I have tabled a motion for debate next week on domiciliary care. It was right that the Executive committed in the Programme for Government to provide a strong, independent voice for older people, and I welcome that commitment being progressed today.

Some of the issues that were brought to the OFMDFM Committee are provided for in the Bill and did not, therefore, require amendments. However, the Committee agreed that the alternative dispute resolution process, which is described in clause 12 and which amendment No 1 addresses, should be included, in that conciliation is defined in a broad manner and enables disputes to be settled by agreement and, hopefully, without proceedings. Sinn Féin

supports amendment No 1 and amendment No 4, which amends clause 21 so that the legislation should be reviewed no later than five years after the first report. That was determined and shaped by the age sector, and, given that, I refer to my earlier comments about participatory democracy and the role that people outside the Chamber play in shaping legislation and policy.

Sinn Féin also supports amendment No 5. If amended, clause 26(7) would define any reference to action taken by a relevant authority against which a complaint is made as:

“a reference to action taken for the purposes of a function exercisable”

in the North. I am aware that junior Minister Newton outlined the role of the commissioner in exceptional circumstances. The Bill enables OFMDFM, by order, to add, modify or remove bodies or persons included in the commissioner's remit. That is to be welcomed. Clause 26 will also enable OFMDFM, through subordinate legislation, to address any omissions that may be identified as we move forward.

Through the consultation process, the Bill will extend the list of relevant authorities that the commissioner will have power to formally investigate or review complaints against. Again, that demonstrates the age sector at work. The list now extends to nursing homes and residential care homes in the private and voluntary sector. We all remember the case in England of the older person who had Alzheimer's disease. I take a special interest in that, because my mummy has Alzheimer's, and I was keen to amend the parts of the Bill that deal with such matters. I recognise that that has happened.

The commissioner's powers include acting as an advocate on behalf of older people, but their general investigatory powers will not be limited to particular types of organisations and individuals and can be extended to include any organisation. There are additional provisions in the Bill that give the commissioner power to review complaint handling and formal investigations that apply to the relevant authorities that would be dealt with in clause 26, if it were amended.

Sinn Féin supports amendment No 6, which inserts into clause 27 the phrase “‘interests’ includes rights;”. As my party's human rights and equality spokesperson, I am particularly pleased that that extension has been included.

It is absolutely right that the definition of interests should include rights, and the fundamental reason why a commissioner is needed is to concentrate in a holistic and strategic manner on the rights and interests of older people. We all represent vulnerable constituents, and they have welcomed the fact that the amendment has been supported by everyone in the Chamber.

11.45 am

As other Members have said, the issues that older people face are multidimensional and, unfortunately, include discrimination, breaches of rights, poor practices and lack of attention. In other words, the Commissioner for Older People will, uniquely, bring to the table the protection of the rights and interests of older people in the widest sense and, from that position, add value to existing bodies and arrangements. Therefore, Sinn Féin supports amendment Nos 1, 4, 5 and 6. Go raibh míle maith agat for allowing me to speak on this group.

Mrs M Bradley: It seems like a long time since I came to the Assembly. At that time, this Bill was being talked about, and I am delighted that it is here today. Our older people have waited a long time for work on the legislation to begin and, given that it is happening now, we must get it right because they cannot afford to wait any longer or endure any more mistakes. They feel isolated as it is, and we cannot do that to them any longer.

I pay tribute to older people because they have all contributed over the years in many ways and in no small way. They still contribute to society as carers and volunteers, and I welcome and admire the work that they do. However, the social care system does not provide the quality of care that it should for our older people, and, if it is to be fair, equitable, sustainable and based on equality and human rights principles, a review of the current system of social care is long overdue. I commend that to the Minister for his consideration. I hope that we will move forward speedily with the Bill and that, in the meantime, the Minister will be able to give me the assurances that I seek. My party and I do not want to delay the Bill any longer because, as I said, we have always been involved and have always supported the legislation.

Perhaps the Minister could provide me with a bit more information on clauses 6 and 16. Given the authority that those clauses provide, what does that mean for delivery? What authority will

the commissioner have that will mean that he or she can really deliver? If a person goes into the commissioner's black book, where does the commissioner get the authority that he or she requires to act in such cases? I want to check on the delivery aspects of the Bill. I support the Bill and all the clauses that we have gone through this morning. However, the SDLP always had problems with it, and Mark Durkan, my party's former leader, raised some problems during the Bill's previous stage. I hope that the Minister's comments this morning have cleared that up for us.

I welcome the Bill. We do not want to delay it. We want it to move on, but we want the commissioner to have the powers that he or she needs to act for older people. I do not want to stand here — perhaps I will not — or want my party colleagues and other Members to be here and have people saying to us that the Bill was not worth the paper that it was written on. That cannot happen. The Bill is too important, and I want it to go through the House in the right way.

Dr Farry: The Alliance Party supports all the amendments in this group, and, like the Chairperson of the Committee, I want, as Deputy Chairperson, to record my thanks to the Committee officials and to everyone from the Department at ministerial level and official level who has worked very hard on the Bill. Furthermore, I recognise the very strong representations that we received from the age sector.

I want to stress two introductory points. First, the attitude that the Assembly adopts towards older people must primarily be one of enabling, to ensure that, irrespective of age, people are able to engage fully in society and in their own local community, including in the workplace, in family life and friendships and in the community and voluntary sector. We must ensure that people have the opportunities to take part in life and to make their contribution. We must recognise that every citizen should be respected, has autonomy and has a contribution to make to the benefit of all. However, we must also recognise that there needs to be support for older people to provide the necessary interventions when needs arise, whether those are for information, for ensuring that proper financial assistance is provided or for ensuring that the proper services are provided, from social care to hospital issues.

I will focus primarily on amendment Nos 1 and 6. Like the Minister, I stress the importance of conciliation in the broadest terms, and I welcome his phrase about conciliation and services. It is worth stressing that, in trying to address disputes, the earlier we intervene, the better it is for the parties concerned, particularly older people, and the better it is for the public purse in avoiding more difficult, tetchy and tense proceedings down the line, a longer process and a certain degree of risk with the outcome.

Earlier, I made the point that having a robust Commissioner for Older People who can intervene in cases and having proper services for older people will be not a cost to the public purse but a saving because it will ensure early intervention when needs arise, rather than intervention later in the process when costs are greater. In the same light, a move towards conciliation services is in line with a problem-solving approach, rather than allowing problems to fester and become more expensive as time goes on.

The Minister was also right to highlight the fact that there is a wider debate on the issue, particularly in respect of the Department of Justice, on legal services and the bodies that can intervene and try to engage in mediation. Costly legal proceedings are sometimes but not always necessary, and they should be avoided where possible.

The starting point of amendment No 6, its reference to “interests”, is probably the right way to go, but I understand the need to clarify that that also includes rights. If you plump for one or the other, there will always be a certain degree of a problem. The concept of interests is much broader than that of rights, especially when rights are defined in legal instruments, as opposed to how we might refer to them in a broader narrative.

Rights can be narrow and narrowly defined, and, if we were to proceed with a Bill that talked purely about rights, inadvertently, it could lead to a situation in which only certain cases would be eligible for intervention by a Commissioner for Older People, based on what is set out in rights conventions, particularly those that have been absorbed into domestic law. We can readily quote European and international standards, but it is important to bear it in mind that very few of those are justiciable in our domestic courts. Therefore, there is a gap between the

rhetoric of rights and the current reality of rights enforcement in our system.

There would be a danger in adopting a narrow focus on the concept of rights. In contrast, the word “interests” has a much broader meaning and refers implicitly to the whole ambit and range of issues that can affect older persons. The focus on the word “interests” enables a commissioner to intervene in the whole range of issues that may affect older people. That is the primary way to go. However, I understand the concern that, if the focus is on interests, some people might suspect that rights were diminished or were being avoided and that the prospect of being able to enforce rights in the rare circumstances in which a resort to legal proceedings is, unfortunately, required might be diminished. I understand why it is important that “rights” be clarified in the Bill: it will give an assurance that the concept of “interests” does not diminish rights or eliminate the protection of older persons’ rights.

Mrs D Kelly: As my colleague Mary Bradley pointed out, under the enforceability actions provided for in clause 16, as I understand and interpret it, the commissioner will be able to write to a relevant authority seeking reports and to review the authority’s compliance with a recommendation. That information will then, ultimately, end up in a register, which is the commissioner’s black book. Does the Member think that those are sufficient enforceability remedies, given the expectation that the Bill will make a real difference to the lives of ordinary people?

Dr Farry: The answer is probably yes, to a very large extent. When public bodies have been held to account and a spotlight shone on them by commissioners or ombudsmen, they have taken remedial action to address the concerns raised. Of course, legal proceedings are sometimes required when public bodies do not listen to representations. People can maintain their rights through a range of measures, either independently or through the Human Rights Commission or the Equality Commission. It is important to bear it in mind that those options are open to everyone.

Mr Speaker, I am conscious of not wanting to open up a wider rights debate, and I assure you that my party is cautious about how far we should go when addressing that. However, we must bear it in mind that the rights framework in

Northern Ireland is still limited and that a wider debate is still to be had on how we move rights protections forward. That has to be done with a certain care and attention and with reference to the wider debates across these islands and the particular circumstances of Northern Ireland. It is important to recognise that the rights regime will move and evolve over time.

It is also important that we go back to the point that I made at the start: “interests” include rights. That is a much broader concept that moves us beyond the very strict legal approach that the term “rights” lends itself to, and it enables the Commissioner for Older People to have a much wider consideration of issues. The Bill is consistent with that approach. I welcome amendment No 6 and all the amendments in the group.

Mr Brady: Go raibh maith agat, a Cheann Comhairle. I apologise on behalf of junior Minister Kelly, who cannot be here because he is attending a meeting.

The Commissioner for Older People Bill must be welcomed. The Assembly should be gratified that we, along with the Welsh Assembly Government, are leading the way with the appointment of a Commissioner for Older People. As I look round the Chamber, I think that most of us, including myself, are galloping towards the stage where we may benefit from the help of a Commissioner for Older People. Members should keep that in mind.

I am not a member of the OFMDFM Committee. However, my colleague Martina Anderson outlined the process involved, and, like other Members, she talked about the Committee Stage. There has been engagement with the sector that represents older people and, indeed, with older people themselves. As the Sinn Féin spokesperson for older people, I have had many engagements with that sector, and I am very aware of the need for a Commissioner for Older People.

It is worth pointing out that the United Nations principles on older people covering independence, participation, care, self-fulfilment and dignity, which were introduced in 1992, state:

“Older persons should remain integrated in society, participate actively in the formulation and implementation of policies that directly affect their

well-being and share their knowledge and skills with younger generations.”

It is important that the Commissioner for Older People should exercise those rights on behalf of older people and be an effective force.

12.00 noon

Much has been made in the current stringent economic climate of the duplication of services. The appointment of a Commissioner for Older People has been talked about but has never been implemented or reached this stage. That it now has is to be welcomed.

Amendment No 1 is to be welcomed, because it would give a wider definition of conciliation and mediation services. As junior Minister Newton pointed out, that would save older people from getting involved in lengthy and expensive litigation, which is to be welcomed.

Amendment No 4 deals with the effectiveness of the Act and with the reports that are to be made to OFMDFM. If those reports are to be effective, and if the effectiveness of the older person’s commissioner is to be monitored, the statistics affecting older people have to be taken into account. Some of those statistics have already been pointed out: 23% of older people here live in poverty compared to 16% in Britain; two fifths of single pensioners and one fifth of pensioner couples have no income other than the state pension and benefits; 44% of those entitled to claim pension credit are not doing so, which is something that needs to be urgently addressed; the average weekly amount in unclaimed benefits is estimated to be approximately £2 million, money which, as Mr Kinahan said, should be going back into the local economy. Those appalling statistics need to be looked at. Last winter, 756 older people died from cold-related illnesses because of fuel poverty. That needs to be addressed. Therefore, there has to be effective monitoring of the effectiveness of the older persons’ commissioner.

I welcome amendment No 5, which deals with the functions and legislative competence of public bodies. Those are things that the older person’s commissioner will monitor and report back on.

Amendment No 6 is to be welcomed and means that “interests” would include rights. However, as Stephen Farry pointed out, there is probably

a wider debate to be had on the minutiae of the differential between interests and rights.

I support amendment Nos 1, 4, 5 and 6, and I support the Bill.

The junior Minister (Mr Newton): I thank all Members for their contributions to the debate and for their very positive response.

By broadening the definition of conciliation services, amendment No 1 would help to keep to a minimum the number of court cases involving older people and would provide a less stressful, time-consuming and costly method of resolving their problems.

We consider it good practice to keep the legislation under review. Amendment No 4 would ensure that the commissioner carries out such a review every five years.

As I previously explained, amendment No 5 has been proposed to remove any doubt that the Bill is within the legislative competence of the Assembly by ensuring that the specific powers that the Bill grants to the commissioner in relation to relevant authorities apply in regard only to their functions that relate to Northern Ireland.

If made, amendment No 6 would be significant. In its response to the OFMDFM Committee's consultation on the Bill, the age sector listed the issue covered by the amendment as its first priority for change. If the Assembly were to support the amendment, it would be extremely well received.

By establishing a commissioner, we want to have someone to stand up for older people; someone who will challenge discrimination against older people and promote their participation in public life; someone who will investigate complaints on behalf of older people; someone who will encourage best practice in the treatment of older people; and someone who will influence and shape government policy in the interests of older people, including their rights. Ultimately, we want to see a society in which older people's voices are heard and respected and their interests and rights safeguarded and promoted.

I want to take the opportunity to respond to some of the comments made by Members this morning, and I already mentioned their positive responses. We are delighted that people are living longer, and we agree that older people make an extremely valuable contribution to our

society. Some older people continue to work, and others support their families by providing childcare and by caring for relatives who are ill. Those activities are extremely laudable, and the active voluntary sector in our society is greatly enriched by them and by the major contribution of older people. We should all acknowledge our gratitude for the part that older people play in helping to make our society work.

Dolores Kelly said that research shows that older people are vulnerable members of our society. The most recent figures state that 28% of pensioners live in poverty and that no less than 50% of pensioners suffer from fuel poverty. A 2007-08 report stated that 62% of older people aged between 65 and 74 reported having a long-standing illness. For those aged 75 and older, the percentage increased to 67% for males and 72% for females, with the figure of 38% for the population as a whole.

Older people represent an ever-growing percentage, which was recognised by contributor after contributor today. Members referred to current estimates, which suggest that, by 2041, 42% of the population will be aged 50 or over, persons of pensionable age will represent 25% of our population, and those aged 75 and over will double to at least 14%. Members recognised that, but the most significant figure across these islands is the largest percentage increase in the number of people aged between 50 and 60 and those who are aged over 75.

For many, a Commissioner for Older People with strong powers will provide them, for the first time, with a body that truly understands the difficulties facing older people and that has the powers to bring about changes to improve their lives. There is a clear need and strong support for a Commissioner for Older People with a range of functions, powers and duties. The age sector's We Agree campaign attracted widespread support for a strong commissioner, while the consultation on our proposals for the draft Bill received significant attention and demonstrated strong public support.

There is no single organisation that will have the range of powers and functions that are proposed for the Commissioner for Older People in one place, and the commissioner will bring together expertise and will focus on improving the lives of older people. Given the estimates and the fact that we have a greater awareness of the issues that relate to older age, the

Executive committed to providing a strong and independent voice for older people in the Programme for Government. In doing so, we recognise and pay tribute to the excellent work being undertaken by, for example, the health and social care trusts, Age NI, the Age Sector Platform and many other local groups that provide a first-class service for older people.

Dawn Purvis raised the issue of legislation on goods, facilities and services. We are aware of developments in England and across Europe and of proposals to introduce legislation to prohibit unjustifiable age discrimination by those who provide goods, facilities and services. We continue to consider that issue, which is one of six proposals for legislative reform that were flagged up the Equality Commission.

Martina Anderson said that no one body has older people's concerns as its primary focus, and we agree on that. However, none of the existing bodies in our society will have the range of functions and powers that we propose to give to the Commissioner for Older People.

Dawn Purvis commented on the importance of planning so that, when a dedicated commissioner becomes active, he or she will identify issues of strategic importance and have the power and authority to challenge and investigate. I hope that she is reassured by what I have said today. The establishment of a commissioner here is a groundbreaking development. The only place where a comparable commissioner is already in place is Wales. No other European country has a commissioner of this type. This is a strong example of the Assembly responding to the needs of local people.

I agree that the efficient use of money is important. As we move forward with the legislation and the establishment of a commissioner, we continually consider ways to both reduce cost and ensure value for money. For example, the commissioner will share services with other bodies. I am sorry that I cannot remember which Member mentioned that this morning, but I know that it was mentioned. Stephen Farry commented that we are living in a period in which there are likely to be increased pressures on public spending. We are determined that, in this economic climate, the most valuable people in our society do not suffer from the effects of any reduction in services. Jimmy Spratt said that, now more than

ever, we need a commissioner to protect the rights and interests of older people.

If I read the mind of the Assembly correctly, the proposed amendments will be supported today and we all recognise that an ageing population is an issue that cannot be ignored. Right across these islands and further afield, declining birth rates and increased life expectancy are placing an ever-increasing burden on our resources. That undoubtedly presents new challenges in how we address the concerns of older people. However, by establishing the Commissioner for Older People now, we are taking a longer-term view of the issue of an ageing population to ensure that older people here have the strong voice and protection that they deserve. Tom Elliott and his colleague Danny Kinahan raised the issue of costs. I have already covered that, but I want to reassure Members that, in this legislation and the eventual establishment of a commissioner, we will continually look at ways to achieve efficiency, minimise costs and ensure value for money, including reducing costs by sharing services.

I would like to take the opportunity to thank the Older People's Commissioner for Wales, Ruth Marks, for her assistance and support in the development of the proposals. All the reports that I have heard indicate that she gave unstintingly of her time, office and advice. I should have said that Mary Bradley raised an issue about clause 16. I will come back to that at a later stage if that is acceptable. I will conclude by pointing out that, in taking this Bill forward today, we are responding to a debate in the Chamber in June 2007 that called for the appointment of a Commissioner for Older People. The legislation is an example of the Assembly responding to the needs of our population.

Question, That amendment No 1 be made, put and agreed to.

Clause 12, as amended, ordered to stand part of the Bill.

Clauses 13 to 19 ordered to stand part of the Bill.

Clause 20 (Disclosure of information by Commissioner)

Mr Speaker: We now come to the second group of amendments for debate. With amendment No 2, it will be convenient to debate amendment No 3. The amendments remove the provision that prevented the commissioner from being called

to give evidence in certain legal proceedings, as well as ensuring that the commissioner is not precluded from disclosing information in civil proceedings.

The junior Minister (Mr Newton): I beg to move amendment No 2: In page 14, line 14, after “any” insert “civil proceedings or”.

The following amendment stood on the Marshalled List:

No 3: In page 14, line 32, leave out subsection (4). — [*The junior Minister (Office of the First Minister and deputy First Minister) (Mr Newton).*]

12.15 pm

The junior Minister (Mr Newton): At the same time as speaking to amendment No 2, I will also explain the rationale for amendment No 3.

Following advice from the Attorney General, amendment No 2 is designed to remove any doubt that the Bill is within the legislative competence of the Assembly. Clause 20(1) provides that information obtained by the commissioner or his or her officers in the course of a formal investigation must not be disclosed in civil proceedings.

Amendment No 3 relates to clause 20(4), which provides that neither the commissioner nor his officers may be called upon to give evidence in any proceedings other than criminal prosecutions and proceedings that relate to obstruction and contempt under clause 19. It is possible to envisage situations in which an older person, particularly a vulnerable one, might be prejudiced by his or her inability to call the commissioner to give evidence on his or her behalf to provide information obtained during a formal investigation into civil proceedings.

In such circumstances, the rights of the older person, under articles 6 and 8 of the European Convention on Human Rights, might be breached. To that extent, the clause may be outside the legislative competence of the Assembly. Amendment Nos 2 and 3 are designed to remove that problem by enabling the commissioner to disclose information or give information in relation to civil proceedings and thereby ensure that the Bill is within the legislative competence of the Assembly.

The Chairperson of the Committee for the Office of the First Minister and deputy First Minister: Amendment No 2 ensures that

the commissioner is not precluded in civil proceedings from disclosing information. Ministers agreed to clarify 20(1)(b). At its meeting on 3 November 2010, the Committee agreed that it was content with the proposed amendment.

Amendment No 3 is proposed by Ministers to ensure compliance with human rights obligations. The Committee agreed at its meeting on 3 November that it was content with the proposed amendments.

Mr Spratt: I, too, support amendment Nos 2 and 3. The amendments relate to clause 20, which provides restrictions on the disclosure of information obtained during a formal investigation. On these Benches, we welcome the fact that the commissioner can disclose information to court proceedings that involve a criminal offence.

I had some concerns about this aspect of the Bill in relation to criminal investigations. I want to put it on record that I am satisfied that there is no legal obligation on anyone to report a criminal offence. One of the areas that concerned me throughout the process and throughout the legislation was the possibility of a situation arising in which the commissioner was investigating a complaint — which could, under clause 20, be something that concerned health and safety — and a criminal offence came to light.

I always wanted it to be made clear in the Bill that the commissioner would, particularly if a criminal offence came to light in any investigation of a complaint, immediately withdraw from the case and hand the investigation over to the police, particularly where criminal matters were concerned, because that is the rightful place for such investigations.

My reason for saying that, to the possible frustration of officials from the Department, is that I am concerned that the longer a commissioner or someone else continues to meddle in a case in which criminal matters come to light, such as one involving elderly abuse, the greater the possibility of a criminal investigation becoming contaminated and the less chance there is of a successful prosecution. I just wanted to make sure that safeguards were in place, and I make no apology for that.

I think that some of the folk who were in the Public Gallery sometimes thought that I was in some way trying to restrict what the commissioner would do. I now welcome the fact that the commissioner will be able to give evidence when criminal information comes to his or her attention during an investigation. That is now very adequately covered in the legislation.

I also had concerns that — this is no criticism of the Police Service, and it probably affects others who may be involved in investigations — in this day and age, folk are keen to offload onto somebody else the possibility of investigation. In times of financial constraint, the Police Service and everybody else are content when somebody else is investigating. I just wanted to make sure that the legislation was adequate and that those points were covered. So, I make no apology for raising those issues.

I am very content with the legislation before the House. The amendments are fully supported on this side of the House.

Ms M Anderson: Go raibh míle maith agat. Éirím chun tacaíocht a thabhairt do leasuithe uimhir 2 agus 3.

I support amendment Nos 2 and 3. Clause 20, to which amendment Nos 2 and 3 refer —

Mr Speaker: Once again, I remind the House that Members should check their mobile phones. Members can hear that it is affecting the sound system. I ask Members to make sure that their mobile phones are off, please.

Ms M Anderson: Go raibh míle maith agat. Clause 20, to which amendment Nos 2 and 3 refer, provides for restrictions on the disclosure of information obtained by the commissioner during a formal investigation. Sinn Féin supports amendment No 2 in relation to the necessary insertion of three little, but absolutely necessary, words: “civil proceedings or”. We feel that they strengthen the clause.

We also support the removal of subsection 4 of clause 20, which outlined the areas that the commissioner and the office could not be called to give evidence on. Because it was an absolute compliance with human rights obligations that that be removed, the party and I, as equality and human rights spokesperson for Sinn Féin, were quite pleased to see that amendment coming through and subsection 4 being removed.

We pay gratitude to the Clerk of the Committee and the staff. During the process of scrutinising the Bill, they provided a lot of support to Committee members.

Although my contribution on these two amendments is brief, most of the other contributions that we made earlier indicate clearly our absolute support for the Bill.

Dr Farry: In the interests of time and speed, I will simply say that we give our full support to the two amendments.

Mr Brady: Go raibh maith agat, a Cheann Comhairle. I, too, support the two amendments. The details of the amendments have been covered.

The junior Minister (Mr Newton): I am grateful to all Members for their contributions on the second group of amendments. Amendment Nos 2 and 3 are proposed to ensure that it is possible for the commissioner and his or her officers to disclose information obtained during a formal investigation and to give evidence to civil proceedings on behalf of an older person. Clause 20 will remove any doubt that that is within the legislative competency of the Assembly.

Mary Bradley queried what authority the commissioner will have, in which she was supported by Dolores Kelly. I reassure Members that the commissioner will have a wide range of powers, including specific powers with teeth, such as the power to conduct a formal investigation into a complaint, with High Court powers to call for persons, papers and evidence, as well as powers of entry and inspection. If someone were to attempt to obstruct the commissioner, those powers would be backed up with the offence of contempt.

The commissioner will also have the power to take legal cases on behalf of older people and to assist an older person with a legal case. The commissioner will have a wide range of promotional, advisory, educational and general investigatory functions, duties and powers to be deployed in the interests of older people, both generally and individually. Those powers will help him or her to fulfil the aim of protecting the interests of older people here. The commissioner will be able to influence the actions of many organisations and individuals that affect older people's lives in many different ways.

The commissioner will have considerable powers to make recommendations for change and to publicly expose unreasonable non-compliance with his or her recommendations. We believe that those powers, together with the authority of the commissioner's office, will give the commissioner considerable power to effect change on behalf of older people. The commissioner will also have direct access to the First Minister and deputy First Minister if he or she wants to raise such issues.

Just like the Northern Ireland Ombudsman, the commissioner could bring his or her recommendations to the Regulation and Quality Improvement Authority, Criminal Justice Inspection and other regulatory inspectorate organisations that could use those recommendations as part of the framework of how they assess organisations.

Several consultees suggested that the commissioner should be able to bring his or her recommendations to the Committee for the Office of the First Minister and deputy First Minister or the appropriate departmental Committee to give greater public exposure and greater scrutiny by allowing the Committee to call and question the organisation concerned. The commissioner will be able to do that.

In concluding, I will take this opportunity to pay tribute to the work of the Older People's Advocate, Dame Joan Harbison. She has helped to identify current problems and has done an excellent job of bringing attention to the issues of concern to older people, including pension provision and transport, as well as forging links with her counterparts throughout Europe. The advocate provides independent advice on a range of issues, and we are all indebted to her for her work.

As Mickey Brady and I have said, establishing a commissioner here is a groundbreaking development, and it is an example of the Assembly working together, along with the age sector, and addressing issues that are important to those who make up the population of Northern Ireland.

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

Amendment No 3 made: In page 14, line 32, leave out subsection (4). — [The junior Minister (Office of the First Minister and deputy First Minister) (Mr Newton).]

Clause 20, as amended, ordered to stand part of the Bill.

Clause 21 (Review of this Act)

Amendment No 4 made: In page 15, line 4, after “years” insert “, or later than five years,”. — [The junior Minister (Office of the First Minister and deputy First Minister) (Mr Newton).]

Clause 21, as amended, ordered to stand part of the Bill.

Clauses 22 to 25 ordered to stand part of the Bill.

Clause 26 (Interpretation: “relevant authority”)

Amendment No 5 made: In page 17, line 21, after “authority” insert

“is a reference to action taken for the purposes of a function exercisable in or as regards Northern Ireland and”. — [The junior Minister (Office of the First Minister and deputy First Minister) (Mr Newton).]

Clause 26, as amended, ordered to stand part of the Bill.

Clause 27 (Interpretation: general)

Amendment No 6 made: In page 18, line 6, at end insert “‘interests’ includes rights;”. — [The junior Minister (Office of the First Minister and deputy First Minister) (Mr Newton).]

Clause 27, as amended, ordered to stand part of the Bill.

Clauses 28 and 29 ordered to stand part of the Bill.

Schedules 1 to 3 agreed to.

Long title agreed to.

Mr Speaker: That concludes the Consideration Stage of the Commissioner for Older People Bill. The Bill stands referred to the Speaker.

The Business Committee has agreed to meet immediately upon the lunchtime suspension. I propose, therefore, by leave of the Assembly, to suspend the sitting until 2.00 pm.

The sitting was suspended at 12.35 pm.

On resuming (Mr Deputy Speaker [Mr Dallat] in the Chair) —

2.00 pm

Committee Business

Strategic Energy Framework

Mr Deputy Speaker: The next item of business on the Order Paper is the motion from the Committee for Enterprise, Trade and Investment. 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.

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

That this Assembly notes the Department of Enterprise, Trade and Investment's strategic energy framework, which is intended to establish the direction for Northern Ireland energy policy up to 2020.

I welcome the opportunity to speak today on the recently launched strategic energy framework. The framework has been developed around four key goals: the building of competitive markets; ensuring security of supply; enhancement and sustainability; and developing our energy infrastructure. The Department has worked with the Committee throughout the development of the framework. During that time, it has become evident that none of the key goals exists in isolation; the success of each depends on the achievement of the other three. Therefore, rather than taking Members through the detail of the strategic energy framework, I will concentrate on some of the important work that is being done and which will have to be undertaken in order to achieve the four goals.

In order to support the further integration of electricity markets in Ireland, Britain and across Europe, it is important that we continue to develop our electricity grid infrastructure. That is absolutely essential. Developing the single market, particularly in Ireland, is of major importance. The single electricity market will continue to enhance our security of supply and bring increased opportunities for competition in electricity. Recent announcements about

competition in the domestic electricity market demonstrate that the single electricity market is starting to take effect. One also welcomes the Electricity Supply Board's (ESB) intention to invest heavily in the NI grid, if it takes over NIE (Northern Ireland Electricity). That is important, as roughly £1 million is required to renew the grid.

At a European level, the third internal market for energy package aims at reinvigorating market integration and at harmonising the powers and independence of regulators at national and EU level. During a visit to Brussels earlier this year, the Committee sought assurances and received support from the EU Commission Director General for Energy for our assertion that the Northern Ireland utility regulator should be represented on the Agency for the Cooperation of Energy Regulators (ACER), which is the umbrella body for energy regulators in the EU. That is important, if Northern Ireland's unique position in relation to the single electricity market in Europe is to be taken into account at a European level in future. The Minister may be in a position to update the Assembly on progress with that issue.

The Department has set a challenging target of 40% of electricity for renewable energy by 2020. Grid infrastructure development is required to meet that target and to provide a means of getting the renewable electricity generated onto the grid. A smart grid will also contribute to improving energy efficiency and, ultimately, reducing energy use and cost. The Committee recognises the concerns of people who could be affected by the additional pylons, etc, that will be required, but it is also cognisant of the urgent need to reduce our reliance on imported fossil fuels. We import about 98% of fossil fuels for electricity generation, and that can only come about if the electricity grid is strengthened.

The proposed North/South interconnector is a key component of grid infrastructure development. At a Committee briefing last week, departmental officials informed members that not having the interconnector in place is costing Northern Ireland consumers between £18 million and £20 million a year. That is a big cost for the ordinary consumer here in Northern Ireland.

It is also essential that we find ways in which to reduce grid connection costs and to make it more affordable for renewable electricity

generators to get their electricity on to the grid. Some connection costs are prohibitive, and, as such, potential investors are being discouraged from getting into the market. Connection costs need to be transparent so that, at the outset, potential generators have an understanding of the overall cost of becoming established in the renewable electricity market.

The strategic energy framework is not only about electricity. Natural gas is a vital aspect of our energy future. We must continue to increase competition in the gas markets for both business and domestic users, and we must extend the availability of gas to more homes and businesses across the region. Moreover, the extension of natural gas availability will assist in dealing with the difficulties and problems arising out of fuel poverty. That may be something that we should look at with greater focus.

However, that cannot be achieved at any price. The Committee is engaged with the Utility Regulator in exploring the options for opening up competition in the 10 towns area and in considering the recent study on extending the gas network into the west. Of course, natural gas will not last for ever, so it is important that we develop our capacity to explore alternative sources of energy for heat, fuel and electricity generation in order to secure our long-term energy future. That is a key aspect of the strategic energy framework.

It is essential that we provide the appropriate incentives for renewable energy to pump-prime development, and it is absolutely essential if we are to attract people into the market. Invest Northern Ireland informed the Committee that an estimated 15,000 jobs can be created in the renewable energy sector over the next five years. We must be in a position to take advantage of those opportunities. Many countries and regions are already ahead of us in the development of some renewable energy technologies. Other technologies are still at an early stage, so we must grasp the opportunities to develop those technologies that are viable and that provide opportunities to create jobs and to develop export markets in the renewable energy sector.

The strategic energy framework also covers microgeneration of renewable energy. Microgeneration will not contribute significantly to the 40% target in the strategic energy framework and may not be a key part of the

Department's targets for renewable electricity. However, microgeneration can provide opportunities for our indigenous small and medium-sized enterprises (SMEs) in that sector. I note that the Department has included in the strategic energy framework a target for renewable heat of 10% by 2020. That is a very ambitious target, and the Department is considering how it can be achieved. There is, of course, a grant from Treasury, ring-fenced at £25 million, for the renewable heat incentive for Northern Ireland. We welcome that and hope to see it fully implemented.

The strategic energy framework can provide the impetus for developing our considerable potential for growing businesses and jobs in the SME sector. It can also help us to secure our long-term need for sustainable and affordable energy. It can help us to develop and to grow export markets for renewable energy products and services so that we might eventually export our electricity to other regions and countries. However, in order to achieve that, there must be joined-up government, because energy does not simply lie within the remit of the Department of Enterprise, Trade and Investment (DETI). All Departments must work together, and co-operation at council level should also be included.

I wish to say a few words about the concerns that remain about our long-term energy future. The strategic energy framework takes us up to 2020, and that year will be upon us in just over nine years' time. A number of groups that gave evidence to the Committee's inquiry stated that action is needed now to secure our energy future up to 2050. The Minister may wish to update the Assembly on the work that the Department is undertaking to secure our energy future beyond 2020. I look forward to the Minister's reply to that.

The framework is to be welcomed. We may argue over bits and pieces, but, generally, it goes in the right direction. Ultimately, what is needed is the full implementation of the strategy.

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

The Chairperson of the Committee for Enterprise, Trade and Investment: I hope that this can guide us to developing fully the renewable energy sector in Northern Ireland, which is a top priority for us all in the Assembly.

Mr Irwin: Although I am a recent addition to the Committee for Enterprise, Trade and Investment, I welcome the opportunity to contribute to the debate. At the moment, the Province sources only around 10% of its energy consumption from renewable sources. That falls well short of the ambitious target set out in the strategic energy framework, which is to achieve 40% of energy from renewable sources by 2020. Ten years is not a long time, as I am sure Members agree.

Northern Ireland is over-reliant on energy derived from fossil fuels. That means that it is exposed to whatever happens in the world oil and coal markets. Oil prices continue to climb as we speak, and, in the event of an oil supply crisis, Northern Ireland would be at serious risk. There is no doubt that we need to increase our ability to produce energy from renewable sources not only to protect the environment but to make us more independent in our capacity to sustain our infrastructure with a lower risk from market forces outside our control. The strategic framework sets a target, and although that is not legally binding, I believe that it is a positive step in focusing minds on what needs to be achieved for our own good as a part of the United Kingdom.

It is important that we have a strategy in place, given that the other devolved institutions in England and Wales are somewhat ahead in this regard. Scotland has ambitiously declared that it will be fossil fuel free by 2025. We wish it well in trying to meet that goal.

I am particularly interested in the agriculture sector. I know that there is one scheme in operation in that sector that deals with the use of renewable energy. That scheme is called the biomass processing challenge fund, and I understand that a total of 15 applications for funding have been received for the installation of biomass boilers and anaerobic digesters. According to the Department of Agriculture and Rural Development (DARD), the successful applicants will be informed in the coming weeks. That is an important funding programme, and I am interested to see those projects in action.

People must be encouraged to consider renewable energy, and I feel that funding programmes are a viable way of getting more businesses involved in considering renewable sources. I know that a number of large wind turbine applications have been considered in my constituency, and some are now operational.

There is no doubt that people are responding to alternative energy sources. I believe that every one of us can play a part in reducing the use of energy at home, in business and even in travel. I welcome the fact that a target has been set, albeit a non-binding one. It is the collective responsibility of us all to work towards meeting the targets in the report.

Mrs McGill: Go raibh maith agat, a LeasCheann Comhairle. I have recently become a member of the Enterprise, Trade and Investment Committee, so I am still very much in a learning mode on the subject. I was reassured by the Chairperson's opening remarks, because some of the comments that I will make reflect what he said. I am encouraged by that. I wish to put on record my thanks to the Committee staff, who provided the information pack. I found it exceptionally helpful, and I will refer to it in my contribution.

I will start with the ministerial foreword to the document. The Minister refers to dependence on fossil fuels, the tremendous challenge that everyone faces and publications by other Departments. She also says that the overall objective is to achieve "a diverse mix of renewables".

The ministerial foreword and the document are very clear about the financial climate that we are in and the budget constraints that we face. The foreword states that the framework:

"is, ultimately, a blue print and does not include the detail of how targets could be achieved. Nor does it commit government, at a time of severe financial constraint, to investing public funds in particular initiatives."

It goes on to say that it is a signal; it shows the trend and the way in which we want to go. However, it is clear that the Department is aware that there is not too much of a funding commitment, and it would be helpful to see where we sit with that.

2.15 pm

The document refers to the fact that energy policy is driven by Europe, and the Chairperson stated that co-operation with other jurisdictions is helpful. Reference was made specifically to the value of the single electricity market, and the document acknowledges that it was the most significant policy intervention in recent years. It is a beneficial measure. The document states:

“The Single Electricity Market has also set a workable framework for cooperation between Member States and the development of regional markets in Europe.”

As the Chairperson said, there is increased investment, enhanced security and more competition.

The document contains action points, and point 39 is about support for the construction of the new North/South interconnector, which should be in place by 2013 or 2014. It also states that way leaves and so on should be in place by the end of 2010, if I have interpreted that correctly. The document also states that the development of natural gas is still at an immature stage. Again, there is reference to harmonisation with the South on common arrangements for gas. Clearly, one theme is that co-operation is vital, and if there is co-operation, there is benefit all around.

The Chairperson referred to affordability. The document signals the direction of policy, but it also states that there must be benefits for businesses and consumers. We all agree with that. It makes the point that policy decisions must now be assessed against energy costs, and I certainly welcome that. NIE estimates that it would take around £1 billion to support the target of generating 40% of our electricity from renewables. Moreover, we had a campaign to get natural gas in the west, and one estimate was that it would take £170 million to do that.

The document realises that the goals and targets are there and are challenging. The Department of Enterprise, Trade and Investment has stated that it is committed to working with others in championing the joined-up business of government.

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

Mrs McGill: I hope that local government can see the opportunities. I support the motion.

Mr Cree: I also thank the Committee for bringing the motion to the House today. Although the Ulster Unionist Party strongly welcomes the publication of the strategic energy framework, we see it not only as the beginning of a time when Northern Ireland will no longer be coerced into meeting renewable energy targets, but when we, as a society, are encouraged by government initiatives and continually strive to find and to

develop new sources of environmentally friendly energy.

The framework being discussed today is an important step, and I thank the Minister for her commitment to bringing it forward. There is no doubt that the specific target of sourcing 40% of our electricity from renewable sources by 2020 is ambitious, particularly when one realises that the Executive will need to deliver a four-fold increase in capacity to meet the new target.

Although I note that the Department is optimistic that it will meet the interim Programme for Government target of achieving 12% renewable energy by 2012, I wonder whether it has a grasp of what 40% means. It means that NIE will need to connect approximately 1,700 MW to 1,800 MW of wind-generated energy over the coming years.

Across Northern Ireland, 340 MW of wind power is connected to the grid. A further 18 wind farms, which could generate a further 690 MW, are in the process of being built. However, the same amount again remains caught up in the planning process, which could potentially scupper many of the targets that are set in the strategic energy framework. The experience to date has been less than reassuring: one just needs to look at the delays that have been forced on the North/South interconnector. The Environment Minister's latest decision was to refer the application to a public inquiry, which now looks as if it will not even be heard until late 2012.

It is for reasons such as those that I welcome the inclusion in the framework of a reminder to the planners that, under the terms of planning policy statement 18 (PPS 18), they must have regard for the new renewable electricity target when considering applications for renewable energy development. Therefore, I regret that the framework does not include suggestions for a co-ordinated and more efficient approach to infrastructure planning approvals. The fact that almost the entire power infrastructure will need to be upgraded to handle the new input from renewable sources is important. The current electricity transmission and distribution networks amount to some 45,000 km in total. Much investment will be needed in the north and west of Northern Ireland, which alone needs 400 km of brand new lines to be built just to handle the demand that would be placed on the network. Although that future-proofing of the grid and related infrastructure is necessary, there is

real concern, in the economic circumstances in which we find ourselves, about the estimated £1 billion cost. However, we have been assured that ESB has the necessary resources for the project.

I note in the framework that a renewable heat route map will be drawn up in March of next year and that it will set out key actions to achieve a 10% contribution from renewable heat by 2020, including opportunities for geothermal energy. Regrettably, there are no key actions or time frames for geothermal energy, for which we have the potential here in Northern Ireland. Similarly, there is the necessity for a strategy to develop heat from waste. That is missing from the strategic energy framework. The Ulster Unionist Party supports the framework and its four pillars, which are competitive markets, infrastructure development, security of supply and sustainability.

Mr Neeson: I welcome the opportunity to debate the strategic energy framework. Energy has always been one of the big interests of the Committee for Enterprise, Trade and Investment. In fact, in the first tranche of devolution, I remember the Committee embarking on an inquiry into energy in Northern Ireland. We anticipated that it would last about six weeks. In fact, it lasted for eight months. I am delighted to say that it formed the basis of energy policy in Northern Ireland for quite a number of years. I am also delighted to say that energy policy and the development of energy from renewables were major components of the debate when the Alliance Party put forward the resolution on the green new deal.

Last week, I met representatives of Arc21, which hopes to develop energy from waste. I fully support its project and hope that it will come to fruition sooner rather than later. I was very disappointed by Belfast City Council's refusal to permit the development of an energy-from-waste project at the north Belfast foreshore.

When we carried out our inquiry in 2001, the Committee visited Denmark, and I remember that, right in the centre of Copenhagen, there was a major energy-from-waste plant that was highly successful in producing clean energy. Therefore, I hope that the Arc21 project is developed sooner rather than later. The framework plan contains imaginative proposals. I hope that the target of generating 40% of electricity from renewables by 2020 is met.

Energy is a big issue in the East Antrim constituency, which I represent. We have the Ballylumford and Kilroot power stations and the Moyle interconnector, and the natural gas interconnector will come into the area. To ensure security of energy supply, we are discussing the proposed storage of natural gas in the Larne area. We know that two companies are involved in those projects. It is important that there is consultation with local people, because there are concerns about the projects and those concerns must be considered. In the earlier report, we tried to develop the issue of competition. The natural gas and electricity industries compete, and that competition is important to both domestic and business consumers.

Generating energy from tidal power was also addressed in the report. That is why I welcome the development of the project at Strangford. Some years ago, when Oliver Napier appointed me the Alliance Party spokesman on transport and energy, the Rance tidal power plant in France was the subject of one of the big projects on which I reported. It must also be considered whether the north Antrim coast is suitable for the development of tidal power.

Mr Deputy Speaker: Please bring your remarks to a close.

Mr Neeson: Therefore, Mr Deputy Speaker, I welcome the report, and although five minutes is too short a time in which to speak about it, I can say that it represents progress.

Mr Deputy Speaker: As Question Time commences at 2.30 pm, I ask Members to take their ease until that time.

2.30 pm

Oral Answers to Questions

Regional Development

Water Meters

1. **Mr D Bradley** asked the Minister for Regional Development why water meters are still being installed at new domestic properties if there are no plans to introduce water charges. (AQO 516/11)

The Minister for Regional Development

(Mr Murphy): I have been advised by Northern Ireland Water that, under article 81 of the Water and Sewerage Services Order 2006, it is required to make the fitting of a water meter a condition of its complying with a notice to connect a domestic property to the public water supply. The requirement relates to new and existing domestic properties obtaining first-time water services.

My statement to the Assembly on 13 September 2010 highlighted the ongoing tension between the Water Service model envisaged by the direct rule Administration and the decisions that the Executive have taken since devolution. This is another example of that tension.

Mr D Bradley: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagra. I thank the Minister for his answer. How many meters have been installed in domestic properties since May 2007, and how much did it cost to install them?

The Minister for Regional Development: I do not have that number, but I will get figures for the Member. Recently, following the retender of the installation contract, the cost of installing a meter was reduced from £42.23 to £32.55. The cost of meters and their installation is met by NIW. Currently, meters are not read by NIW, although it continues to record the consumption in individual properties, which, as I said, is a requirement of the 2006 legislation. It is one area that the Executive need to look at going forward.

Mr McCarthy: A lot of time has been wasted over water charges — I do not like to use the term, but the Minister will know what I

am talking about. Meters could have been introduced to properties throughout Northern Ireland, so that people would be ready for the unfortunate time, which will come, when they have to pay more for their water. At least they would now be in a position to pay for what they use, rather than something based on the value of their property.

The Minister for Regional Development:

Recently, the Member's party nailed its colours to the mast by coming out in support of water charging. However, the rest of the parties here do not support and have never supported the proposition developed under direct rule, which was to meter every household and charge according to water consumption. Nonetheless, although there is a requirement under the 2006 direct rule law to put in a meter for every new connection to the water supply, be that a new or existing property, the Executive have decided not to go down that route. Consequently, there is no rationale for having a more advanced installation of water meters in domestic properties.

Mr Deputy Speaker: Question 13 has been withdrawn.

A5 Western Transport Corridor

2. **Mr McCartney** asked the Minister for Regional Development to outline progress on the proposed A5 western transport corridor. (AQO 517/11)

10. **Mr Bresland** asked the Minister for Regional Development to outline progress on the A5 western transport corridor. (AQO 525/11)

The Minister for Regional Development: With your permission, LeasCheann Comhairle, I will reply to questions 2 and 10 together, because they both concern progress on the A5 western transport corridor.

The A5 western transport corridor from Aughnacloy to Derry — the dualling project — is progressing well. I am pleased to report that the third milestone for the project, as agreed between the Executive and the Government in Dublin, has just been met with the publication of draft statutory orders and the environmental statement this week. Those publications commence the formal consultation period, which runs from 21 January 2011, and it is likely that a public inquiry will be held in early summer 2011. In addition, public exhibitions were held over four days, commencing on 2 November

2010, and they were attended by approximately 1,300 people. The exhibitions gave details of the new road scheme and of the land required for its construction.

Mr McCartney: Go raibh maith agat. Gabhaim buíochas leis an Aire as an fhreagra a thug sé. What are the funding commitments for the project?

The Minister for Regional Development: The Executive and the Government in Dublin remain committed to the scheme. Capital programmes are under review, and Ministers will have to take decisions. However, the A5 and A8 schemes remain among the Executive's top priorities. The Government in Dublin recently reaffirmed their commitment to the £400 million contribution to both roads.

Mr Bresland: Can the Minister advise me how much has been spent by the Irish Government and by his Department on the A5 to date? What are the next milestones?

The Minister for Regional Development: The Southern Government have paid approximately £8.5 million to date. I will obtain for the Member the figures on Roads Service spending on that project. However, he will be aware of the work that is going into the design of the project and into identifying route options and a preferred route. Further detailed work is being done on the design and the necessary land acquisition for the preferred route, including public exhibitions and ongoing consultations with landowners. All that work has incurred a quite substantial cost, but it was a very necessary part of the road-building project. On the back of that and the environmental statements that have been produced, it is intended that the project will go to public inquiry in the middle of next year.

Mr P Ramsey: Has the Minister had any discussions with Irish Government Ministers and officials since the Finance Minister in the South announced a €6 billion Budget deficit?

The Minister for Regional Development: I discussed the project with the Minister for Transport not much more than a week ago in Armagh. The commitment, which has always been steady, even with the financial difficulties in the South, is a recurring one on the part of Minister for Transport and the Taoiseach. It was made public during a visit to Belfast a number of months ago and was reaffirmed during the meeting in Armagh last week.

Mr Deputy Speaker: Mr Lunn is not in his place.

Roads

4. **Mr Cree** asked the Minister for Regional Development what additional precautions his Department is taking to ensure the smooth operation of the roads network during the coming winter. (AQO 519/11)

The Minister for Regional Development: Roads Service has advised that, prior to the start of each winter service season, it carries out a significant amount of pre-planning to ensure a state of readiness for the coming winter. As well as a number of routine pre-season checks, that planning ensures that adequate staffing arrangements are in place, including training for new staff where required. Roads Service also ensures that all its winter service equipment is in working order and that there is an adequate supply of salt. In addition, it has arrangements in place to supplement stocks of salt during the winter period, if necessary.

Although Roads Service targets the limited resources that are available for that service on the busier main through routes, salt bins or grit piles may be provided for use by the public on a self-help basis on other routes that are adopted or maintained by Roads Service but do not qualify for inclusion on the gritting schedule. Roads Service currently provides approximately 3,500 salt bins and 39,500 grit piles on public roads. It already commits significant resources to its winter service programme, and, every night until the middle of next April, Roads Service will have over 300 people on standby, ready to salt main roads and help drivers across the North to cope with wintry conditions.

Mr Cree: I thank the Minister for his answer. I am glad to hear that the Department is taking the usual precautions. Unfortunately, as was shown last week, the roads are already becoming increasingly treacherous. Has the Minister any plans to put more resources into maintenance this winter over and above last year's spend on safety for road users?

The Minister for Regional Development: There were problems recently. Roads Service acts on Met Office warnings, and, more often than not, those warnings are accurate and can allow Roads Service to prepare. However, on occasions, the weather deteriorates more quickly and becomes much colder and,

therefore, presents more challenging conditions than, perhaps, the Met Office warnings have advised of earlier in the day. There are occasions when Roads Service gets caught on the hop by less than adequate Met Office warnings, but, nonetheless, the amount spent on gritting throughout the winter depends on the conditions that arise. Those are very hard to predict with any degree of certainty further on into the winter.

As I said in my original answer, Roads Service carries out significant preparations across the area by stockpiling salt, ensuring that all its vehicles are ready for use and that an adequate number of staff are on standby. It is a reactive process, because it depends on the weather. If a lot of investment were put in now and we had a very mild winter, Members might ask, quite correctly, why we had wasted such an amount of money in preparing for a bad winter that did not come.

Last year, there was a significant cold spell in early spring. Roads Service coped well and deployed additional resources as needed. However, that type of operation and the demand for it is dependent on the weather, and Roads Service, in association with Met Office predictions, largely gets it right.

Mr Leonard: Go raibh maith agat, a LeasCheann Comhairle. The Minister referred to some resources in his original answer. However, could I ask for a more detailed breakdown of the resources at the disposal of Roads Service during severe winter weather?

The Minister for Regional Development: When the Met Office predicts ice or snow, 135 gritters are available to salt over 7,000 km of our main roads. In addition, if a very deep snow falls, Roads Service will use its 11 snowblowers, the most modern of which can shift about 1,600 tons of snow an hour.

Mr G Robinson: Will salt piles be left at remote areas for farmers and so on, as has happened in previous years?

The Minister for Regional Development: Grit piles are left on smaller roads on the basis of demand, and I always advise Members that they should determine whether those are needed earlier in the year so that we do not make the demand during frosty conditions when it is harder to reach some of those small roads to leave grit piles. There are almost 40,000 grit

piles along smaller roads across the North. However, if the Member knows of specific areas where demand is not being catered for, he should make that known to the local depot, which I am sure will deal with the matter.

Mr McDevitt: Given the difficulties in predicting the impact of snow and ice on our roads, particularly in the border counties, will the Minister tell the House what specific conversations he has had with county councils in Louth, Monaghan, Cavan and Donegal about maximising responses to snow and ice on a co-ordinated basis in those counties?

The Minister for Regional Development: I do not have specific conversations with county councils. However, Roads Service officials have those conversations in the areas that they serve along the border and, of course, try to ensure an adequate response in all those areas. That is part of the service that it provides. As I said, it depends on weather predictions, but, where Roads Service needs to co-ordinate on a cross-border basis or, indeed, with other agencies here in the North, it will surely do so.

Flooding

5. **Ms Lo** asked the Minister for Regional Development what assistance his Department can provide to residents who have to endure flooding problems emanating from unadopted or private land. (AQO 520/11)

The Minister for Regional Development: The Department of Agriculture and Rural Development's Rivers Agency is the statutory drainage and flood defence authority for the North. However, I recognise that, as the owners of key public drainage infrastructure, Northern Ireland Water and Roads Service have important roles to play in reducing flood risk now and in the future. Over the past few years, we experienced significant flooding incidents in Fermanagh, Belfast and other locations across the North. Through my Department and the Department of Agriculture and Rural Development, the Executive are investing millions of pounds in public infrastructure to help to mitigate the risk of flooding. The recently completed Belfast sewers project is one example, and implementing the recommendations of the Fermanagh flooding task force is another.

Through Northern Ireland Water, Roads Service and the Rivers Agency, the Executive will continue to invest to maintain and approve road drainage, sewerage infrastructure and flood defence measures. In addition, the three drainage authorities will respond to flooding events that are associated with failings in their infrastructure. The Executive have made efforts to improve co-ordination of their response through the implementation of a single flood incident line, and the agencies have produced joint information to assist those who suffer because of flooding. However, the Executive have no responsibility for flooding that is attributed to private lands or sewers. That rests with the owner of the lands or pipes in question. My Department or DARD can accept responsibility only for the public drainage systems for which they are statutorily responsible.

Ms Lo: I thank the Minister for his comprehensive answer, and I look forward to attending my first meeting of the Committee for Regional Development. I appreciate the Minister's comments about private land and adopted areas, but, given that neighbouring residents are suffering, there surely needs to be an overarching strategy to deal with flooding in areas that are prone to flooding regardless of whether they are on adopted or private land.

2.45 pm

The Minister for Regional Development: There is an overarching strategy for dealing with flooding areas, and parts of east and south Belfast come under that. The agencies work together to identify hot spots and longer-term drainage solutions for those areas.

Article 53 of the Roads Order 1993 empowers the Department to issue notice to a landowner requiring works to be undertaken to prevent, as far as is reasonably practicable, surface water flowing from private land on to a publicly owned asset or road. Therefore, powers are in place to stop flooding coming from private land on to public assets, and there are overarching strategies across the Departments in which particular areas of flooding have been identified. The Member will know that the development of the Belfast sewers project has had an impact on the lower Ormeau Road, which was traditionally an area of flooding. That strategy is in place in various parts of Belfast and other parts of the

North where flooding has been identified as a particular problem.

Mrs M Bradley: Can the Minister tell the House how many recorded incidences of flooding have taken place this year? Is a record kept of all flooding incidents, including those that happen on housing estates as a result of gullies having been blocked? Those places can sometimes be flooded for between two and three weeks at least, and the water remains there for that length of time.

The Minister for Regional Development: I am sorry to say that I do not have information on the number of roads that were flooded this year. It will be a matter of going through all the roads divisions and compiling the information, and, if that is available, I will endeavour to provide it to the Member. The best available infrastructure would still not prevent flooding in certain instances of heavy downpour, and, if we were to invest in infrastructure to deal with those eventualities, we would probably use up the Executive's entire capital budget for many years to come. A measured response has to be taken to ensure that there is good infrastructure and that it is well maintained to deal with most of the incidents of flooding or heavy downpour that will have an impact.

A programme of gully clearing takes place biannually in urban areas and annually in rural areas. It is timed around this time of year, when gullies get filled up with leaves and other debris from trees. If the Member knows of any specific incidences, she should report them to the local Roads Service depot, which will endeavour to have them investigated and dealt with.

Reservoirs

6. **Mr B Wilson** asked the Minister for Regional Development whether NI Water has a programme for disposing of reservoirs that are surplus to requirement in North Down and whether the local council would be given the first option of purchase. (AQO 521/11)

The Minister for Regional Development: I have been advised by Northern Ireland Water that it currently owns seven impounding reservoirs in North Down, all of which are out of service and in the process of being declared no longer required for future use. Disposal of those reservoirs will be carried out in accordance with NI Water's asset disposal policy. That entails

offering assets for sale on the open market and ensuring that best value for money is obtained. If a local council were to express an interest in purchasing any specific asset, NI Water would note that interest and inform the council when it is placed on the open market. The local council would have the same opportunity to purchase the asset as any other organisation or individual.

Mr B Wilson: I thank the Minister for his response. There is considerable concern in the local area that the reservoirs, particularly those at Ballysallagh and Portavoe, will be sold off for private development. Those reservoirs were paid for by the ratepayers of North Down. They were taken over under the Local Government Act (Northern Ireland) 1972. Does Northern Ireland Water not have a moral responsibility to offer those reservoirs back to the ratepayers who paid for them?

The Minister for Regional Development: I am not sure whether North Down Borough Council has expressed an interest in acquiring the reservoirs. If it has not and if the Member is arguing that the council has a public interest in acquiring them, the council should get in touch with NIW. The Member will be familiar with NIW's policy for asset disposal from his time on the Committee for Regional Development. If NIW were to hand over assets in this difficult financial climate, which hits it as much as any other organisation attached to government, Members would rightly complain that value for money was not being achieved. If the Member is of the view that North Down Borough Council is interested in those assets, I advise him to get the council to contact NIW.

Mr F McCann: Go raibh maith agat, a LeasCheann Comhairle. The Minister's last response answers my supplementary question.

Roads: Salting

7. **Mr Easton** asked the Minister for Regional Development whether Roads Service has sufficient salt reserves for the coming winter. (AQO 522/11)

The Minister for Regional Development: The Department's Roads Service has advised that, as part of the pre-season preparation, salt barns, which are strategically placed in depots throughout the North, are being filled to capacity. It is estimated that around 65,000

tons of salt will be available for the coming winter period. That is more than enough to treat scheduled roads during a typical winter. However, Roads Service has also put arrangements in place to supplement stocks during the winter period if necessary.

Mr Easton: Will the Minister assure me that there will be enough salt in stock this year, given that many rural roads in the north Down area were not gritted last winter, which resulted in major potholes developing in those areas? Will he also assure me that residents whose footpaths are either covered in snow or are slippery will have access to depots to get some salt for their home?

The Minister for Regional Development: The Member asked two questions. First, there will be enough salt this year, as there was last winter. We are very fortunate that we have ready access to a salt mine in Carrickfergus that has one of the better supplies of salt throughout these islands. The roads in north Down to which the Member refers may not have been on the gritting schedule. Therefore, the issue may be not that there was not enough salt to grit those roads but that they did not meet the criteria for gritting. We would have to identify whether that was the case. I have been advised that there certainly was sufficient salt for the gritting schedule. There was an early cold spell in late October during which Roads Service used some of the stock. However, it replenished that and had a sufficient amount in advance of the prolonged cold spell in early spring.

As regards the availability of salt for residents, there is a safety issue around people driving into Roads Service depots to avail themselves of salt, because lorries are always going in and out, turning, filling up and moving about. However, if residents require salt bins in housing developments or grit piles on rural roads, they should either inform Roads Service themselves or go through an elected representative, and Roads Service will endeavour to provide salt for self-use by residents in those areas.

Mr Kinahan: I refer the Minister to his answer to question 4. He said that, this winter, we should look early at where salt stocks are needed in housing developments in urban areas, in case we have as bad a winter as last year's. However, some areas have either no salt bins because they fail the criteria or salt bins with no salt in them because Roads Service could not get to

them. Is the Minister, therefore, going to review the criteria and look at how we can manage the situation better this year, in case we have another bad cold spell?

The Minister for Regional Development: That may not be the fault of the criteria. As I say, there are some 3,500 salt bins across urban areas in the North. There is always a resource issue about salt bins. Should every housing estate be entitled to one? Salting is not something that Roads Service has an obligation to do, but it still provides that service.

Perhaps some salt bins were not filled or were overused and emptied. Last year, there were occasions when people lifted salt bins and took them off to use on private properties. I advise the Member that, if residents are in genuine need, they should contact Roads Service earlier in the year to ensure that their salt bins are filled. If residents live in an area where salt bins are not provided, they should ask whether the area meets the criteria. Often, people do not apply because they do not know that their area fulfils the criteria. Those issues are best resolved locally between elected representatives and the local depot. They know what the criteria are and will be able to advise residents of where bins exist and need to be emptied. Some bins might have disappeared last year, and now is the time to replace them.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. Arís, gabhaim buíochas leis an Aire as ucht a fhreagra. Given the experience in rural parts of mid-Ulster, especially the Sperrins and lough shore area, in the lead-up to Christmas last year, will the Minister assure me that adequate salt and grit reserves will be made available to service those areas to ensure there will be reasonably free flowing traffic through them?

The Minister for Regional Development: I did not receive any reports of that, but I can certainly check again. I received assurances that there was sufficient salt last year to salt the scheduled routes. It may be that some of the roads to which the Member refers were not on the gritting schedule and, therefore, did not receive that service. If that is the case and if the roads mentioned are in residential areas, perhaps the Member should look at grit piles or salt bins.

I assure the Member that Roads Service is prepared this year for a typical winter. Last year,

there was a particularly cold spell. However, Roads Service was able to replenish its salt stocks when other areas in the South and Britain were not. For example, requests for supplies came from Scotland. Roads Service had sufficient stocks last year, and it may be that the roads to which the Member refers were not on the gritting schedule.

Transport Bill

8. **Mr McLaughlin** asked the Minister for Regional Development to outline how the provisions within the Transport Bill will benefit the delivery and management of public transport. (AQO 523/11)

The Minister for Regional Development: The Transport Bill introduces a duty on my Department to secure the provision of public passenger transport services with due regard to economy, efficiency and safety of operation. The Bill provides the framework for the Department to do so through a new contracting regime supplemented by a service permit system. That will enable my Department, through the proposed new public transport agency, to design and secure a network of public passenger transport services in line with local public transport plans that best meet the needs of the public. The public transport agency would be part of my Department and, therefore, accountable to me, the Executive and the Assembly.

The Bill provides for the continued regulation of the public transport system and for Translink to remain the main provider of public passenger transport services. I have ruled out the privatisation of public transport now or in the future. The Bill will allow the Department to comply with EC regulations through the award of public service contracts that prevent overcompensation. Those arrangements will insist on ensuring value for money and efficiency in the provision of public passenger transport services.

Mr McLaughlin: I thank the Minister for his answer. Will he give us more detail on the impact that the reforms will have on the Northern Ireland Transport Holding Company (NITHCo) and Translink?

The Minister for Regional Development: Under the new arrangements, Translink would continue to be the main supplier of public transport services. However, the Bill provides

that most public passenger transport services would continue to be provided by NITHTCo and its subsidiaries. Public transport services will remain regulated and will not be deregulated as they are in Britain. Translink will need to keep its efficiency under constant review to comply with EC regulations and to keep future fare increases to a minimum. A limited number of functions currently undertaken by NITHTCo/Translink would be moved to a proposed new departmental agency. That will assist in cutting bureaucracy and removing some of the direct rule apparatus around public transport, and it will allow for more accountability and savings and for a more efficient delivery of services. I suggest that any money saved from that would be better used in the provision of public transport services.

Mr Callaghan: Go raibh maith agat, a LeasCheann Comhairle. Will the Minister give a commitment to accept amendments to the Transport Bill that would impose a statutory duty on the Department to give due regard to public transport accessibility?

The Minister for Regional Development: I would be happy to consider any amendments. The Member is new to the Chamber, and I welcome him. However, during the Second Stage of the Bill, no one from his party made any contribution or, indeed, voted. If they do have amendments, I would be happy to consider them at the next stage.

Mr I McCrea: Will the Minister detail how the Bill will tackle the rural element of connectivity between urban and rural areas?

The Minister for Regional Development: The objective of any public transport service should be to provide the best, most cost-effective, most efficient and accessible public transport. Given the very large dispersed rural population, it is no surprise that the public transport service needs to be subsidised to keep it going, because there are not enough profitable routes to operate a public transport service that makes money. That subsidy from the Executive must continue. In doing so, we need to ensure that the service operates as efficiently as possible and with as little bureaucracy as possible. Through their direct oversight, the Executive and the Assembly have a responsibility to ensure that they get the best service possible.

The purpose of the Bill is to get a better service. There is no doubt that the service has been improving. However, we must ensure that we

have a better service that connects all the people whom we collectively represent, and that includes people in urban and rural areas.

3.00 pm

Social Development

Royal Exchange

1. **Ms Ní Chuilín** asked the Minister for Social Development when building on the Royal Exchange development in Belfast is due to commence. (AQO 531/11)

The Minister for Social Development

(Mr Attwood): I thank the Member for her question. As Members will be aware, the development company had to submit a planning application by the end of October, and it did so. The planning process may take up to a year. In that context and thereafter, a judgement will be made on whether to test the market to see if there is a commercial interest in building the Royal Exchange development in the short or medium term, or during the longer term of the next comprehensive spending review (CSR) period. In the current market conditions, it is wise and judicious not to rush headlong into the project, but to plan for it perhaps to be built later in the CSR period.

Ms Ní Chuilín: I thank the Minister for his answer. Does the Minister agree that if the scheme, which seems to be continually delayed, was on site, it would be a major boost for the construction industry? Given his answer, are there any other proposals, perhaps on a smaller scale, that the Minister is prepared to consider to assist the construction industry?

The Minister for Social Development: I welcome the support in principle for the Royal Exchange scheme. It was delayed, but that was due to circumstances far beyond the control of the Department or the Government, and was the result of market conditions and the recession. I am glad to say that the scheme that has been developed is consistent with the development brief. It will retain some of the heritage of the site, and will create a new frontage and new walkways, pathways and roads through a part of the city centre that is in grave decline. Given the potential of that scheme to regenerate that part of the north side of the city centre, I am not minded to go for a smaller scheme. However,

market conditions will dictate the general direction that we take in the future.

Mr Kinahan: I thank the Minister for his answer. Does the Minister believe that having a minimum of 200 residential units in the scheme, of which 40 are to be affordable, is a sustainable approach?

The Minister for Social Development: The principle of trying to create accommodation in town centres and city centres is a good one. One only need look at the living over the shops (LOTS) scheme in Cookstown, where investment created over-the-shop living accommodation in an effort to regenerate the town centre. Therefore, the principle of trying to create some residential accommodation in Belfast city centre is correct. An ambition to create 200 units is quite a moderate one, especially in the context of the proposed development of the University of Ulster campus at York Street. At this stage, 200 units is a useful target, but when it comes down to the fine detail we will be influenced by need and demand.

Mr A Maginness: I thank the Minister for his answer. What further major urban regeneration schemes or projects are planned for the next CSR period?

The Minister for Social Development: I thank the Member for his question. Town centre, city centre and urban regeneration and renewal projects are crucial for the Budget outcomes during the next CSR period. The public realm scheme in Newcastle, County Down has increased footfall on the main shopping streets by 300%, leading to an increase in visitors, tourists, business, potential jobs, and shops. Therefore, the principle of having more schemes to roll out in the future is very important. On a pound-for-pound and job-for-job basis, city centre, town centre and urban regeneration and renewal projects are among the best economic interventions that we can make. I hope that that is reflected in the Budget, and that the configuration of spending between all economic agencies and Departments in the North is appropriate for our needs in the future.

Mr Deputy Speaker: As Rev Coulter is not in his place, I call Mr David Hilditch.

Carrickfergus Town Centre Improvement Scheme

3. **Mr Hilditch** asked the Minister for Social Development for an update on funding of the Carrickfergus town centre improvement scheme. (AQO 533/11)

The Minister for Social Development: I thank the Member for his question. I have fond memories of going to Carrickfergus to launch the master plan a couple of months ago, given that I lived in the general neighbourhood for a long time in my childhood and youth. The Carrickfergus town centre improvement scheme is a good example of how urban regeneration will be very important. A lot of money has been spent on the harbour, the marina and all the developments on that side of the main road through Carrickfergus. The difficulty has been on the town side. It is very important that the Carrickfergus scheme and the sister schemes in many other towns around Northern Ireland are funded. However, that is all subject to finance. I repeat my plea to the Minister of Finance and Personnel and the Executive: recognise the needs of Carrickfergus, Larne, Dungannon and all the other town centres that are in need of renewal, and fund those going forward.

Mr Hilditch: I declare an interest as a member of Carrickfergus Borough Council and as interim chairperson of the Carrickfergus master plan implementation group. I thank the Minister for his response and acknowledge the answer that he gave to Mr Maginness earlier. The surface of that historic town centre has deteriorated to the extent that it is dangerous in places. I thank the Minister for visiting the area recently, but does he acknowledge and share the concerns of the local council, which has agreed to pay the costs of the design stage?

The Minister for Social Development: After the master plan was launched, there were design issues that were going to enhance the scheme. Although the overall economic appraisal will not result in a higher cost, the scheme will be of a higher quality in the event that we are able to roll it out. I very much agree with the Member. When I launched the master plan, I walked through the centre of Carrickfergus and up the street to the right. Is that West Street?

Mr Hilditch: Market Place.

The Minister for Social Development: Market Place is clearly in dereliction and in need of

uplift. The very reason why urban renewal funding should be put on a secure basis is so that that street and similar streets in many towns in Northern Ireland are attended to. As Armagh, Newcastle and the public realm in Derry demonstrate, and as Downpatrick is beginning to demonstrate, this is a major economic tool in the hands of government. That is the critical point. However, we need the moneys to drive that economic tool, sustain it and develop the proposals across the towns of Northern Ireland. The Executive do not acknowledge that. The configuration of economic spend and the various economic interventions across Departments, and what is the best way to invest funds especially as less funds are available, is an argument that is not fully appreciated or acknowledged around the Executive table.

Mr Neeson: I thank the Minister for his commitment. I declare the same interest as David Hilditch. Is the Minister aware of Carrickfergus Borough Council's commitment to the major scheme in Marine Gardens? Secondly, given the streetscape and the relevance of Roads Service, has the Minister had any discussions with the Minister for Regional Development?

The Minister for Social Development: I have had no particular discussions with the Minister. Obviously, the creation and implementation of any master plan or proposal requires the best advice from all relevant Ministers and all Departments. As I mentioned to Mr Hilditch, I acknowledge that the mayor and councillors of Carrickfergus Borough Council have shown good leadership on those matters. The fact that it funded some of the redesign work arising out of the master plan demonstrated that the civic leadership in Carrickfergus was not prepared to just sit back and rely on government to provide all the solutions and all the moneys but would intervene to take the project forward. I hope that that model of work continues.

Mrs M Bradley: I can say how important an improvement scheme is to a town. We have one in Derry, and it is absolutely fantastic. The lift that improvement schemes give to people living in the areas makes them really worthwhile. Are there programmes for any other areas? How many areas will have an improvement scheme?

The Minister for Social Development: I have a list as long as my arm of areas that would like things done. More than 20 master plans

have been launched in Northern Ireland, some of which are moving into their second or third phases. Banbridge is an example of that, because it was ahead of the curve when it came to master planning the town centre. That was very well done, and it has produced a much more effective trading environment, especially during the recession.

I can give a long list of the many towns and areas of Northern Ireland that are either seeking master plans or have master plans and are seeking their implementation. In virtually all of those cases, people in the local areas are very realistic and know that implementation of the schemes can last five, 10 or 15 years. There is a sense of realism. There are many places in which we can replicate the model and repeat the good experience of the areas that I mentioned. The issue is securing the funding as part of the Budget negotiations to make those dreams become reality.

Mortgage Arrears

4. **Mr McCallister** asked the Minister for Social Development what assistance his Department offers to homeowners who are in acute mortgage arrears and at risk of having their homes repossessed. (AQO 534/11)

The Minister for Social Development: I thank the Member for his very pertinent question. There are a number of interventions that I have spoken about on a number of occasions, both here and elsewhere. First, we have funding for the mortgage debt advice service through the Housing Rights Service, which is a scheme that has helped over 700 people who were heading towards, or were at, the doors of a court for repossession actions.

My Department funds a wide range of advice networks, not just within the Social Security Agency but through the Law Centre, Advice Northern Ireland and Citizens Advice, thereby helping people in local communities when they get into debt issues, including the potential repossession of their properties.

I would like to go further than that. My predecessor and I have made repeated bids to run a mortgage rescue scheme, as operates in parts of Britain. That scheme would not just give best advice on how to avoid repossession; in the event of repossession, it would create the mechanisms to enable people to remain in their

houses on a rental basis instead of seeing them surrendered to the building societies or banks. Unfortunately, and I hope that the situation will change in the future Budget, the £5 million bid for a mortgage rescue scheme has not been agreed around the Executive table. So, in all of those ways and more, I will demonstrate over the coming weeks that we are trying to protect those whose houses are at risk.

Mr McCallister: I am encouraged by the Minister's response. Will he assure the House that he will continue to pursue a rescue plan with the Minister of Finance and Personnel to see whether something can be agreed, because such a scheme would be so worthwhile? It is vital, given the economic circumstances, that we move forward on the issue.

The Minister for Social Development: I am pleased to give that reassurance. I hope that those words rest heavily on the mind of the Minister of Finance and Personnel.

I will go further than that. Tomorrow, I will forward to the economic subgroup of the Executive a paper on the impact of welfare changes, both in the two Budgets to date and as a consequence of the universal credit proposals that were issued last week. The point of that welfare paper will be to ask the Executive to identify — and I will recommend some measures — mechanisms so that, as a collective body, they can take decisions to ensure that those who are most in need and are disadvantaged have additional measures put in place to protect them from the Budget cuts, the benefit cuts, the loss of jobs and all of the other impacts of the Tory-led Administration's Budget.

Over and above any particular measure taken by my Department or other Departments, the Executive should have a family of measures that are seen to protect those in need.

Mr F McCann: Go raibh maith agat, a LeasCheann Comhairle. Some months ago, I raised the question of the £5 million bid at the Committee for Finance and Personnel and was told that there was some dispute between the Department of Finance and Personnel (DFP) and the Minister's predecessor on whether the proper documentation had been delivered to allow a scheme to go ahead.

Will the Minister implement any urgent measures to help those who have fallen foul of the Tory/Liberal Democrat cuts to housing

benefit and increased mortgage interest payments, and who now face the prospect of losing their homes?

3.15 pm

The Minister for Social Development: It is not a matter of dispute between the Department for Social Development (DSD) and DFP but a lack of commitment, not from DSD but around the Executive table. There has been ample opportunity in monitoring round after monitoring round for the matter to be rectified by the Executive, but the Executive choose not to go there.

In the July monitoring round, I was the only member of the Executive who voted against the Budget proposals, which, in that instance, could have seen a lot more money coming across to DSD to do a lot more urban renewal and interventions in towns and cities that —

Mr F McCann: Are you going to answer my question?

The Minister for Social Development: I am answering the question that you raised, which I am perfectly entitled to do.

The Member asked about mortgage interest support. As I have tried to demonstrate, I do not sit back when it comes to the impact of welfare changes on people in Northern Ireland. That is why, in addition to all the other measures that I have taken in the Department, or that I have taken to mitigate the effect of the benefit and budget cuts, I commissioned a group made up of representatives from Advice NI, the Housing Rights Service, the Department, the Housing Executive, and other specialists in welfare and welfare entitlement.

I commissioned that group to look not just at issues of wider policy and the impact of benefits changes but to look specifically at the impact of the reduction in the rate of mortgage interest support from 6-plus % to 3-plus %. The group is meeting this Friday to take that dedicated work forward by assessing what interventions may be available to me and the Executive, and to organisations that we fund, to mitigate the impact of what will be a very severe measure for many people.

Mr Craig: Does the Minister agree that some things that the coalition Government have done will be counterproductive when it comes to savings for the public purse? A prime example would be their lowering of mortgage interest

relief from 6% to 3·5%, which will cause home repossessions. There will then be a huge cost to the public purse as a result of rehousing those people.

The Minister for Social Development: I very much agree. Some of the information provided to me states that 7,000 or 8,000 people could be put at a disadvantage in Northern Ireland because of the measure that the Member outlined. In a situation in which people will have less in benefits, in which there may be fewer jobs, and in which there may be less money generally, the combination of those factors will, in my view, lead to increased repossessions.

There are a number of possible responses. As I indicated, I am putting a paper to the Executive. The paper will scope Executive measures to protect those in need. Those measures would extend to people who fall victim to the lowering of the rate of mortgage interest support. Secondly, I have not given up arguing with Lord Freud on those matters. My next meeting with Lord Freud is scheduled for 28 or 29 November, when I will be putting very hard proposals to him to recognise Northern Ireland's particular circumstances, including the consequences of the change in mortgage interest support.

I agree with the Member's broad sentiment. To cut benefits up front will be to drive people out of their homes and deeper into poverty. That is not welfare reform; that is targeting vulnerable people under the guise of welfare reform.

Housing Executive: Staff

5. **Mr Moutray** asked the Minister for Social Development what progress has been made to date in addressing the religious imbalance of staff employed in the Northern Ireland Housing Executive. (AQO 535/11)

The Minister for Social Development: I acknowledge the Member's question. The matter has been discussed at length in the Chamber, in recent times as well as over the past number of years. The Housing Executive has served Northern Ireland well. If one looks at the communities of Northern Ireland, whatever shape or character that they may have, one will see a Housing Executive that has at its basis need and people's conditions and circumstances. People have been treated well and served well by that organisation. Whatever the issue may be about imbalance

in any one or other organisation, we should not dilute, diminish or deny the fact that the Housing Executive has been a servant of the people in Northern Ireland. The Member has acknowledged that point, and I welcome that.

The Housing Executive is employing what the Equality Commission considers to be best practice and what is recognised as being part of international best practice. One of those interventions is an affirmative action plan to encourage people from the Protestant community to consider working in the Housing Executive and to apply for vacancies there. It so happens that fewer people are moving from one place of work to another and areas of recruitment in the Housing Executive in recent times have included Derry and Omagh. Given the religious profile of the communities in those areas, and given the fact that an in-house voluntary redundancy scheme has had a disproportionate impact on people from Protestant backgrounds, progress that could be made is not being made in respect of creating overall balance. However, it is not for the want of trying, it is not for the want of commitment, and it is not for the want of having in place the best strategies.

Mr Moutray: Given that there has been a significant under-representation of Protestants employed in the Housing Executive for a considerable time, and given that the affirmative action plan has patently not worked, can the Minister indicate what further steps he will take to redress that unacceptable state of affairs?

The Minister for Social Development: I acknowledge that there is an imbalance, and I hope that the Member acknowledges that, across a wide range of other organisations in Northern Ireland, including the Northern Ireland Civil Service — particularly at the higher levels — there are also imbalances. We all have a shared responsibility not to be selective or partial but to be expansive and inclusive to deal with the issue of imbalance wherever it may reside in any public or private workforce in Northern Ireland. I hope that the Member will agree with that. If the Member has a magic wand that he can wave to deal with the issue of religious imbalance, please tell us about it.

Mr Moutray: So you cannot do anything — no further steps?

The Minister for Social Development: It is not a matter of further steps. What has the equality

regime and architecture achieved in Northern Ireland? We have some of the most advanced equality laws in the Western World. There has been a strong and robust enforcement of those laws, so that those who are on the wrong side of the law are penalised and taken before tribunals, and we have the full scale and scope of the affirmative measures that I have outlined. That is why we do not have the historic imbalances that were part of the causes of conflict, disadvantage and discrimination in this part of the world. However, there is more to be done. The Member does not have to convince me of that. If there is anything more that I or the Housing Executive can reasonably do, tell us what it is. However, in my view, the Housing Executive has stepped up to the mark in respect of all the necessary interventions, enforcement, laws, monitoring and affirmative action.

Mrs D Kelly: What is the timetable for the proposed fundamental review of the Housing Executive?

The Minister for Social Development: As I previously indicated, including in my statement to the House on the matter, the fundamental review is due to report to me by March 2011. It is a fundamental review; it is not a light-touch review. It is meant to be the single most significant review of the Housing Executive in the past 40 years. Without prejudice to that review, I believe that Northern Ireland requires more reform. In my view, Northern Ireland has done reform well, even if people have resisted some elements of it. As public service, government and public policy in general move forward, there is a lot of opportunity for reform that will continue to serve people in Northern Ireland in the way that it has served them well over the past 40 years.

Housing Executive Maintenance: North Down

6. **Mr Easton** asked the Minister for Social Development for an update on Housing Executive maintenance schemes in the North Down area. (AQO 536/11)

The Minister for Social Development: I thank the Member for his question and for his invitation to go to North Down last week to visit Rathgill and one of the development organisations. There is a lot of good work being done in North Down to deal with deprivation and disadvantage and to ensure that communities

are in control of their communities, rather than other individuals being in control of them.

With regard to the question, I confirm that there are two ongoing schemes in respect of external cyclical maintenance and health and safety, in Bloomfield and Clandeboyne respectively, and the Member will be pleased to hear that seven other schemes at an estimated cost of £1.6 million were due this financial year.

I can confirm that, as of yesterday, I have authorised for those schemes to proceed, along with a large range of schemes in other constituencies in Northern Ireland, and that there are proposals for the Bloomfield phase 2 Ballyree Drive estate scheme, which is scheduled to begin in April 2011.

Mr Easton: I thank the Minister for that good news. I will certainly hold him to account to ensure that that happens next year. Can he explain why the Housing Executive is able to start schemes but finish only half of the number of bungalows — as in the Bloomfield estate, for example — and leave the rest for three or four years? Not only has that happened in Bloomfield; it has happened with flats in Kilcooley and Rathgill. Why can the Housing Executive not finish a scheme in one area before moving on to the next?

The Minister for Social Development: I thank the Member for that question. There could be a lot of reasons why isolated houses or pockets of houses are not dealt with under a scheme. Sometimes, those reasons are beyond the Housing Executive's control. The particular issues that the Member has raised were brought to my attention just last Thursday. I have asked for a briefing on them. If a policy adjustment is required that is consistent with current best practice in the Department and Housing Executive, we will look at it. However, we will not return to the period when multi-element improvements were the rule in Housing Executive maintenance. They do not represent an effective investment of resources. We are reviewing investment schedules in the next CSR to ensure that money is directed to where there is particular need, rather than areas being flooded with a lot of money to carry out multi-element schemes, which is not the best way to spend from the public purse.

Mr Cree: The Minister will be aware that I have written to him about a particular scheme in North Down. I am still awaiting a reply.

Is there an overall strategic plan to deal with houses that fall below the decent homes plus standard?

The Minister for Social Development: I will come back to the Member on the issue that he raised. I recall the letter to which he has referred. I think that I have replied to it, but I will ascertain whether that is the case.

The Savills report, which was commissioned by my predecessor, made a number of essential points, principal among them being that the level of unfitness in Housing Executive stock is now down to 0.3%. That tells me that in going forward, consistent with stock maintenance, the Department must spend its money judiciously and get the best return on its interventions. That is why Savills reported a new Housing Executive maintenance investment strategy and why my officials and I are currently working on the scope and scale of that to ensure that in the period from 2011-12 to 2015-16, the maintenance investment strategy ensures that we live up to the decent homes standard and also that we spend money wisely and spend it where it is needed, rather than, as I indicated in my answer to the previous question, spending disproportionate amounts on multi-element schemes where the objective argument does not exist and the evidence does not require that level of investment.

Mr Callaghan: My question has been answered.

Housing Executive Maintenance: East Antrim

7. **Mr Ross** asked the Minister for Social Development what housing maintenance work is planned for the East Antrim constituency over the next 12 months. (AQO 537/11)

The Minister for Social Development: I thank the Member for his question. I believe that I am due to visit him in Monkstown in the near future.

As regards maintenance work in East Antrim over the next 12 months, I confirm that there is an ongoing scheme in Larne, at Craigy Hill and rural, of 218 units. It is a day for good news: I can also confirm that, yesterday, I authorised release of 10 other schemes, at an estimated cost of £2.1 million, which were due this financial year. Consequently, those 10 schemes will go on site at that estimated cost during this year.

Mr Ross: I certainly welcome any good news that the Minister has brought to the House today. I know that my colleague Alex Easton feels the same about schemes in his area. The Minister will be aware of concern that his predecessor went for the headline-grabbing projects to build more houses, rather than concentrating on maintenance of existing stock.

Does the Minister intend to put more of an emphasis on maintenance than on simply building more houses?

3.30 pm

The Minister for Social Development: No. Since there are more than 38,000 people in housing need and a risk that that will increase due to the Budget and subsequent benefits impact, and 19,000 people in housing stress, with that figure likely to increase due to the Budget and its benefits consequences, I do not believe that it is time to adjust the balance between spending on newbuild and spending on maintenance, or that there is any objective argument to do so. The Savills report confirms that. Yes, we must maintain our stock. Yes, we cannot see it run down. We cannot have people living in homes that are of a less than decent standard, but I am not minded — and I hope that any future Social Development Minister will not be minded — to reconfigure the balance between newbuild and maintenance. I want to see that the money is there for newbuild housing, as it is a front line service for people who are in need and disadvantage, and I am saying that again to the Executive. That money should not be in jeopardy; it should be put on a sound financial footing, and it should be guaranteed in the next four years of spending.

Mr Deputy Speaker: Time is up. That concludes Question Time.

Ms Ní Chuilín: On a point of order, Mr Deputy Speaker. Go raibh maith agat, a LeasCheann Comhairle. Will the Deputy Speaker check the Hansard report of today's Question Time and consider how appropriate it is for a Minister to talk about an Executive meeting that I understood to be confidential. Can I have a ruling on that, please?

Mr Deputy Speaker: I am told that the Speaker does not have any jurisdiction over the Executive.

Mr Ross: On a point of order, Mr Deputy Speaker. It is convention in the House that when Members

address the House, the Deputy Speaker or the Speaker in a foreign language, they translate that full sentence into English. During the debate before Question Time, I noticed that a number of Members addressed the Deputy Speaker in Irish and did not translate the full sentence into English. Will the Deputy Speaker gently remind those Members of their obligations and conventions in the House?

Mr McElduff: On a point of order, Mr Deputy Speaker —

Mr Deputy Speaker: Does it relate to the same point of order, Mr McElduff?

Mr McElduff: It is a different point.

Mr Deputy Speaker: Then let me answer this point of order first. Members understand most of the phrases that are used here, but if Members ask a question in a language other than English, it is custom and practice to repeat it. I remind Members that that is the practice.

Mr McElduff: Go raibh maith agat, a LeasCheann Comhairle. Tá ceist agam ort. I would ask you the following question, Mr Deputy Speaker. Is it in order for the Member to refer to the Irish language as a foreign language? Does the Deputy Speaker consider that to be intemperate and offensive?

Mr Deputy Speaker: I do not think that that is a point of order. I am sure that you could almost guess my reply, if I could give it.

Mr Ross: My having just raised the point of order, the Member who spoke after me got up and spoke in Irish — whether it is foreign or whatever he wants to call it — and the Deputy Speaker did not ask him to translate it into English.

Mr Deputy Speaker: Order. Mr McElduff repeated it in English.

Mr Ross: Further to that point of order, Mr Deputy Speaker, I ask you to refer to the Hansard report or to the tape recording of what Mr McElduff said and come back to the House and say whether he translated the entirety of what he said in Irish into English.

Mr D Bradley: On a point of order, Mr Deputy Speaker.

Mr Deputy Speaker: We are moving on; we are not taking any more points of order. The Hansard report will be there tomorrow morning, and everybody will be happy.

Committee Business

Strategic Energy Framework

Debate resumed on motion:

That this Assembly notes the Department of Enterprise, Trade and Investment's strategic energy framework, which is intended to establish the direction for Northern Ireland energy policy up to 2020. — [The Chairperson of the Committee for Enterprise, Trade and Investment (Mr A Maginness).]

Mr Hamilton: There should be no concern for you, Mr Deputy Speaker. I will try to speak exclusively in my own brand of imperfect English in this debate, although it can sometimes sound like double Dutch when talking about the details of energy policy. I have taken a keen interest in energy and energy policy since my election to the House three and a half years ago. I have taken an active interest by way of my membership, and now chairmanship, of the Assembly all-party group on energy.

I have always tried to be supportive of developing an ambitious energy strategy for Northern Ireland, not because stressing things like support for renewables is a trendy, in vogue thing to do, but because it makes sense for Northern Ireland. Northern Ireland sits at the end of every pipeline that there is. Our dependence on fossil fuels, 99% of which are imported, makes us very vulnerable in a world where there is great volatility, particularly around prices and supply of energy.

For those reasons, and for the sound economic benefits, relating to the competitiveness of our industry and the development of a whole sector around renewables, it makes sense for Northern Ireland to concentrate on developing an ambitious energy strategy. For that reason, I welcome the bold 40% target for electricity from renewables by 2020. Sometimes we tend to forget that we in Northern Ireland are at the cutting edge of developing a lot of the technology. I do not have to go too far in my constituency to point at the SeaGen turbine, the first commercially viable tidal turbine in the entire world.

We have an exemplar in Northern Ireland of innovation in tidal power, which can perhaps be harnessed and exploited elsewhere around the shores of Northern Ireland and, indeed, further afield. There is something in which we

are innovators, and we should be very proud of that. There are certainly many cross-cutting challenges for Departments in achieving that ambitious target, but it is a target that is well worth having, and we should pursue it with vigour.

The Minister will not be surprised that I will concentrate my concluding remarks on my support for the extension of the natural gas network. I am pleased to see that there is support for that in the strategic energy framework. For several reasons, I have long been a supporter of the extension of the network. I support it for economic reasons, because it equates to investment in the ground. The recent extension of the network around my home town of Comber saw the investment of several hundred thousand pounds into the ground and the employment of those involved in that work. There are obvious environmental benefits because of the lower carbon emissions from natural gas, and there is a reduced cost for the consumer. Habitually, gas costs around 20% to 25% less than electricity and oil. It is certainly beneficial for householders and for businesses to see the network extended.

Now that we have increasing competition in the gas market in Northern Ireland, that is something that we should be encouraging further, because we are far too dependent on oil in far too many parts of Northern Ireland. I wear another hat as Chairperson of the Social Development Committee, and so long as we are dependent on oil and the vitality of the price of that, we are not going to make significant inroads into fuel poverty in Northern Ireland. I see expanding the natural gas network as being as much about competition, added choice and reducing cost for environmental reasons as it is about helping us to tackle fuel poverty.

I have been supportive in the House of the extension of the natural gas network to my constituency, and the framework acknowledges that there is interest in extending into east Down, into towns such as Saintfield and Ballynahinch, and down into Downpatrick and south Down. I have been very supportive of that. The framework talks about encouraging the extension of the natural gas network where it is technically possible and economically feasible.

There is no doubt that it is technically possible to extend the network to those areas. The issue is about the economic viability of it. I know that the Utility Regulator has taken the position that

it is not economically viable to go to individual towns. However, I make the argument that, in many respects, many of the towns within licence areas are not economically viable in themselves, and that there are big conurbations that have to pay a premium to ensure that natural gas goes to the other towns. That is a decision for us as an Assembly, for the Executive and for the Minister. Do we want to extend the network, get those benefits and take a cost in those big conurbations for that, or are we going to deny people that energy choice across Northern Ireland?

Ms J McCann: Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to take part in the debate. I apologise for not being here at the beginning, but I had other meetings to go to. I share the last Member's welcome for what will, hopefully, be the extension of the gas pipeline.

We live on an island with a small population, which means that we have the potential, such as nowhere else in Europe, to develop renewable energy. We have wave energy, offshore energy, wind energy, tidal and current flow energy and other renewable energy sources.

I am sure that Members agree that investing in renewables has economic, social and environmental benefits, and it offers the security of an energy supply that we do not now have. At present, we rely too much on fossil fuels and on importing energy such as gas and oil. In 2008, the hike in the wholesale price of oil caused problems for households. It is important that we look at renewables in this way. Economically, the adoption of renewables provides opportunities for our small and medium-sized enterprises to develop new technologies and services that can attract inward investment through research and development.

The Chamber has already debated the green new deal, which Members are interested in. It has the potential to create jobs and to keep down energy prices. Although there are still barriers to the development of the sector, we should show the way forward.

A number of Departments and organisations deal with energy, particularly renewable energy, and that can be problematic. To drive a long-term policy in the direction in which it is needed, one port of call — one Department — should have overall responsibility. That would be a better way to proceed.

If the development of renewables is considered in a strategic way, we can close the gap that often appears between strategic goals and outputs on the ground. We need to give adequate information to households. People do not understand the length of time over which investment in renewables will be realised or the investment that is needed in the infrastructure, particularly in the grid. I recall visiting a premises with the Committee for Enterprise, Trade and Investment, where people told us that, with the present grid, they would be unable to store all the energy that could be created by wind alone. They said that there was a potential to export such energy.

The Executive could show more leadership by, for instance, introducing renewable generation on public sector buildings and on social housing. Small and medium-sized enterprises could be encouraged to become more involved, particularly by feed-in tariffs that could allow smaller businesses to become more involved and encourage small-scale generators to enter the market.

Fuel poverty is an important aspect of this debate. I do not have to go into the details of that issue because they have been well rehearsed in the Chamber and outside it by all Members. Once more this winter, people on lower incomes and in poor housing will have higher energy costs. In the North of Ireland, almost one in every two households is in fuel poverty. If we drill down deeper in certain communities that are disadvantaged and in need, almost everyone is affected. We need to look at how to secure that energy supply. Government targets to eradicate fuel poverty in those vulnerable households have come and gone.

Mr Deputy Speaker: Will the Member please bring her remarks to a close?

Ms J McCann: We could look at initiatives such as Kirklees Council's warm zone scheme and social tariffs. Energy prices could be reduced by such investment in renewables.

3.45 pm

The Minister of Enterprise, Trade and Investment (Mrs Foster): I welcome the motion tabled by the Committee for Enterprise, Trade and Investment. Energy affects the entire community, and it is obvious from Members' contributions across the House just how important and wide-ranging the issue is. It

is for that very reason that I was delighted that the Executive recently approved the new strategic energy framework for Northern Ireland, which will be our policy blueprint for the next 10 years or so. That said, the framework is not the Department of Enterprise, Trade and Investment's (DETI) document alone. As the Chairperson of the Committee acknowledged, it belongs to all who have a genuine interest in Northern Ireland's energy future and will require consolidated effort by all of us pulling in the same direction to ensure that it is delivered.

My Department is committed to delivering an energy policy for Northern Ireland that will support a prosperous and sustainable future for all consumers. We aim to do so by keeping the cost of energy as low as possible, which is a not insignificant challenge in an era of rising global prices. We also want to provide opportunities for businesses, particularly in the growth area of sustainable energy and its associated infrastructure.

We all need to work harder at delivering an energy infrastructure that will be sustainable and promote economic growth. That means using our skills and resources in new and different ways. It also means working together to prioritise strategic investment in energy. Again, that will not be an easy task in what has become a very harsh economic climate.

Some Members stated that the strategic energy framework sets a number of energy challenges to be met over the next 10 years. Delivering against those will require my Department to put in place new legislation not only to meet our European commitments but to ensure that the Government can appropriately incentivise industry to invest in new technology and infrastructure. It will also require the wider energy sector to invest for the future.

In building competitive markets, energy policy continues to be driven by Europe, and the new framework reflects that. Part of the EU third energy package requires the electricity and gas directives to be transposed into national law by next year. Those complex and challenging directives are focused on improving consumer protection and the operation of the internal market. It is our intention to avail ourselves of the benefits that that will bring, and consultation is under way ahead of transposition next year.

The Chairperson specifically referred to the Northern Ireland regulator being represented at

a European level. That issue is the subject of ongoing discussion among the Department of Energy and Climate Change (DECC), DETI and Ofgem, as well as the Utility Regulator for Northern Ireland. I refer to that office now because, as we know, Iain Osborne has indicated that he will be resigning by the end of the year. I want to put on record Iain's work with us on energy policy and his regulation of the industry.

Although the directives look to future improvement, much of our domestic electricity and gas policy is already focusing on activity aimed at bringing about more competitive markets. The most significant policy intervention on electricity matters in recent years doubtless remains the creation of the single electricity market (SEM), as Mrs McGill said. Since cross-border trading started three years ago this month, the SEM has promoted greater competition, enhanced security and diversity of supply and has brought about efficiencies and economies of scale. We are beginning to see competition in the domestic electricity sector, which has happened a little more slowly than I would have liked, and we have already seen increased competition in the business electricity supply sector. It is now widely accepted that the increased transparency provided by the SEM has been instrumental in encouraging more activity in the electricity supply market as well as interest in the development of new generation.

Natural gas continues to fuel most of our conventional power generation, with two out of the three power stations in Northern Ireland using this cleanest-burning fossil fuel. Indeed, we are likely to remain dependent on gas-fire-powered generation until at least 2030, in tandem with increasing levels of wind generation in particular. The gas supply market has been fully opened to competition in the greater Belfast licensed area since January 2007, and there are now a number of licensed gas suppliers for that area.

There is also ongoing consideration about the future opening of the gas market outside the greater Belfast licence area. However, the continued isolation of the Northern Ireland natural gas market, its immaturity and small customer base, and our dependency on the Scotland/Northern Ireland pipeline for all our imports all point to the need to continue to develop new ideas about how to maximise security of supply, competitiveness and economies of scale in the gas market.

We also need to consider the case further for the development of the natural gas network. That point was mentioned by the last two Members who spoke. The reasons that were given by Mr Hamilton, both economic and to deal with fuel poverty, are very real. As he will know, my Department has recently completed a study into the possible extension of the network to the west and to additional parts of the north-west of Northern Ireland. The report's conclusions have been discussed with a number of stakeholders. However, further work is required to consider the economic aspects of further gas roll-out. Mrs McGill mentioned costs. It must be realised that it is unlikely to be economic to provide natural gas infrastructure to all areas of Northern Ireland. My Department will consider other energy solutions in those circumstances.

That leads me neatly to the whole issue of security of supply. If we are to reduce our exposure to market forces, we need to look at all possible opportunities. The framework emphasises the potential for gas storage. That point was mentioned by Mr Neeson. That would provide additional security of supply and help to avoid winter price spikes in Northern Ireland. There is also the potential for the stored gas to benefit both parts of the island and perhaps even Great Britain if a suitably large storage facility were constructed. Therefore, continued interest by companies in the development of gas storage in the east Antrim area is very encouraging.

In addition, we need to reduce the amount of energy that we consume and to increase the amount of energy that we produce in our region. That is why sustainable energy is very much a key part of the energy framework. Energy efficiency must increasingly become an integral part of the energy mix. The green economy is not just about the ability to produce clean energy; it is about achieving the greater adoption of energy efficient products and practices. It will also save businesses money, which is a very important point, and it is increasingly clear that energy efficiency will become a key benchmark of a globally competitive company in this century.

Not long ago, no one used the term "green economy" or spoke of "green jobs". However, the sustainable energy sector is now one of the fastest growing, and there are substantial opportunities to create employment, generate

wealth and develop a local skills base in the sector. The Chairperson mentioned the figure of 15,000 potential jobs over five years. That is significant. Developing a vibrant renewable energy sector is very much a key strategic priority for us. Significant activity is being undertaken in Invest Northern Ireland to support those companies that have a desire to explore and to achieve success in export markets in the renewable energy sector.

Like other regions of the UK and Europe, Northern Ireland has many strengths in the renewables sector. Our challenge is to work out how to differentiate and then to actively promote the Northern Ireland proposition. Our foreign direct investment strategy highlights Northern Ireland's key attributes: its rapid progress to harness its natural resources to generate renewable energy; its world-class port facilities, of which we should be very proud; its engineering and construction heritage; its highly skilled and qualified population; and its relatively low operating costs.

Although significantly increasing the role of renewable electricity is one aspect of change in the strategic energy framework — we have already spoken about that — we have to meet a challenging 10% target for renewable heat. That was mentioned by some colleagues. A renewable heat incentive, tailored for Northern Ireland, has the potential to provide long-term stable support for the heat sector. We will push that work forward to examine how best to deliver that for Northern Ireland.

Members will be aware that we have also confirmed a very challenging 40% renewable electricity target by 2020. Mr Cree correctly identified that that is a challenging target. I appreciate that fully, but it is one that we have to take on board given the targets elsewhere in the UK.

Sir Reg Empey: On the matter of renewables, does the Minister accept that although wind power is popular in many areas, its ability to deliver the consistent supply needed is more limited than we are, perhaps, prepared to admit? The fact is that when we have cold weather and high pressure, there tends not to be wind, and the system does not like that. Are we putting too many of our eggs in that particular basket?

The Minister of Enterprise, Trade and Investment: I thank the Member for his

intervention; that point has been made on many occasions. It is also why we are not looking just to wind to meet our renewable energy targets. Although wind has allowed us to meet our targets to date, we will need to have a much more diverse renewables ecosystem as we drive forward. Mr Irwin mentioned anaerobic digestion. There are also the tidal wind streams referred to by Mr Neeson. We also have exciting wave projects coming along. So, we have some really good natural resources.

In respect of the challenge with wind power, grid infrastructure is key to the further development of that energy source. Despite the difficulties with wind as a renewable energy source, it is the largest contributor to meeting our targets, and it is likely to continue to be the main source for some years. However, to achieve our challenging renewable electricity target, we also need to have the right support mechanism to encourage the desired levels of renewable electricity. In the past, there has been controversy about feed in tariffs (FITs) versus renewables obligation certificates (ROCs) in relation to energy policy. However, we will continue to ensure that our Northern Ireland renewables obligation will support our targets as we move forward. Indeed, earlier this year, a significant increase in support under the Northern Ireland renewables obligation was given to small-scale generation of wind, hydro and solar photovoltaic (PV) power. In addition, the Department recently proposed further amendments to offer increased support for anaerobic digestion, which was broadly welcomed by the farming community and is likely to be a key technology in Northern Ireland's rural economy. I welcome Mr Irwin's comments on that.

Planning is crucial to achieving the 40% target, a point that was made by Mr Cree, and planning approvals for the grid upgrade and for the installations are equally vital. I am committed to working with my colleague the Environment Minister to see how planning conditions can be improved to facilitate and to support that 40% target.

I urge those involved in energy production and supply to increase their communication with the public, because public perception about renewables is one of the areas that causes me concern. We need to explain to people why we need more renewable energy installations of every kind and why we will need more of the associated grid infrastructure. Government will play its part and the Executive will shortly

consider the issue of a more joined-up approach to sustainable energy messaging across government. A paper on that issue is with the Executive. I hope that the approach will take the form of all Departments using a common brand and approach for any communications about renewable energy.

Increasing the grid infrastructure is not only needed for renewables; a robust and stable electricity transmission system is key to growing the market, and that is critical to a modern economy. Across the world, investment in grid infrastructure is increasing. A number of Members mentioned the second North/South electricity interconnector and recognised it as a key component in the long-term strategic upgrading of our energy infrastructure. It will also be crucial in handling a significant increase in wind generation. We very much need to get on with that. I urge the planning authorities to set an early date for the public inquiry that Mr Cree mentioned, because doing so would allow concerns raised publicly by communities living along the planned route to be fully addressed.

In conclusion, my officials and I look forward to managing the very real challenges posed by the new strategic energy framework for Northern Ireland through its ambitious goals and targets.

As the Chairperson said, we also need to consider 2030, 2040 and up to 2050. I would argue, therefore, that the strategic energy framework is a significant step in that direction.

I thank the Committee for this timely debate, and I look forward to continuing to discuss the implementation of the SEF with its members.

4.00 pm

The Chairperson of the Committee for

Enterprise, Trade and Investment: I thank all colleagues who contributed to this important debate. In particular, I thank the Minister for her remarks. She recognised the challenges in developing the renewable energy market, and she rightly emphasised the need for government and the community at large to work together and the difficulties that there will be in getting money to invest in the renewable energy sector.

In addition, it is important to remember that the Minister emphasised the fact that much of our energy policy is driven by Europe. In particular, it is important to recognise the third energy package, which will be transposed into domestic

law next year. It will, of course, bring benefits to Northern Ireland, and we can see the way in which the single energy market has developed in Ireland, which is an important development for us all. There is scope to expand the market further, not just in electricity but in other energy sources, such as gas. There is a benefit, because it promotes greater competition, increases security of supply and allows greater transparency.

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

The Minister rightly emphasised the need to look at expanding the natural gas pipeline into other parts of Northern Ireland. Of course, that brings its own difficulties because of the money that needs to be invested in it. However, I think that I reflect the consensus in the Committee when I say that, if it can be done, it should be done, and it should be done as quickly as possible. The Minister also rightly said and other Members alluded to the fact that natural gas helps in the fight against fuel poverty, because it provides a much more efficient and effective and, indeed, lower-cost fuel, particularly for those in domestic premises. Therefore, the emphasis on natural gas is important, and, as the Minister said, it is likely to remain so for some time to come, because our main power stations are fuelled by natural gas.

We must also recognise the interdependence of energy throughout Europe, not just on this island but between ourselves and Britain. Interconnectors have been established between ourselves and Scotland and between Wales and the South of Ireland. The framework recognises that we must develop policy in that environment of interdependence, and it provides an opportunity to do so.

Security of supply is very important, and I welcome the suggested gas storage development in east Antrim, which will certainly reassure many people about our security of supply. We are fortunate to have the natural environment necessary for gas storage, so I hope that that proposal becomes a reality.

Over and above the Minister, I thank other Members who contributed to the debate. It is apparent that Members have a keen interest in the strategy and in our energy future. In general, Members support the 40% renewable electricity target and the target for 10% renewable heat by 2020. We all hope that those ambitious targets can, in fact, be met. However, there seems to be

some apprehension, as expressed by Mr Irwin when he mentioned the short time frame in which to meet the target — 10 years. Mr Cree had a concern that the 2020 target is a big leap from the interim target of 12% renewable energy by 2012.

Many Members raised the issue of Northern Ireland's reliance on fossil fuels as an energy source and the need for diversification of our energy mix. Mrs McGill stressed the need for a diverse mix of renewable energy sources and pointed out that the strategic energy framework does not include the details of how the 2020 target will be met. I recognise that concern. Mr Cree stated that new sources of renewable energy must be explored, such as heat from geothermal energy and heat from waste, and that action plans need to be created for those technologies. The Minister indicated that there will be action plans.

Mr Neeson supported that notion as well and mentioned his support for technologies such as tidal power and energy from waste. I recognise his previous membership of the Enterprise, Trade and Investment Committee and its good work on the development of energy policy. Mr Irwin supported biomass and the benefits that it could provide for Northern Ireland's agriculture sector, and I recognise that. It is important for us to develop biomass in the rural economy, because it can provide much-needed support and income for people in rural areas.

Jennifer McCann mentioned the potential benefits for small and medium-sized enterprises as a result of the development of technologies. Those benefits are real and tangible. Funding and incentives for developing and nurturing the renewable energy sector were also a key theme in the debate. The Committee has been exploring the benefits of systems in Britain and the Republic, but, as Mr Irwin said, funding for renewable energy projects is vital for this sector.

On the issue of funding, Claire McGill emphasised the importance of making energy from all sources affordable to business consumers and to domestic consumers in particular. It is important that we tackle fuel poverty, and that is one way of assisting in that regard.

Sir Reg Empey: Is it not the case that targets will never be reached unless we also, in parallel with developing new systems, deal with the question of reduction in demand through

insulation, retrofitting of buildings and so on? The Member will be aware that, on a recent visit to the United States, the issue of retrofitting was very high on the agenda not only for job creation but for reducing demand. Surely all those things have to run in parallel.

The Chairperson of the Committee for Enterprise, Trade and Investment: Absolutely; the Member is right to emphasise the importance of retrofitting for domestic fuel efficiency. It is something to which we should give even greater emphasis. We go back again to the theme that the Minister touched on, which is that we are all in this together. All Departments have a contribution to make. It is important that the DOE gets its act together on planning and that other Departments — DSD and so on — row in to assist in the process of developing the economy through renewable energy and developing a policy that serves the community at large. Again, I acknowledge Jennifer McCann's contribution on fuel poverty.

Many Members acknowledged that further development of the natural gas industry is vital. Mr Neeson mentioned the benefits of gas storage. I referred to that earlier, as well as the issue of security of supply. Mrs McGill mentioned the development of the common arrangements on gas and the need to extend the gas network to the west. The Committee is considering those issues.

Mr Hamilton supported the extension of the natural gas network and said that it has the potential to reduce the cost of energy to the consumer and that he hopes that the Utility Regulator is supportive of that.

Mr Deputy Speaker: Bring your remarks to a close.

The Chairperson of the Committee for Enterprise, Trade and Investment: I will close there. I may have left out some Members, but, once again, I thank them for their contributions to the debate.

Question put and agreed to.

Resolved:

That this Assembly notes the Department of Enterprise, Trade and Investment's strategic energy framework, which is intended to establish the direction for Northern Ireland energy policy up to 2020.

Private Members' Business

Hunting Bill: First Stage

Mr B Wilson: I beg to introduce the Hunting Bill [NIA 5/10], which is a Bill to make provision about hunting wild mammals with dogs; and for connected purposes.

Bill passed First Stage and ordered to be printed.

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

Victims and Survivors (Disqualification) Bill: First Stage

Mr Weir: I beg to introduce the Victims and Survivors (Disqualification) Bill [NIA 6/10], which is a Bill to narrow the classes of persons who may benefit from provisions in the Victims and Survivors (Northern Ireland) Order 2006.

Bill passed First Stage and ordered to be printed.

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

Grass Cutting

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

Mr Hamilton: I beg to move

That this Assembly encourages the Northern Ireland Housing Executive and the Roads Service to co-ordinate better the cutting of grass in public spaces for which both organisations are responsible; and calls on the two organisations to examine how they can develop a single, more efficient and effective service for the future.

It is now official: the House is obsessed with cuts of one kind or another.

Mr Weir: Do not give up the day job.

Mr Hamilton: It has not finished yet. For once, I will put my hand up, and I hope that others put their hand up, and say that we are all for cuts, namely co-ordinated grass cutting across Northern Ireland. However, I suspect that many Members, when they saw this motion before the House in November when most people have stopped cutting grass, probably thought that Michelle McIlveen's and my heads were cut.

Although we and the media tend to dwell, rightly, on highbrow subjects such as the Budget or welfare reform, some issues bug the life out of people. Through our advice centre, my constituency colleague and I have found that the issue of grass cutting annoys the hell out of people. People get frustrated about it, as they do about high hedges. Those issues irritate and exercise people more than some of those that we and the media think people should be obsessed about. Anybody who is in touch with their constituency will know that the issue of grass cutting exercises people right across Northern Ireland. The issue has been brought to my attention by some, quite frankly, ludicrous examples where grass on open space in Northern Ireland, ostensibly because of different ownership — primarily Roads Service and the Housing Executive — is cut at different frequencies, at different times and for different reasons.

The example that sticks in my head and which, indeed, was my first experience of the problem as a local councillor is in the West Winds

estate in Newtownards. As is the case with a lot of estates that are predominantly owned by the Housing Executive, there is a mixture of ownership and responsibility for open space. However, there are ridiculous situations in which a strip of grass is located right beside a road where there is a small footpath and then another open space. The bit beside the road is the responsibility of Roads Service, and the bit on the other side of the footpath is the responsibility of the Housing Executive. The Housing Executive's rotation of cutting starts much earlier and it cuts much more frequently, so its bit tends to be well kept. Roads Service cuts less frequently and starts later, so the bit for which it is responsible tends not to be cut. That leads to the ridiculous situation of a perfectly mown piece of grass being feet away from a jungle.

4.15 pm

Mr Weir: Is the Member highlighting the dangers of being half-cut in those circumstances?

Mr Hamilton: The Member has plagiarised one of my later jokes. I am now all at sixes and sevens. The Member is right in that there are areas that are literally half-cut, and you would think that people were half-cut when they cut them. I have also seen the same type of open space, the ownership of which is divided, where a bit of it has been cut and another bit has been left. That is a ludicrous example. The effort that it takes to stop at a prearranged line is surely greater than the effort it takes to continue cutting with the same lawnmower that would do the job.

There are ludicrous examples across my constituency. Indeed, fairly recently, I met the Minister for Social Development in the West Winds estate in Newtownards, and I pointed out that example to him. He probably thought that my head was cut, but he shared some of the concerns that I expressed. I encourage Members to highlight any similarly ludicrous examples, because they show the silly situation that we are dealing with. There is huge dissatisfaction in many parts of my constituency and, I am sure, across Northern Ireland at the different schedules and the infrequency of cuts.

One effect is that it lowers pride in areas. If some areas are well looked after and others are not, it does not encourage people to look after properties, either in the wider community sense or their own property. They view the public sector

as one entity, and they sometimes criticise the local council even though it is not necessarily its fault. If they see what they perceive to be local government or their Government at Stormont not taking pride in their area, it does not encourage them to take a pride in their area. Indeed, many of the areas that we are speaking about are ones in which we are trying to encourage people, through various programmes, to take a greater pride in their area and to improve the environment in which they live to raise hope and aspiration there.

At a local level in Ards, attempts have been to find some local accommodation and solution to the problem. I have raised the issue with the Housing Executive, and, to be perfectly fair, it has always shown a willingness to discuss the issue and to find a solution to it. It has expressed to me verbally and in writing a desire and a willingness to find accommodation.

I am glad that it is the Minister for Regional Development who will respond to the debate, because the reticence at local level has always come from the local Roads Service section office. It has given various excuses, and I will come to those in time. I accept that there are issues in respect of the problem. That has always been the roadblock in coming to a local agreement, and I always thought that it was sensible to seek that local agreement either in a small area or across a district council area in the first instance. Because that seems to be unachievable, I thought that it was necessary to bring the matter to the House.

Potentially, it is one small area in which savings could be made. Last year, the combined spend by Roads Service and the Housing Executive on this type of work was around £8.5 million. Potential savings could be made by having one contract for doing that. Perhaps those would not be massive savings and not enough to stave off the reductions that we face in our Budget, but, potentially, there is scope for savings. I dare say that most people who have experienced the problem would prefer the better and more frequent cutting of grass in their area to significant savings. One contract, delivery by one of the two organisations or some local agreement in areas could be achieved.

Ultimately, however, the ideal solution is probably that local government, as elsewhere in the United Kingdom and other jurisdictions, takes responsibility for this. My experience is

that councils tend to be much more responsive to environmental problems such as this. From my experience in local government, I imagine that it would be unlikely that a council would cut the grass in one area but not another. It would cut all the grass, because councils tend to be more concerned about the ratepayer. The ideal situation would be if local social economy enterprises were created to bid for contracts to look after their area, because they would have more pride in those areas and would be more responsive to problems as they develop.

Both agencies have argued that they do different things, and I am sure that they will continue to argue that. The Housing Executive says that it cuts grass for largely aesthetic reasons, and Roads Service says that it does so for health and safety reasons. That is what dictates the frequency of grass cutting. However, people are not going to buy into that sort of jargon or legalese; they just see a problem, and they want us to seek a solution. For them, grass is grass. Anybody should be able to cut the grass in the areas concerned and should not be subject to departmental agencies using issues such as liability as an excuse not to do it.

I recognise that certain issues need to be sorted. This may appear to be a simple and straightforward problem. However, I accept that there may be issues with liability and the frequency of grass cutting should the Departments buy into this principle. For example, questions about how often the grass should be cut and whether all areas need to be cut simultaneously would need to be addressed. However, those issues can be explored as the problem is explored.

We need to see some common sense exercised, even locally where a good relationship has been built between the Housing Executive and Roads Service so that a sensible accommodation can be found to deal with areas of grass side by side on the same strip of land. I and others have found that such common sense has not been exercised in certain areas. I appreciate that there are issues.

Mr Deputy Speaker: Bring your remarks to a close.

Mr Hamilton: Hopefully those issues can be overcome in a way that saves money for the public purse and engenders greater pride in public spaces in many parts of Northern Ireland.

Mr Boylan: Go raibh maith agat, a LeasCheann Comhairle. I pay tribute to the Research and Library Service, which must have had a green time putting together its information pack. I appreciated those notes when I sat down last night to put together my contribution to today's debate.

I support the motion. In these austere times, it is important that we recognise the need to make the most sensible and cost-effective use of resources. It is sensible to bring together the various agencies responsible for grass cutting in order to reduce costs and to perhaps divert savings to other necessary areas, such as the maintenance and gritting of roads by Roads Service. Problems arise because Roads Service carries out its functions not for aesthetic or amenity purposes but for road safety reasons. The Housing Executive and local councils, which are not mentioned in the motion, play a large role in that function too and are more likely to cut grass for visual impact and environmental reasons.

Many roadside verges and other well-established areas contain wild flowers and swathes of flora and fauna. We must ensure that those areas are not cut too early in the year or too frequently, provided that that does not affect road safety, because that can damage the potential conservation of many areas. Although it is understandable that areas of grass, especially on roadsides or junctions, will have to be cut back at certain periods throughout the year to facilitate sight lines, we must ensure that indigenous species are protected.

Some public areas of grassland, such as those on housing estates, could be given over to local community groups or charities to produce flower beds or to reintroduce tree planting. I am sure that we are all familiar with the swathes of daffodils in Marie Curie Cancer Care fields of hope in our towns and cities. It has been found that community ownership generates interest in all age groups in looking after projects. I certainly support that. Such initiatives mean that less grass cutting is required by either the Housing Executive or councils, thereby freeing up resources and saving money.

I support the intention of the motion, but I hope that a realistic and balanced approach will be taken in developing a single service while ensuring that we preserve flora and fauna and encourage community engagement and projects.

Mr Deputy Speaker: I call Mr McCallister.

Mr McCallister: Thank you very much, Mr Deputy Speaker. You have caught me somewhat unawares. I was expecting my colleague Billy Armstrong to be first up from my party.

We support the motion. However, the only advice that I got from my colleagues on what line to take on the grass cutting motion was from Danny Kennedy, who said to keep it short. There has been some discussion about how relevant a motion this is for the Assembly to debate. However, I support Mr Hamilton on this important —

Mr Beggs: Will the Member give way?

Mr McCallister: Certainly.

Mr Beggs: Does the Member agree that, after three and a half years of an Assembly, it is rather sad that we are debating a motion on grass cutting? In that period, we had the opportunity, through the RPA, to amalgamate grass cutting to make it more efficient, but a decision was taken by others to exclude Roads Service from the transfer to local government. Not only that, but the RPA process has failed to materialise and, therefore, responsibility for grass cutting has not even been amalgamated under the Housing Executive and councils or other agencies. Does the Member accept that it is a pity that we are having a talk shop debate instead of enacting legislation that would deliver the objective?

Mr Deputy Speaker: The Member has an extra minute.

Mr McCallister: Thank you, Mr Deputy Speaker. There will be other occasions on which I could use that extra minute. Perhaps I can bank it and save it for the future.

I agree entirely with my colleague. There have been many missed opportunities in the Assembly over the past three and a half years. It does not give a great impression of the Assembly if, in that time, this is the biggest motion that we have had on the issue, albeit that the issue does have to be looked at.

The important bit, as my colleague mentioned, is the issue of review and how we look at structures of government and which functions are performed by the Executive and which by local government. We have to consider what works best and how we can maximise and drive

efficiencies. We must ensure that the actions that Departments or local authorities take are appropriate for the setting and that ratepayers, taxpayers, our constituents and members of the public get good service and value for money.

I thank the House for its indulgence. I look forward to getting that extra minute on another occasion.

Mr McDevitt: It is my job, as it is that of other Members in their differing capacities, to speak to the motion. However, as other Members said, it is not a particularly good day's work for the Assembly to be doing this here and now. I say that with the greatest respect to the Members who tabled the motion.

What is interesting about the research made available to us in preparation for today's debate is that, in common with so many aspects of public policy in the North of Ireland, there is no specific legislative provision for grass cutting. As I understand it, aspects of the Roads Order 1993 place a duty on the Department for Regional Development, not unrealistically, to keep the roads safe and to maintain verges in a safe, proper and fit manner. However, nothing specific is set down in law to place a duty on any of us to keep our grass at a certain length.

Mr Beggs is right to say that we have had ample opportunity during this mandate, through the RPA and other reorganisations, to tidy up many of the administrative arrangements — administrative black holes — that exist in our region. Through decisions made in the House, we find ourselves in rather bizarre situations, such as that which the Member who moved the motion outlined, in which it would appear that notional lines in a park have become demarcation lines between two statutory authorities.

4.30 pm

I suppose that there is a serious issue about biodiversity and sustainability. When the Minister responds to the debate, I hope that he will clarify whether there is a clear and concise policy in Roads Service to ensure that the biodiversity of our towns and countryside is protected. Such a policy would ensure that grass cutting does not become the practice of a deranged man or woman who is obsessed with having the grass on lawns, verges or any other public space at a certain level.

Mr Deputy Speaker, you are known to have a love for a certain insect: the bee. As I understand it, and I am sure that you will keep me right, the bee requires significant biodiversity to thrive. I want reassurance from the Minister that, where appropriate, grasslands will be allowed to exist in a natural state. Apart from our public authorities, many custodians of parkland and open space, such as the National Trust and some local authorities, have started to manage their grasslands in a different way in recent years. They allow for a more natural growth cycle, which is important in promoting biodiversity in microhabitats.

I support the motion, although we are letting ourselves down a little bit by debating it. I also want to put on record the need for us to be cognisant of the opportunity that proper management allows for the promotion of biodiversity in our towns and country areas.

Mr McCarthy: I will support and defend my two colleagues from Strangford who tabled the motion; they are also my colleagues in council. I am on your side, boys and girls.

I hope that no Member will oppose the motion. I encourage the Northern Ireland Housing Executive and the Roads Service to co-ordinate their efforts better in the cutting of grass in public places. I also encourage all statutory agencies to get together in areas in which they provide a public service, regardless of what is in need of attention. That is what is called joined-up government, and our constituents expect all agencies to co-operate better and to economise.

The motion calls for the development of:

“a single, more efficient and effective service for the future.”

We are aware that both organisations are separate, are funded differently and have responsibility for a wide range of grassed areas. The Housing Executive is primarily responsible for areas around and in built-up housing estates, whereas the Roads Service is responsible for grassed road verges and roundabouts and probably for more areas than I can recall. I am delighted to see the Minister for Regional Development in the Chamber; he has responsibility for Roads Service and I hope that he can answer our questions. Indeed, I have one coming at the end of the speech that I hope he can help me over.

If agreement can be reached on what organisation pays for what, we could see progress. That is the crux of the matter.

The Northern Ireland Housing Executive and the Roads Service have a great deal of ground to attend to, and no doubt staff are under pressure to get as much done during the working day as possible. However, many residents complain that when grass is cut it is spread all over the place. That leads to grass, and more often than not wet grass, being spread on pavements, making them difficult for elderly residents to use. Perhaps improvements could be made to overcome that problem and the Housing Executive and the Minister for Social Development, who was here earlier, could pick that up.

Roads Service has a duty for grass cutting along our roads and roundabouts. However, loads of ugly litter appears after road contractors cut the grass. Our constituency is a tourist attraction, but one would be ashamed to come up past Mount Stewart or anywhere along Strangford Lough after the grass on the road verges has been cut because of the ugly litter. I have yet to see Roads Service spend any time or effort collecting that unsightly rubbish. Unfortunately, as someone else mentioned, it is always left to the local council to clear up the mess. The Alliance Party supports the motion.

Mr S Anderson: I welcome the opportunity to participate in the debate and am happy to support the motion tabled by my two colleagues. The subject matter is particularly relevant at this time as it reminds us of the importance of ensuring efficiencies wherever we can across the public sector.

It has long been argued that it would be very difficult to co-ordinate a joint system of grass cutting and maintenance between Roads Service and the Housing Executive, which are the two bodies charged with responsibility for grass cutting. The costs of grass maintenance are high: in 2008-09, Roads Service spent nearly £6 million and the Housing Executive £2.5 million on environmental maintenance. That gives a total of £8.5 million. Even so, standards are not as high as we should expect. It could be argued that the pooling of human resources and machinery would reduce costs; it might even help to ensure a better overall standard of service.

I am also interested in the current and potential role of local councils. The standard of grass

cutting that councils achieve is generally higher than that of Roads Service and the Housing Executive. I declare an interest as a member of Craigavon Borough Council, and I am sure that Members will have sympathy for me when I say that we have many roundabouts, wide verges and open spaces in our constituency. Where councils are involved, those are generally well maintained. By contrast, where Roads Service is involved, it too often fails to ensure that road signs are not obscured by foliage that could create road safety hazards.

We have a responsibility to promote our villages, towns and cities across Northern Ireland. Surely that would be helped if we ensured that there was proper grass-cutting maintenance on arterial routes. First impressions count. As Mr McCarthy said, when those agencies cut the grass, litter and rubbish that was hidden among the high grass is often exposed; that is especially the case in the growing season. As Mr McCarthy also said, it is the local council that has to carry out the clean-up operation. That only adds expense to our local authorities and, ultimately, to the ratepayer.

I encourage Roads Service and the Housing Executive to investigate the possibility of developing closer working arrangements with councils across Northern Ireland. Surely there is considerable scope for that. Like my colleague Simon Hamilton, I wonder whether there might be merit in utilising the private sector much more in that regard. I am sure that the Ulster people's entrepreneurial spirit would ensure that there was no shortage of people prepared to offer their services across the board.

Mr Leonard: Go raibh maith agat, a LeasCheann Comhairle. I had hoped that we had given Hansard the afternoon off. I congratulate Mr Hamilton not on tabling the motion but on a verbal dexterity that meant that he had to be asked to wind down his speech after 10 minutes and two seconds. How he spoke on this motion for that amount of time is beyond me. I cannot understand how Mr McCallister could not use his extra minutes. I was really disappointed that he did not avail himself of that extra time and wax lyrical about our green —

Mr McCallister: Would the Member mind my intervening now? *[Laughter.]*

Mr Leonard: I do not deserve the present today.

There are some issues. I do not mean to be denigratory to the proposers of the motion, because I am sure that they tabled it with sincerity. There are a few issues with grass cutting, but let us face it, the last time that a similar problem was discussed at Coleraine Borough Council — I declare an interest as a member of that council — we asked for a phone call to be made to the agencies to get the problem sorted out. That is the attitude that I have to some of the issues that have been raised in the debate.

There are people who are losing their jobs and others who are having their hours cut. There are people in real difficulties with mortgages, and there are students who fear that they will not get the jobs that they have trained to do, because of the economic downturn. There are bankers on bonuses worth millions of pounds. We have discussed and debated some of those issues, and there is a place for the ordinary amidst the high-brow —

Mr Deputy Speaker: I am encouraged to say, "Get back to the motion".

Mr Leonard: I am trying to put the motion in context, with a particular emphasis in mind. I will not take an extra minute.

We are putting out a message that we are talking about rewing up the lawnmowers and about action that could be solved by phone calls at a local level.

Mr Hamilton: Will the Member give way?

Mr Leonard: I honestly could not stick another minute.

I am not putting down the genuine motivation behind the motion. However, as has been said in the corridors, why on earth are we debating this issue in the Assembly? It does not give a good overall image of the Assembly to the public.

Mr Bresland: We do not usually like to hear about cuts or support them. However, I am happy to support the motion, which is not only calling for cuts but for better co-ordination between the agencies to ensure that the cuts are made efficiently. I am grateful to my two colleagues for securing this debate on an important matter.

I represent a large rural constituency that includes a number of towns and villages in which the Housing Executive has responsibility

for a considerable number of public housing areas. The Roads Service and the Housing Executive do not always attend to grass cutting and maintenance in the way that they should. Standards seemed to have slipped in recent years, and the grass is not cut as often. Important road signs are too often partly hidden by branches, especially in the summer. At the height of the summer, when growth has reached its peak, the grass and the weeds on the verges can leave already narrow and winding roads so narrow that there is a threat to road safety. Grass and hedges that stick out over pavements can force pedestrians to walk on the road, thus increasing the risk of serious accident.

In Housing Executive estates, grass on shared spaces is not cut as frequently as it should be. That means that dog litter can be hidden and become a health hazard to children and others who make use of the shared spaces. We need to see improvements, and one way to do that would be to co-ordinate the cutting arrangements.

I accept that the Roads Service and the Housing Executive have their own separate areas of responsibility and have different maintenance regimes. They will, therefore, argue that it is very difficult, maybe impossible, to co-ordinate a joint system of grass cutting. That has been the broad response from Ministers when questioned by MLAs, not only in recent times but going back several years. Surely, in these times, when the need for efficiency is greater than ever, steps can be taken by both bodies to encourage and develop a joint grass maintenance service to some degree. I understand that Roads Service has entered into a partnership arrangement with some district councils, and it would be good if some partnership could be developed between the Roads Service and the Housing Executive.

Councils in England and Wales seem to take more responsibility for grass cutting. Although the review of public administration (RPA) has been put on hold, I wonder if district councils could become more involved in that area. Whatever way we look at it, the time has come for the key agencies to sit down together and come up with proposals to pool and share their grass cutting and maintenance resources as far as possible.

That will be not only more cost-effective but more efficient, and the matter should not be put off any longer. I support the motion.

4.45 pm

Mr Armstrong: I usually begin my speeches by thanking Members for bringing forward the topic for debate. However, in this case, I will instead acknowledge their efforts. That is not to belittle the Members or the subject that they have highlighted. Rather, I regard it to be a damning indictment of the attitude of the House that, on a day when many people expected the Minister of Finance and Personnel to bring forward a draft Budget, along with Executive plans to protect jobs and industries, we are instead talking about cutting grass, despite the fact that it is the middle of November and the nights are dipping below freezing. Maybe this is a bigger issue in Strangford than across the rest of Northern Ireland and Mid Ulster. Nonetheless, the Business Committee allocated a window for this debate, and it would be remiss of me to pass up the opportunity.

I doubt that I am the only Member who has had constituents getting in touch with their office over the years to complain about what they see as the unnecessary desecration of roadside verges. However, when given the choice between safe roads or verges overgrown with a couple of feet of high grass or shrubbery, they do not need much convincing.

I am glad that the motion mentions the Roads Service, for although it may not always get the credit that it deserves, it plays a big role in keeping sightlines clear as we drive along our roads network. That is no small task, considering that the Roads Service maintains enough grassland to equate to over 7,000 hectares.

However, I take on board the point that the motion is trying to make. Where savings are to be made in government bodies such as the Roads Service and the Northern Ireland Housing Executive through cross-compliance initiatives, I totally support that. If I recall correctly, however, when it was planned to transfer grass cutting and weed spraying to local councils through the foreseen tale that was the reform of local government, it was the councils themselves that recommended that the powers remained with DRD. They had a valid reason for making such a recommendation: the Roads Service does not trim roadsides for cosmetic reasons but to ensure road safety.

That involves industrial mowers and tractors that take off swathes, often more than a metre wide. Therefore, I cannot see what immediate

benefits those machines would have for estates with public housing. It is only right that public housing areas are properly maintained. That does not mean coming along twice a year with industrial machines and cutting the vegetation indiscriminately. There are totally different machines: one is for cutting the verges of roads to keep the roads safe; the other is for the amenity purposes of keeping every place tidy and neat. So, I do not see the point that one machine can do all. We have different machines for different types of work.

The Housing Executive and the Roads Service take different approaches to grass cutting, but that is to be expected, because they cut it for very different reasons. I do not doubt for one minute that there are roadsides that could be maintained by the Housing Executive and public spaces maintained by the Roads Service. However, we must remain realistic and acknowledge that, in the wider scale of things, that would be the exception, rather than the norm.

I support the motion insofar as efficiencies could potentially be made.

Mrs M Bradley: I do want to support the motion, but I really do think that we could have used our time on something better. Given the situation that the public are in at the minute, and the worries that they have about making ends meet, I do not think in the winter weather that they are too worried about the grass, because they cannot eat it.

I am shocked to see that this matter is with us. I thought that I went through all this as a local councillor. At Derry City Council, where I was a councillor — I declare an interest as regards that — all those bodies that have land in the city, such as the Housing Executive, the Roads Service, the education board and the Department for Social Development (DSD), work together. However, that came about over years, when councillors came in with complaints that the people had about grass not being cut. The officer in charge of our environmental section at Derry City Council got everybody together, and they formed a working relationship. The council can now call them, or they can call the council, but they do make sure that the grass is cut.

People are entitled to have tidy areas. We should tell our councillors, who are in those areas every day of the week, to bring it up with the councils to make sure that that happens. It could easily be done, and a relationship could

easily be formed. I support the motion because people want their areas to be kept clean and tidy.

The Minister for Regional Development

(Mr Murphy): Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to speak to the motion. I know that some Members decried the fact that the motion was brought forward and argued that, particularly at the moment, there are other things that the Assembly is expected to debate. Nonetheless, the motion is before us, and we have to respond to it. If nothing else, it has allowed Mr Hamilton to vent his frustration, so there might be some therapeutic value in the debate for him.

I will endeavour to explain the policy on grass cutting and to answer some of the questions that were raised. If there are particular areas that Members raised that I have not picked up on, I will have a look through the Hansard report and ensure that we correspond with Members on those points.

First, I will explain the Department's Roads Service policy on grass cutting. I understand from Mr Hamilton that people are annoyed when they see different agencies working in the same area doing different things. Quite often, that is born from the fact that people do not have any understanding of what governs the approach of different agencies to their work. If that is explained, it might go some way to help the situation. Cathal Boylan referred to the rationale behind it, obviously greatly assisted by Assembly Research and Library Services. Essentially, Roads Service carries out grass cutting for road safety reasons, as a number of Members said, and it is not for aesthetic or amenity purposes. Roads Service cuts grass in areas of land that it owns and maintains to prevent overgrowth on to carriageways and footway surfaces and obstructions of sight lines and traffic signs.

The total length of verge to be cut across the whole of the North is in the region of 45,000 km. As other Members have said, in 2009-2010, Roads Service spent approximately £6.5 million on environmental maintenance, which includes grass cutting and weed control. I am not sure whether much savings could be garnered by working more closely, as the Housing Executive has a different approach to the issue.

In 2002, the Committee for Regional Development carried out a grass-cutting policy

review, which the Housing Executive commented on. One of the main findings of the review was the confirmation that grass cutting by Roads Service should be carried out for safety reasons and not for cosmetic or amenity purposes. The policy broadly allows for routine grass cutting of one swathe up to twice a year in rural areas, which is approximately 1.2 m, and, in urban areas, up to five times a year across the full verge. Grass on sight lines and at road junctions and bends is cut more frequently as required.

The review also recommended that Roads Service should aim to have 90% of the first cut completed in urban and rural areas by the end of April and June respectively. In contrast, the Department for Social Development, through the Housing Executive, is responsible for 3,500 acres of urban and rural open space, predominantly in and around areas of public housing. As those open spaces provide vital social and recreational facilities for local communities, I understand that the grass is cut 18 to 21 times a year, mainly for aesthetic or amenity purposes. In those circumstances, it would be difficult and probably costly to coordinate a joint system of grass cutting with the Housing Executive.

There are many demands on the Roads Service budget, and any further increase in expenditure on grass cutting and verge maintenance would result in the reduction of other essential activities, many of which are related to road safety measures.

As Members said, grass cutting was also considered as part of the review of public administration exercise to see whether the activity should be handed over to councils. Mr Anderson, Mr Bresland and Mary Bradley alluded to the relationship with local government as well as the Housing Executive on the matter. However, following discussions with my Department's Roads Service, as part of the review of public administration discussions, local government recommended that responsibility for grass cutting and weed control should be retained in Roads Service.

In making its decision, local government recognises that grass cutting schedules are intrinsically linked to road safety and should, therefore, remain integral to that process within Roads Service. It was also recognised that councils would still have the ability to enhance grass cutting and weed control schedules to

improve the amenity of an area should they so desire. Local government appreciated that weed control is also important in protecting the fabric of the road structure and that it should, therefore, rest with whoever is responsible for road maintenance.

The decision that Roads Service would retain responsibility for weed control and grass cutting was endorsed by the Executive's RPA subcommittee in September 2009. That said, and as some Members mentioned, Roads Service has a partnership arrangement with certain councils that wish, for aesthetic or amenity purposes, to have a higher standard of grass maintenance in certain urban areas than that which Roads Service provides. In that regard, Members who declared an interest as councillors should check to see whether that arrangement applies to their particular council.

In cases in which there are accommodation arrangements, councils accept responsibility for work within their respective boundaries and are reimbursed by Roads Service for grass cutting that would have been carried out under Roads Service policy. The partnership arrangement has proved to be beneficial for both organisations.

Some Members referred to litter. Roads Service does not collect litter before grass verges are cut. Indeed, councils have responsibility for the collection of litter inside 40 mph zones. Therefore, councils largely accept responsibility for litter.

Mr McDevitt is not present to receive my answer to his query. I will give it anyway, if only to have it recorded in Hansard. He asked about biodiversity. Roads Service recognises that roadside verges are an important reservoir for flora and fauna, which benefit from freedom of disturbance. It also recognises that cutting them too early or too frequently during the summer, before flowering takes place, limits the conservation potential of roadside verges. In most instances, rural verges are cut only to the width of one swathe, which leaves the remainder of the verge to serve as a wildlife haven. That said, from time to time, some verges may need to be cut back to the full width to prevent excessive growth of brushwood and/or noxious weeds.

Where established areas of wild flowers are present in the verge, the timing of cutting operations may be varied from year to year in order to allow flowers to set seed. Such variations may not be possible in circumstances

in which that would obstruct visibility and be detrimental to road safety. Where a conflict arises, the need to ensure road safety will always be accorded priority.

The management of around 45,000 km of roadside verges is a mammoth task. It is simply not possible for Roads Service to know the unique characteristics of each and every stretch of verge. If Members consider any specific stretches to be unique, and that Roads Service may be able to consider cutting later in the season, they should let me or, indeed, their local depots know. We can certainly arrange for that information to be fed into Roads Service's maintenance office for consideration.

In conclusion, I hope that I have addressed all the concerns and points that Members have raised in the debate. As I said at the outset, I have asked officials to take note of Hansard so that if I have missed any points that Members raised, I will write to them.

The debate has been an opportunity to discuss the issue. I hope that my explanation on policy areas for Roads Service and the Housing Executive, and, indeed, for some areas where there is co-operation between those agencies and local government, offers people clarity about what governs the approach on the issue. That may reduce some of their frustration.

Miss McIlveen: Where my colleague Simon Hamilton performed the cutting on the issue, I have the pleasure of carrying out the raking and gathering.

Grass cutting may seem a minor matter. However, it causes a great deal of frustration among a significant proportion of constituents. Despite what Mr Leonard said, phone calls do not solve the problem. Despite the apparent frivolity of Members' comments, it is not a frivolous matter. It is a policy issue, and something that bamboozles constituents when one tries to explain why certain sections of grass can or cannot be cut. The fact should not be dismissed that between them, Roads Service and the Northern Ireland Housing Executive spent £8.5 million on grass cutting in 2008-09.

It has been a useful, if somewhat light-hearted, debate, scheduled at a time when the issue of grass cutting is by no means high on anyone's agenda — although it gave 'Good Morning Ulster' the opportunity today to give us all some advice on grass cutting during the winter. The

debate may allow the various agencies that are involved in grass cutting to take on board during the winter period, in preparation for the new season, some points that were raised.

The Assembly faces massive Budget cuts. We need to be imaginative when it comes to how savings can be made. This is just one small area in which that is possible. However, it is in such areas in which a little thinking outside the box — in this case, the grass box — can produce dividends to lessen the financial burden on the public purse.

The public is even more dissatisfied about grass cutting by public authorities than it is about savings. As has been highlighted, that is due to a number of factors, some of which have been outlined by colleagues. However, there is no harm in repeating them, since we have time.

5.00 pm

It is good to hear that we in the Ards area are not alone and that other Members have listened to complaints from constituents about grass cutting. We heard about grass being cut by the Housing Executive and Roads Service in different time schedules, and there is a natural consequence of different bodies carrying out such similar functions. Due to the movement of land between public bodies over the years, it can be split into strips between local councils, the Housing Executive and Roads Service. That means that patches of land can be left. We can see such a problem around Cherryvalley and Comber, where different parts are cut at different times of the year — if they are cut at all.

Public bodies adopt different policies on grass cutting, and, as my colleague pointed out and the Minister said, each public body will justify its service for different reasons, such as public safety or amenity. The number of cuts will differ between agencies and between rural and urban areas, but, at the end of the day, they are all cutting grass.

As for costs, it seems logical to have greater co-operation between bodies. It is financial madness for one contractor to come along one day to cut a portion of grass on behalf of Roads Service and for another to come along the next week to cut an adjoining piece of grass. Why can it not be done at the same time?

Beyond co-operation, there could be a unified contract. As my colleague Simon Hamilton

said, grass-cutting responsibilities could be transferred to councils, with associated costs following. Another ideal solution is the use of social economy enterprises. There are various models, but we could consider a locally based one that would engender a sense of community and pride and generate employment.

Fortunately, Members kept their contributions short. I will not rehearse everything that was said. I welcome comments from my constituency colleague Mr McCarthy and return the compliment, particularly in relation to aesthetics, litter, and so on. I welcome also my party colleague Sydney Anderson's comments about his area, which has many roundabouts.

I welcome the Minister's attendance, although he was not particularly helpful in trying to resolve the problem outlined by the motion or in addressing the frustrations of my colleague Simon Hamilton and others. It is also disappointing that he did not outline a pilot grass-cutting scheme for testing.

I thank all Members who contributed, and I thank the Minister. Although the motion focused on grass cutting, public bodies could look at savings in other areas. That could improve how areas are served as well as make savings. In difficult times lie opportunities. During this time of austerity, localities could benefit from improved services.

I commend the motion to the House.

Question put and agreed to.

Resolved:

That this Assembly encourages the Northern Ireland Housing Executive and the Roads Service to co-ordinate better the cutting of grass in public spaces for which both organisations are responsible; and calls on the two organisations to examine how they can develop a single, more efficient and effective service for the future.

Motion made:

That the Assembly do now adjourn. — [Mr Deputy Speaker.]

Adjournment

Healthcare Provision in East Down

Mr Deputy Speaker: Item 6 on the Order Paper is the Adjournment debate. I remind Members that the proposer of the topic will have 15 minutes in which to speak, and all other Members who wish to speak will have approximately six minutes.

Mr W Clarke: Go raibh maith agat, a LeasCheann Comhairle. I thank the Business Committee for choosing this important topic for debate. I welcome the Minister and thank him for attending. I also thank my colleagues from South Down and Mr McCarthy for attending.

Mr McCarthy: I am from Strangford.

Mr W Clarke: He is from Strangford; that is right.

Today's Adjournment debate on healthcare provision in South Down provides us with a unique opportunity to show a united front in opposing cuts to the Downe Hospital. The state-of-the-art building, which was officially opened in June of this year, is in danger of becoming obsolete if the South Eastern Health and Social Care Trust implements its proposals.

Plans to close the Downe Hospital were first mooted in the 1960s. Those plans were withdrawn in the face of widespread public outcry, only to be brought forward time after time by health managers. Throughout the 1970s, 1980s and 1990s, we witnessed protests, public meetings, marches, lobbying and letter writing on an unprecedented scale in a concerted bid by the community to ensure the future of the Downe Hospital. It was, therefore, a source of great satisfaction for local people that construction of the new hospital commenced in October 2006. It was hoped that that would herald a new era of healthcare provision for south Down.

The decision to develop an enhanced local hospital with enhanced services in Downpatrick, as opposed to a local hospital of an inferior standard as was initially proposed, was an outcome of the strategic review that was

undertaken in August 2000 by the then Sinn Féin Minister of Health, Bairbre de Brún. The Downe Hospital caters for a large rural and urban community and provides essential services for a diverse range of people who are entitled to quality healthcare on their doorsteps. Sinn Féin is determined to resist cuts to existing services and will not allow the people of South Down to be treated as second-class citizens for healthcare provision. Why should Downpatrick be treated as being less important than Dundonald or Lisburn? It is an equality issue, and the people of Downpatrick and the wider district deserve modern healthcare facilities.

Sinn Féin has been to the fore in defending the services provided at the Downe Hospital, including the enhancement of a 24-hour consultant-led accident and emergency department, a day procedure unit, an outpatient department, and maternity, rehabilitation and diagnostic services. We will continue to fight tooth and nail to ensure that those vital services are available to communities and, wherever possible, that they are enhanced.

In June 2009, we were told that the Downe Hospital would have a range of services in place, including a 24-hour consultant-led accident and emergency department, a day procedure unit and maternity services. We then learned that, in what was purely a cost-cutting exercise, the Downe Hospital would have reduced beds and cuts to services at its accident and emergency department. Sinn Féin will stand shoulder to shoulder with health campaigners such as Eamonn McGrady, the chairperson of the Down Community Health Committee, and Dick Shannon of the coronary care group to oppose the cuts.

The new £64 million hospital has the undoubted potential to provide the local community with access to a wide range of services, including a 24-hour consultant-led accident and emergency department. However, to achieve that, the Department of Health, in partnership with the South Eastern Trust, must honour its commitments and fund those essential services. Reports state that budget restraints and a shortage of middle-grade doctors to cover night shifts could lead to significant gaps in care provision. I challenge Minister McGimpsey to explain why the trust has not managed its budget better to save bed reductions and A&E closures in Downpatrick. Moreover, what has it done to promote the hospital and to recruit essential

staff, including middle-grade doctors? We need more, not fewer, services for the Down area.

In June 2010, as Minister McGimpsey was officially opening the new hospital, the trust made clear its intention to close a 15-bed ward at the hospital, to downgrade its accident and emergency department and to restructure its psychiatric services. It also wanted to allow GPs to staff the emergency department each night because of an alleged shortfall in A&E consultants. As Tom Smith, a former director of nursing at the original Downe Hospital, stated at the time:

“People are going to die — plain and simple. The trust has not properly thought this through.”

When Sinn Féin raised fears that the hospital's A&E department was at risk, the trust told us that it had no intention of closing it during night-time hours. Its denial was an example of bad faith by those charged with administering our healthcare, and many people to whom I speak believe that the role of health managers is now synonymous with dishonesty. Indeed, it was not so long ago that Sinn Féin broke the news that St John's House was to close, which the trust initially denied, despite the fact that its plans to close that important facility were at an advanced stage.

What the people of Down are being provided with is not what Bairbre de Brún envisaged when she announced funding for the new Downe Hospital during her term as Health Minister. Instead, the authorities — I include Minister McGimpsey in that — seem determined to strip Downpatrick of its health services. If that trend is allowed to continue, we will be lucky if we end up with more than a cottage clinic in a big state-of-the-art building that cost many millions of pounds to build. Let me be clear: Sinn Féin fully supports safety, quality, sustainability and the modernisation of health and social care services that can meet everyone's needs.

Reference was made recently to the provision of health services in England, and comparisons have been made with the ratio of population to acute hospitals and accident and emergency departments there, and the different ratios for the same facilities in the North of Ireland. Such references do not take into account the difference in density of population and the disparity in the quality of roads networks between England and the North of Ireland. Sinn Féin believes that the English model of

allocation of hospital and service provision by numbers of people is inappropriate in our circumstances

The trust's aim to provide local mental health services to local people seems already to have been abandoned in favour of a single facility based in Lisburn. The trust acknowledges that that is far from ideal but justifies the proposal on the basis that Lisburn is the largest centre of population in its catchment area. That is unacceptable and ignores the large minority of rural dwellers, particularly residents in Ards and Down council areas, who will have to travel significant distances to Lisburn to receive care. One has to bear in mind that the Downpatrick area is a neighbourhood renewal area with high levels of deprivation. It is widely known that people living in such areas have greater mental health issues.

Downpatrick may not be the largest centre of population but it is centrally located in the trust's catchment area and, therefore, it is equally accessible to all, including those in Lisburn, Ards and North Down. The result of the trust's proposals is that patients from Lisburn will have a facility on their doorstep and will also be within 10 miles of the same facilities in the Belfast Trust area.

In the consultation, the trust claims that that option is the only one available that offers the accommodation space required without the need for a new building, extensions or refurbishment. Where are the costings and equality impact assessments to support those claims? I suspect that the trust's decision to build first and to consult later may be a more truthful explanation.

Sinn Féin is also of the opinion that the trust, in developing these proposals, has not fully considered the benefits of refurbishing sections of the Downshire Hospital to accommodate acute psychiatric patients. Over the next few years, the Downshire Hospital site will become a public service campus that will see facilities shared by the trust and a number of key partners, all of which have a responsibility to help to support independent living and care in the community. The trust also claims that patients will have access to improved local mental health services and that fewer patients will require hospital admittance. That may refer to care in the community and, although Sinn Féin acknowledges the good work carried out

by community service providers, it has seen the difficulties that they face in funding and in gaining the co-operation of statutory agencies. If the trust is relying on the community and voluntary sector to meet the needs of patients, it should provide details of how that arrangement will work and how it proposes to manage and to evaluate those services.

Sinn Féin believes that mental health services and inpatient care should be retained at Downpatrick. The unit that still operates in the Downshire Hospital is recognised as a centre of excellence. The consultation document even suggests closing the unit, which suggests that the exercise is not about modernising or about quality healthcare, but simply about cutting costs.

The threat to A&E services at the Downe Hospital is well documented and of great concern to many people living across South Down. The closure of the unit at 10 pm each night presents a risk to the prompt treatment of patients, and it is difficult to understand the trust's rationale in proposing such a practice at a time when hospitals in the greater Belfast area struggle to treat patients within 12 hours and clearly suffer from an overload of work.

Sinn Féin draws the trust's attention to the fact that many GPs in the Down area have expressed their opposition to the proposal to limit accident and emergency services in that area. As Belfast's hospitals struggle to cater for demand in their traditional catchment areas, the trust's assertion that A&E in the Downe Hospital is unsuitable needs to be challenged. Sinn Féin contends that a properly resourced A&E in the Downe Hospital could be utilised to relieve stressed services in Belfast and to pick up on an overflow from the city. It takes as long to travel to Downpatrick from Belfast as in the opposite direction.

Go raibh maith agat, a LeasCheann Comhairle.

Mr Wells: Although I agree with much of what the Member for South Down has said, it is somewhat unfortunate that his speech contained seven or eight references to his political party. On Down District Council, of which I am a member, we always ensure that a unified approach is taken by the parties on this important issue and that we do not allow the future of healthcare provision in the Down district to become a political football. I speak as an MLA. I will not mention my political party, and

I speak as someone with a genuine concern for healthcare provision in the Down district.

When I was first elected to the Assembly, in 1982 — before some of the people in this Chamber were even born — the burning issue in South Down was the future of healthcare provision in the Down area. Here we are, 28 years later, and still the burning issue is the provision of healthcare in the area.

It is only as a result of the tenacity of the local healthcare committee and its ceaseless campaigning on behalf of the community that we are even having this debate tonight. I have no doubt whatsoever that, had it not fought the good fight for such a long period, we would long since have lost any form of adequate healthcare provision in Downpatrick.

5.15pm

Therefore, 28 years later, the issues are still very much the same. As the Member for South Down said, it is a much longer way from Belfast to Downpatrick than it is from Downpatrick to Belfast. Why do I say that? It is because consultants and senior clinicians have told me that it would be horrendously difficult for them to travel from the leafy suburbs of the Malone Road or Cherryvalley to Downpatrick. It is 25 miles, so they ask how on earth they could travel that distance every morning to carry out front line medical services in Downpatrick. Yet hundreds, if not thousands, of people living in Downpatrick are expected to commute the same distance to work in the Health Service in greater Belfast every morning.

The difficulty is that we in Northern Ireland still have a syndrome that makes us think that the world ends at Glengormley and Carryduff. We cannot persuade people to move to carry out essential services in rural communities such as Downpatrick. I will use an analogy of someone in the police to demonstrate. Say, for example, there is a senior superintendent in Newry. The Chief Constable asks him to move to Strabane, but he says that he will not move there because there is a better quality of criminal in Newry. He will say that there are more drug dealers, smugglers and thieves around, and that he can, therefore, hone his policing skills by practising over a much larger community. The Chief Constable would simply tell him that he is needed in Strabane and that he is going on Monday. However, we cannot seem to convince

senior clinicians and consultants to move to work in Downpatrick.

I believe that we should reach a situation whereby consultants who are employed by the trust or the board are sent to where they are needed. If we need extra consultants in Downpatrick, they should go to Downpatrick. At the moment, there are plenty of houses for sale there, so they could either commute or live there.

At the packed public meeting that was held in the Great Hall complex on the Downshire estate, I found it particularly disappointing to be told about the strenuous efforts that the South Eastern Trust had made to attract five senior doctors to work in Downpatrick. We were told that those efforts had failed. As a result, one man, whom I will name because I think that he should be praised for what he did — Colin McGrath, a councillor from Down District Council — asked some very searching questions under the Freedom of Information Act 2000. He discovered that the effort to obtain those extra doctors had been made only a few weeks before the public meeting. No effort had been made to try to attract senior clinicians to the hospital.

We were then told about the lack of activity that justified the downgrading of the accident and emergency department after 10.00 pm. We also then discovered that many ambulances were ordered to drive past the front door of Downe Hospital either to take patients to Lagan Valley Hospital or to the Ulster Hospital. That is simply not good enough. The people of Downpatrick, in that part of South Down, have as much right to a high-class medical care system as the people of Belfast and the greater Belfast area.

The appalling decision was made to move acute psychiatric care out of Downpatrick into Lisburn, even though there is over a century and a half of experience of dealing with that very issue in the Down community. Why do we not build on that and use those skills, rather than move into the congestion of Lisburn? Far too many services are being moved into greater Belfast. Far too many of those areas are difficult to get access to when we have this excellent facility.

It is a crying shame. This wonderful building, which we are very proud of, had a contract cost of £64 million, yet anyone who went there today would see empty car parks and a lack of throughput. The council demanded that, when that building was constructed, it should have the capacity to hold all new services so

that, as political campaigns were won to bring new services to the Downe Hospital, we could add them very easily. What in fact happened was that a tidal wave of services moved out of Downe Hospital.

Every day, the local press reports more threats to services. That is simply not good enough, and it has to stop. We must utilise every corner of that excellent building. We must also utilise the tremendous experience of Health Service provision that we have built up in the Downpatrick and greater Down area. It is a waste not to make best use of that £64 million investment. Speaking as a member of Down District Council, I can say that the council is unified on this issue. However, I make an appeal to people. Although it may read well in local papers, such as the 'Down Recorder' or the 'Mourne Observer', that a party demands this or that, why do we not simply say that this is what people in the community, the ordinary man on the street in Downpatrick and those in the greater Down area want?

Mr Deputy Speaker: Draw your remarks to a close.

Mr Wells: We should not make the issue a party political football.

Mr McCallister: I welcome the debate. It probably should have been a main debate and the grass cutting motion should have been the Adjournment debate. I congratulate Willie Clarke on securing it. It is sad that he made it into such a party political event by demanding this and that. It is an awful pity that he does not quite match up to his record of demands when he votes on Budgets and on whether to protect and to defend health services. He votes slightly differently to how he spoke during the debate that he secured today.

I, like others, pay tribute to the work that was done over the years by many campaigners for the hospital. It is to their credit that we have such excellent facilities in Downpatrick. I am as supportive as anyone of the need to keep those in place and to fight to protect those services. As regards the current consultation, the two big issues that affect the Downe Hospital are changes to the A&E set-up and the psychiatric unit. Mr Wells made a very strong case for keeping the psychiatric unit and the expertise that has been in Downpatrick for almost 150 years.

I have said consistently to the trust that it has to build public confidence if it wants to make changes to the A&E services. It has to prove to the public that it can make those changes, that they will work and that they will meet the needs of the local community. There is no point in trusts coming up with grand schemes if they cannot deliver the goods when they are put to the test. The challenge for the South Eastern Health and Social Care Trust is to build up confidence that the changes will work for Downpatrick and that it will deliver a high standard of care.

I have looked at and dealt with the issues in my work as a Member for South Down. I pay tribute to the many groups, such as the Down community health committee and the Down coronary care group, that have campaigned and worked with elected representatives here and at council level. Those important groups lobby us all to make sure that we give the representation and the effective leadership that we are here to provide. I have had many meetings with those groups and arranged meetings between them and the South Eastern Trust, the Ambulance Service Trust and my colleague the Health Minister. Good information has been gleaned from those meetings.

As the debate is about the wider issues of health provision in South Down, I draw your attention, Mr Deputy Speaker, to some of the concerns about ambulance cover. If the A&E model is changed, some people are concerned about whether there will be appropriate ambulance cover. If an ambulance is tied up with a call to Belfast, will that reduce the cover and increase the risks for people in east Down? We have to find answers to those questions to give the community confidence that those issues have been taken seriously and have been dealt with.

Willie Clarke spoke about health inequalities. Equality is the buzzword for Sinn Féin. I have to say to Mr Clarke that no other Minister has done more to address health inequalities. Although some people wanted to vote against setting up a dedicated Public Health Agency to address health inequalities, the Minister persisted with it and it has started to deliver real change on the ground. Communities in the constituency now benefit from that agency as it looks at the overall differences in life expectancy between our more affluent areas and our more deprived ones.

It often goes unsaid in some of these health debates that Health is the one Department in the Executive that has delivered on all its review of public administration (RPA) commitments, unlike the chaos that we have seen in our other colleague for South Down's Department. Therefore, the Health Department has delivered on this and on the challenges that go with that.

The Minister has a huge commitment to the model that we have in Downpatrick, that of an enhanced local hospital with centralised specialities —

Mr Deputy Speaker: Will you bring your remarks to a close?

Mr McCallister: That is vital to the people of Downpatrick. I support improved health provision for east Down in the strongest possible terms, and I commend the Minister's work and his interest in Down. I am sure that you are going to give me that minute that I banked earlier today, Mr Deputy Speaker.

Mr Deputy Speaker: I am not, actually.

Ms Ritchie: I, too, welcome the Adjournment debate. When we talk about health provision in the east Down area, we have to think of the constituency of South Down. Given that constituency's rural nature, it is a fact that services in east Down impact greatly on Health Service provision throughout the wider parliamentary constituency.

I also pay tribute to all the campaigners, both political and community, over the past 40 years. They include, since 1984, the Down Community Health Committee and the Down cardiac support group. Both groups have representatives with us today in the Chamber.

However, when we talk about Health Service provision in east Down, we are not talking solely about the Downe Hospital and the Downshire Hospital. I imagine that we also want to talk about Home-Start; the new ambulance and emergency services provision, which is to be based on the Downshire site, adjacent to the new £64 million hospital facility; and the potential that there should be for a new health centre to replace the one in Pound Lane in Downpatrick that was burnt a couple of years ago. All avenues of health must be adequately catered for to ensure that we have not only equity but equality of provision to mirror what our neighbours in Belfast receive.

I believe that there is an onus on the Department of Health to deal with the South Down constituency on the basis of need. Ours is a rural population at the extremities of Belfast city services. We also have the added population of tourists. The accessibility of front line services is key when looking at east Down and South Down as a whole. Increasing traffic volumes, poor transport links and inadequate public transport systems to city centre health services mean that front line Health Service provision must be accessible to rural towns in the constituency.

Many will be aware of the serious situation that faces the Downe Hospital. I have to say that the draconian, centralist philosophy that impacts on service provision does not only emanate from the Department and the trust; it existed prior to devolution. It has been the position of the Royal Colleges, with which they impacted and influenced the Department. That must be taken on board. It has existed for decades.

I have referred to Home-Start, and I simply say to the Minister that it is important to continue that provision in Downpatrick, Ballynahinch, Newcastle and Kilkeel because it ensures that many families are able to cater for their children at home, with the support of an outside mentor or individual who is family friendly. That means that there is a saving and a cost to the wider Health Service budget. I honestly believe that it is deeply unfortunate that that centralist philosophy is ensuring that services are being removed from the Downe Hospital.

In the week in which the Minister opened the new Downe Hospital, on 17 June, a medical ward of 15 beds was closed. That was foolhardy and unacceptable to the community in Down and Mourne. Then, we had the trust's proposal — it is still a proposal — to relocate mental health provision from the Downshire Hospital to the Lagan Valley Hospital, when all the expertise and background history exists in the Downshire. Many of our families and forefathers worked in the Downshire Hospital. In fact, I am a product of it myself, as are many of my peers, and we were very glad of that public service employment opportunity.

5.30 pm

Given that patient and hospital costs are probably the same in all south-eastern area hospitals, why cut and remove services from the Downe Hospital in order to place them

elsewhere? The only answer that I can come back to is that centralist philosophy to locate everything in Belfast, which removes rural communities' access to front line services. I have to say that that is totally unacceptable.

I appreciate that the Minister will say that he cannot comment in advance of next week's trust board meeting, which was moved to next week because they wanted to await the decision on the comprehensive spending review and the Budget. So far, no decision on the Budget has been forthcoming, and I am sure that we will not have it by next week. With the Budget not agreed around the Executive table, how exactly do the health authority, the Department and the trust see themselves having a clearer picture next week? They cannot possibly do that. The answer is that they do not require a clearer picture.

Mr Deputy Speaker: Bring your remarks to a close.

Ms Ritchie: Acting collectively, we — the community of Down and Mourne — will continue the campaign to ensure that we have full access to local health services, because, for us, equality of outcome means equality of geography.

Mr McCarthy: I shall be brief. Much has been said by South Down Members. I congratulate Willie Clarke on getting this important subject on to the Floor of the Assembly. Indeed, I congratulate all his MLA colleagues, for the simple reason that today's discussion may result in a better health service in east and south Down.

My opinion as the Alliance Party's health spokesperson is that health provision should be the number one priority. It was in the last Assembly, although it has dropped somewhat in this one. Nevertheless, I maintain that it should be number one, because, if people do not have good health, we do not have a good community or society. Every person — man, woman or child — is entitled to easy access to healthcare when they need it, whether primary care, a GP service, the Ambulance Service or a hospital service.

As others have done, I pay tribute to the people of south Down for their hard work and dedication in saving their local hospital over many years. Somebody mentioned 40 years; it is probably around 40 years. They have campaigned, and they deserve credit. Over so many years, those residents stuck together to

campaign tirelessly for the retention of good hospital provision in their locality.

I also pay tribute to the Health Department for recently providing a brand new £64 million hospital in Downpatrick. Although, at this moment in time, the hospital may not provide everything that local people would have wished to see, at least it is in Downpatrick, and it is up to us all to see that it is used in the best way possible for the local population.

I have listened to the new hospital's management speaking about the difficulty, which other MLAs mentioned, of attracting qualified staff. Although they consulted recently on the best way forward, I am not aware of their final decision, and, to pick up on what Margaret Ritchie said, the decision arising from that consultation has not yet been made public. However, I hope that, when the outcome of that consultation and the decisions that are taken are made public, they will give residents confidence that health provision will continue in their locality in order to prevent suffering and, hopefully, save local lives. I look forward to the Minister's response.

Ms Ruane: Go raibh maith agat, a LeasCheann Comhairle. I commend my colleague Willie Clarke for securing this debate. Sinn Féin is ready to play its role in defending front line services with every other party. I note that the DUP Member for South Down has left the Chamber. That is a pity, because our time would be better spent dealing with the issue of hospitals rather than attacking the person who brought this important topic to the House. Willie Clarke is not making a political football of the issue; Jim Wells brought the politics into it. I dissociate myself from Jim Wells's comments about the people of Newry and Strabane. Those people are law-abiding and good citizens.

My party is ready to play its role in an all-party approach to defending important services. In June 2010, in its consultation document entitled 'Safety, Quality and Sustainability: Modernising Health and Social Care Services in the South Eastern Trust', the trust listed the following commitments for the future delivery of services: local services for local people that are outcome-focused; safe, high-quality and sustainable services; innovation in service developments; promotion of equity; improving and sustaining health and well-being; person-centred services; integrated services; and value for money. My

party and I support all those commitments. It is difficult to see how anyone could disagree with them. However, in a speech about Developing Better Services, Minister McGimpsey stated:

“I am aware of the difficulty in access times to acute services for people living in the area of the Downe Hospital. Developing Better Services suggested that this hospital should have an additional range of services to support a 24 hour Accident and Emergency unit, capable of providing resuscitation and emergency coronary care and a consultant led in-patient medical service. I have considered the proposals for the Downe carefully and I am persuaded that these proposals are necessary to provide a level of service appropriate to the needs of the area.”

I absolutely agree with the Minister on those comments.

I hope that we do not get excuses about tough economic times. Of course we have tough economic times. I speak as an MLA in this debate, but in my Department I have difficult decisions to make. Nevertheless, we should not cut front line services in areas of high social need. My colleague Willie Clarke mentioned targeting social need: Downpatrick is a targeting social need area.

I hope that John McCallister’s opposition to cuts in front line services is not confined to taking part in this debate. I hope that, as deputy leader of the UUP, he will lobby the Minister strongly, and I look forward to his efforts to ensure that those policies will not be brought forward in the way that the consultation suggests.

Sinn Féin will resist any attempt to cut funding to the Downe Hospital. My party fully supports health workers employed there. For too long, South Down has been treated like a rural backwater, which has resulted in a lack of proper investment in a range of essential services. That needs to be addressed in a number of different ways. In recent months, I have met representatives of UNISON to discuss the impact of cuts on essential services and how they affect front line staff at Downe Hospital. John McCallister mentioned the health sector’s response to the RPA, and I welcome that. However, it is a bit rich to slate me for not bringing forward the RPA in education. The reality is that I did bring it forward. Whose party blocked the discussion of that issue and the implementation of the RPA? Let us

be very careful before throwing out incorrect information.

Representatives from UNISON made clear their concerns that the coronary department in the new hospital is to be downgraded to a rehabilitation unit within a medical ward. If that happens, the coronary unit will have a mixture of patients, and that will have serious implications for anyone who is being treated for a coronary condition. It will also mean that nurses will be expected to care for a range of patients who suffer from acute illnesses in what is meant to be a specialist ward. It is completely unacceptable, and they should not be put in that situation.

Journey times to Dundonald for many in the Down area are simply far too long to expect a person with a coronary illness to travel. I absolutely share Jim Wells’s view that it is not good enough for consultants to say that they will not work in the Downe Hospital even though people are expected to travel into the Belfast area. That is totally unfair. The Downe Hospital accommodates people from as far away as Annalong and Kilcoo and, as my colleague Kieran McCarthy said, from all over the constituency and outside it. We need to continue to invest in the Downe Hospital.

The freedom of information request was referred to. Hugh McCaughey from the trust told us that it had advertised extensively. It is not extensive to advertise once in three local print media sources. That does not constitute an extensive recruitment campaign, and it highlights the inaccuracies —

Mr Deputy Speaker: Bring your remarks to a close.

Ms Ruane: — deliberate or otherwise, that shape the trust’s proposals. This is an equality issue, and equality standards must be met. It is very important that a full equality impact assessment is carried out, and I have written to the Equality Commission about that.

The Minister of Health, Social Services and Public Safety (Mr McGimpsey): I welcome the opportunity to speak about health services in the east Down area, and, bearing in mind that Northern Ireland has an integrated health and social care system, we must not overlook the excellent services that are provided in social care. Too often, debates in the Chamber focus on a particular health facility or on an individual service. The title of today’s debate allows me to

highlight the breadth of healthcare services that the health and social care service provides.

Members know that I am committed to developing and improving the health and social well-being of people throughout Northern Ireland. My key priority is to ensure that everyone in Northern Ireland has access to sustainable quality health and social care services. Our health services must deliver the best treatment and care, whether in local communities, hospitals or in people's homes. The way in which our health services are delivered is evolving, as it must if we are to meet the expectations of the public and the challenges presented by growing demand and a shrinking budget.

In an area such as east Down that has a substantial rural population, access to services is, naturally, an important issue for the local community. Most healthcare is carried out by GPs and other primary and community care services. Those services are the cornerstone of our health and social care system, which is about healthcare professionals delivering care in local towns and villages and in people's homes. That includes GPs, dentists, pharmacists, ophthalmic practitioners, district nurses, community nurses, allied health professionals, social workers and home helps — there are too many to list. However, all of them provide care and treatment to people in the local community. An extensive range of services is based in the community for people with long-term conditions such as heart disease, diabetes or stroke. Those services help to ensure that people are able to manage their condition and mean that people can be treated closer to home and can avoid unnecessary hospital admissions.

Acute hospital services are at the far end of the healthcare spectrum. Let me be clear that our hospitals do not exist in isolation from one another. We are long past the stage when a single local hospital can deliver all the secondary care needs for the people who live in its geographical catchment area, and hospitals do not exist independently of primary and community healthcare. Indeed, they work together to ensure seamless care so that a patient can be treated in the appropriate place and transferred from one part of the service to another with minimum fuss to them. My aim is for the Health Service to deliver equity of outcome, not equity of geography. People who live in the east Down area have access to

general acute hospital services in the Ulster Hospital, and Ards Community Hospital and Downe Hospital provide a range of services locally. Indeed, the new Downe Hospital is the latest significant investment in healthcare in east Down, at a cost of £64 million. It provides inpatient services, including mental health and dementia services, a consultant-led emergency department, a day procedure unit and outpatient, rehabilitation and maternity services. The unit operates 24 hours a day, seven days a week. It provides high-quality care that is tailored to the needs of women for whom a normal labour and delivery is anticipated. It has access to the specialist and regional services that are also provided by Belfast hospitals. Sometimes, that means that patients may have to travel to Belfast for treatment, particularly for specialist services, but the services can often be provided locally in outpatient clinics and day case sessions.

5.45 pm

One of the main concerns for people is rapid access to healthcare in an emergency, and, to that end, I have invested substantially in the Ambulance Service, which is on the front line of emergency medical care. East Down falls within the south-eastern local commissioning group. Provisional figures for the end of October indicate that 70% of category A life-threatening calls were responded to within eight minutes. That performance is well above the target for individual LCG areas, which is that, by the end of March 2011, no less than 67.5% of category A calls should be responded to within eight minutes.

On 4 June 2010, the South Eastern Health and Social Care Trust launched a public consultation on proposals to modernise the services, and that consultation has been much debated today. The proposals affect mental health services, physical and learning disability services and emergency care across the whole trust area and include particular proposals for the emergency department for Downe Hospital. I know that many people are concerned about the prospect of services being changed, fearing that any change means a poorer service. I have received a number of letters from the public, and I am aware of the strength of feeling.

As Members are aware, the South Eastern Trust is due to hold a board meeting on the issue to consider final proposals, and, after that, the

trust's plans will be presented to the Health and Social Care Board and the Department. I cannot interfere with that public consultation. I would not wish to do so, and Members will understand that I am not in a position to discuss in detail the trust's proposals. However, the board meeting will be held in Downpatrick specifically because of the strength of feeling in the area, and that is why the date was picked and moved. It had nothing to do with the CSR; no one in the trust board believes that a Budget will be agreed by next week or the week after.

Ms Ritchie: Will the Minister accept that the trust board meeting was postponed by one month because of the publication, a month ago, of the comprehensive spending review? It is my clear understanding that it did so because it would be better informed when it came to a trust board meeting on which it could make decisions and recommendations to the Minister and the Health and Social Care Board.

The Minister of Health, Social Services and Public Safety:

I accept that that is what the Member says. I am not in a position to comment either way, other than to say that the trust will hold its board meeting in Downpatrick specifically because of the concerns and the strength of feeling in that area. Ms Ritchie also talked about Downpatrick being at the extremities. Downpatrick is 20 miles from Belfast, and I would not call that an extremity. It takes 25 minutes to get to Belfast by blue-lamp ambulance. That is not an extremity.

I was grateful to hear Mr McCarthy say that he believes that health should be the number one priority. I agree with him. It is unfortunate that, on three occasions, the Alliance Party has voted to cut the health budget. I agree with Ms Ritchie that all avenues of health must be catered for adequately, and I also agree that we need to address need. We also need to address need equally across the Province. There has to be equality of provision across the Province, and I aim for that. That does not mean that every town will have a hospital or that every town will have an acute hospital. We aim to provide a modern health and social care service for the population.

I was interested to hear Ms Ruane talk about equality impact assessments. I agree with her that we need to look at equality. However, Sinn Féin voted on three occasions to cut the health budget, and I cannot see how anybody

who votes to cut the health budget believes in equality. It must be borne in mind that the health and social care service is provided primarily for the most vulnerable, the elderly and the youngest members of the population. To me, it seems wrong to cut budgets that specifically address the needs of the vulnerable sections of society.

Ms Ruane talked about Sinn Féin being ready to play its part and to resist funding cuts: hallelujah. I have longed to hear Sinn Féin say that. It voted to cut the health budget not once, not twice but three times. It seems that Sinn Féin is now declaring that it is for protecting the Health Service and health and social care provision. I stood in the House not so long ago and explained that cuts to the health budget over the CSR period would mean not only radical changes to service but closures and job losses. I was being serious and was not scaremongering. I am glad that Sinn Féin, through one of its Ministers, is now declaring that it is ready to play its part and to resist funding cuts. I welcome that remark.

Willie Clarke spoke about the quality of the roads around Downpatrick. His Minister is responsible for the quality of those roads, so I cannot speak about them. Nevertheless, I can say that the regional hospitals — the Royal and Belfast City Hospital — are 25 minutes away from Downpatrick by blue-lamp ambulance. Therefore, Downpatrick is by no means at the extremities of care.

I assure Members that I will look carefully at the trust's proposals, which will come forward to the Health and Social Care Board and to me. As far as I am concerned, any changes must ensure that the people of east Down and elsewhere in the South Eastern Trust area continue to have access to health and social care services. It is not proposed that A&E provision will change; it will continue to be a 24/7 service. However, in the hours after midnight, it will be a minor injuries service. Of the nine people on average who visit the hospital on any given night, seven have minor injuries. We are, therefore, talking about two people needing to be transferred to an acute hospital. The British Association for Emergency Medicine recommends that an A&E unit have on-site acute medicine; a critical care unit; imaging, including 24-hour CT scanning; laboratory services; paediatrics; and surgery.

Mr Deputy Speaker: Bring your remarks to a close.

The Minister of Health, Social Services and Public Safety: Thank you, Mr Deputy Speaker.

I can ensure that all of that is provided through the night for two patients. However, Sinn Féin, the SDLP and the Alliance Party must start to stand up for the Health Service, so that the funds required are provided.

Adjourned at 5.53 pm.

Committee Stages

Northern Ireland Assembly

Committee For Enterprise, Trade and Investment

4 November 2010

Energy Bill (NIA 23/09)

Members present for all or part of the proceedings:

Mr Alban Maginness (Chairperson)
Mr Paul Butler (Deputy Chairperson)
Mr Paul Frew
Mr Paul Givan
Mr William Irwin
Ms Jennifer McCann
Mrs Claire McGill
Mr Gerry McHugh

Witnesses:

Mr Fred Frazer	<i>Department of</i>
Ms Irene McAllister	<i>Enterprise, Trade and</i>
	<i>Investment</i>

The Chairperson (Mr A Maginness): I invite the Committee Clerk to take the Committee through the issues that have been raised in relation to clauses 10, 14 and 35. For each clause, when the Clerk has outlined the conclusions on issues raised during consultation and the Department's response, I will ask members whether they have any further issues.

The Committee Clerk: Clause 10, entitled "Damage to gas plant", establishes a criminal offence in respect of persons who intentionally or negligently damage gas equipment. It also allows gas companies to disconnect premises and/or remove gas meters in those circumstances.

The Consumer Council is concerned about the term "culpable negligence", because it implies that a person is guilty of an offence if they do nothing to stop another person damaging their meter. Therefore, they would be negligent as a result of someone else's actions. Following consideration of the draft Bill

at the meeting on 14 October, there were still some concerns about that aspect of clause 10. In its response to the Committee, which is included in members' papers, the Department reiterated its position that the Office of the Legislative Counsel (OLC) believes that "culpable negligence" denotes a high degree of negligence and merits criminal sanctions. It is more commonly referred to as gross negligence. The OLC advised that amending the clause would result in gas provisions being out of line with electricity legislation. Therefore, the Department considers it desirable to retain clause 10(1) as originally drafted.

The Committee agreed to ask the Consumer Council for its views on the Department's response. The Consumer Council's view is that, to justify its inclusion in the Bill, the term "culpable negligence" requires clarification about how it would be applied in practice. The Committee Office suggested to the Department that it may be helpful to provide a definition of the term "culpable negligence", and DETI and energy industry officials sought further advice from the OLC on the issue. They were advised that there is no precise legal definition of "culpable negligence", which denotes a high degree of negligence, merits criminal sanctions and is perhaps more commonly referred to as gross negligence.

Also at the meeting on 14 October, the Committee noted that the Department had agreed to amendments to clause 10(1). The Department intends to move those amendments at Consideration Stage. The proposed amendment to clause 10 is in annex 3 of the Department's response to the Committee, and members may wish to consider whether they are content, first with the proposed amendment to clause 10 and, secondly, with clause 10 as amended.

The Chairperson: Are there any issues arising?

Ms J McCann: Although I am not going to go into it again, I still have a difficulty with "culpable negligence". I think that it should be "intentional damage" only.

The Chairperson: OK. You have expressed that view on previous occasions. What is the best way to proceed? Mr Frazer or Ms McAllister, do either of you have a view on that?

Mr Fred Frazer (Department of Enterprise, Trade and Investment): If it is of any help to the Committee, we had to think about the practical

outworkings of that clause, and we spoke to the respective gas companies. You mentioned the OLC response that we provided and the fact that there is no specific definition. However, in line with the OLC response, our understanding is that “culpable negligence” is the same as “gross negligence”. The gas companies advised us that the police, rather than the gas companies, will take any prosecutions. There must be sufficient evidence to take a case of culpable negligence against someone, and, to be convicted of it, a significant degree of negligence must be proved. The gas companies consider that it would be difficult to pursue a householder or tenant if damage was done to their gas plant if it was external to a property or in an open or common area in a block of apartments or flats. If the meter was in such an open area, any damage could be the result of vandalism and it could not be proved that the owner of the meter had caused that damage, and that is also the case for external meters. The gas companies have advised us that if damage was caused to someone’s meter, they would expect that damage to be reported to the proper authorities and they would understand and take that into account.

Our understanding is that the prosecutions are taken by the police rather than the gas companies, which only pursue cases of restitution of costs for non-payment of gas. I do not know whether that is helpful to the Committee in trying to understand the practicalities.

The Chairperson: Ms McCann, you heard the response from the Department officials. Are you still minded to proceed in the way that you suggested?

Ms J McCann: Yes.

The Chairperson: OK. There are two options: we can put the matter to a vote today; or Ms McCann could bring an amendment at Consideration Stage to delete the phrase “culpable negligence” from the clause.

Ms J McCann: I could do both.

The Chairperson: You could. If you were to lose the vote in the Committee today you could table an amendment at Consideration Stage. We could proceed to a vote now.

The Committee Clerk: The vote will be taken when we move to formal clause-by-clause scrutiny of the Bill.

The Chairperson: Yes. Members should be aware that that vote will be taken. We will proceed with the rest of the briefing.

The Committee Clerk: Clause 14 deals with powers of entry. That clause concerns the statutory powers for licensed gas companies to enter premises. At its meeting of 14 October, the Department addressed the Committee’s concerns about the terms “reasonable suspicion” and “meter tampering”. The Department responded that, on the basis of legal advice received, it believes that it is not necessary to change the wording of the Bill, as the current wording gives rise to a power of entry to carry out inspections that is not limited by reference to any particular purpose for the inspection.

Concern was also raised at that meeting about the potential danger of alerting an occupier to the fact that permission would be sought from a justice of the peace to enter premises and determine whether a gas plant was interfered with. In its response, the Departments stated that the Gas (Northern Ireland) Order 1996 stipulates that when a gas company applies for a warrant to enter premises, the justice of the peace must be satisfied that:

“the consent of the occupier has been refused or seeking that consent would defeat the object of the entry”.

OLC has confirmed that the existing provision provides that a gas company does not need to inform the occupier if to do so would defeat the purpose of entry. In such a case, the gas company can seek to obtain a warrant under clause 14(1)(a) and enter the premises without any advance notice to the occupier.

The Chairperson: Are there any matters arising?

Mr Frew: That is common sense and a good tool. Leslie Cree and I spoke about that last week.

The Chairperson: Are members content?

Members indicated assent.

The Committee Clerk: Clause 35 is entitled “interpretation”. The Department informed the Committee that it intends to bring forward a minor drafting amendment to clause 35 to correctly reflect the name of the Northern Ireland Authority for Utility Regulation. It is as

follows: “In clause 35, page 23, line 40, leave out ‘energy’ and insert ‘utility’.”

The Chairperson: Is that agreed?

Members indicated assent.

The Chairperson: I will now move through each clause and the schedule and seek the Committee's position on each.

Is the Committee content with clauses 1 to 9 as drafted?

Clauses 1 to 9 agreed to.

Damage to Gas Plant

The Chairperson: We are at clause 10. I will read out the amendment that is proposed by Ms McCann to clause 10. It states:

“In clause 10, page 6, line 40, leave out ‘or culpable negligence’.”

The question is that the amendment be made. Will colleagues indicate which way they want to vote?

Mr Frew: If we leave out “or culpable negligence”, what will go in its place?

Ms J McCann: “Intentionally damages” is already there.

The Chairperson: I will just go through this again to reflect the amendment. The amendment proposed is: In clause 10, page 6, line 40, leave out “or culpable negligence”. The Question is that the amendment be made.

The Committee divided: Ayes 4; Noes 2.

AYES

Mr Butler, Ms J McCann, Mrs McGill, Mr McHugh.

NOES

Mr Frew, Mr Givan.

Amendment accordingly agreed to.

The Chairperson: The amendment has been agreed by the Committee. The Question is that the Committee recommends to the Assembly that clause 10 be amended as agreed by the Department as follows.

In clause 10, page 6, line 40, leave out “negligence” to “conveyor” in line 41 and insert:

“(a) damages or allows to be damaged any gas plant provided by a gas conveyor

(b) alters the index of any meter used for measuring the quantity of gas conveyed or supplied by a gas conveyor or a gas supplier; or

(c) prevents and such meter from duly registering the quantity of gas conveyed or supplied.

In clause 10, page 7, line 3, leave out subsection (1) and insert subsection (1A).

In clause 10, page 7, line 14, leave out “or disposal” and insert “disposal or repair”.

Are Members agreed?

Mr Givan: What is it that we are agreeing to? Sorry, I am not quite with you.

The Chairperson: Effectively, the Committee raised points about meters and interference with meters. The Department took on board some of the points that the Committee made and, as a result, came back with the amendments that I just read.

Mr Givan: So this is just agreeing to what the Department said that it would agree with the Committee on?

The Chairperson: Yes.

Mr Givan: Thank you.

The Chairperson: Are members content?

Members indicated assent.

Clause 10, as amended, agreed to.

The Chairperson: I will move on to the next part of the Bill. Is the Committee content with clauses 11 to 23 as drafted?

Clauses 11 to 23 agreed to.

Restrictions on voluntary winding up

The Chairperson: The Question is that the Committee recommends to the Assembly that clause 24 be amended as follows, as proposed by the Department: Page 16, line 8, leave out “leave” and insert “permission”.

Amendment agreed to.

Clause 24, as amended, agreed to.

The Chairperson: Is the Committee content with clauses 25 to 34 as drafted?

Clauses 25 to 34 agreed to.

The Chairperson: The Question is that the Committee recommends to the Assembly that

clause 35 be amended as follows, as proposed by the Department: In page 23, line 40, leave out “energy” and insert “utility”.

Amendment agreed to.

Clause 35, as amended, agreed to.

The Chairperson: Is the Committee content with clauses 36 and 37 as drafted?

Clauses 36 and 37 agreed to.

Schedule

The Chairperson: Is the Committee content with the schedule as drafted?

Schedule agreed to.

Long Title

The Chairperson: Is the Committee content with the long title as drafted?

Long title agreed to.

The Chairperson: The draft report of the Bill will be considered at next week’s Committee meeting.

Northern Ireland Assembly

Committee for Social Development

4 November 2010

Caravans Bill (NIA 17/09)

Members present for all or part of the proceedings:

Mr Simon Hamilton (Chairperson)
Ms Carál Ní Chuilín (Deputy Chairperson)
Mr Sydney Anderson
Mrs Mary Bradley
Mr Mickey Brady
Mr Jonathan Craig
Mr Alex Easton
Ms Anna Lo
Mr John McCallister
Mr Fra McCann

Witness:

Mr Stephen Martin *Department for Social
Development*

Clause 8 (Particulars of agreements)

The Chairperson (Mr Hamilton): With us today is Mr Stephen Martin from the Department for Social Development.

Mr McCallister: I declare an interest and will speak as the Bill's sponsor. There was some criticism during the Second Stage debate on the Bill that it did not go far enough in protecting rights. The proposed amendment to the Bill that deals with qualifying residents' associations was an attempt to give people who wanted to form a group that site owners must recognise the right to do so.

In conjunction with the Bill Office and the Bill Clerk, we have attempted to achieve a balance in drafting an amendment that is neither too draconian nor could be criticised by some as being completely toothless. Achieving that balance has been difficult, but we believe that this can have a positive effect. We wanted to

copy the Committee in on any drafts of the proposed amendment to establish whether the Committee feel that this is worth pursuing. We also wanted to take the Committee's view on whether the amendment adds to the Bill and to the rights of those in the holiday sector.

The Chairperson: I want to hear the Committee's view on this matter, and establish whether, in general, it wants to pursue the matter. It may be that if we do want to do so members will have to express an opinion through a vote, but we will do that at the appropriate stage. At this point, I am asking members whether Mr McCallister's proposal is something that we want look at, and I would like to gather individual and collective views on the two proposed amendments that are before us. I will take members' opinions, and, if it looks like there is agreement, we can pursue one or other of the amendments or reject them. Is that OK?

Members indicated assent.

Ms Ní Chuilín: My party colleagues and I favour the second proposed amendment. Even if the powers are never used, it is better to be looking at them rather than looking for them.

Mr McCallister: As a member, I support Caral's view on the second proposed amendment.

The Chairperson: The second proposed amendment is about consultation, but also includes possible remedy through the County Court.

Mr Craig: I have concerns about the whole concept of consultation. I think it would be better to come back to the first proposal. I have doubts about how all this will work out, and my gut feeling is that no matter what we do here, we will probably end up revisiting the legislation in a year or two. My fear is that the concept of consultation could be read in any way. For example, site owners might drop a note around caravan owners to say that they are going to do a, b and c.

I know what is being said about the costs of the County Court: quite frankly, most caravan owners will not have the ability to go to the County Court to make challenges. I would far rather leave this matter for a sensible period of time so that we could look at the outworking and determine whether people have consulted in a meaningful way. I know that the matter will be left in the hands of DETI. Although that is a

bit concerning, it will at least be in the hands of locally- elected representatives to reconsider and redress the situation and come up with more meaningful legislation on the definition of “meaningful consultation with caravan owners”. I do want to close that door. Too many bad experiences with caravan site owners have led me to that thought.

Mr F McCann: As I said in closed season — and it was echoed throughout the Committee — there have been some very bad practices across the sector, especially on seasonal sites. At that stage, I thought that we were going to try to close the loopholes that allowed that to happen. As we moved on, the seasonal sector was left behind in order to push the main thrust of the Bill. If Jonathan believes that at this stage we need to include additional provisions to better protect seasonal site owners, we would look at that favourably. That is one way to do it. However, if that is not the case, people who have a disagreement with a site owner may choose the court option as the only way to challenge rather than wait two years or three years down the line. As Jonathan said, DETI’s record in bringing cases leaves a lot to be desired. Therefore, the second proposed amendment gives added protection to seasonal caravan owners and may make a site owner think twice before not listening to their points of view.

Mr McCallister: My worry is that if we do not include something in the Bill now, the chances of the Assembly revisiting the matter are slim. People probably talked about this issue in this building in 1963 and said that they would come back to it. However, we are only getting to it 47 years later.

I think that it is easier to —

Mr F McCann: Who is to say that any of us will be here next year?

Mr McCallister: That is why I believe we have the chance to do something now.

On Jonathan’s point about court action, I accept that it is difficult for individuals to take the court option. However, if people were formed into a group, that option would be much more realistic for them and would be within the grasp of ordinary people and families.

Ms Lo: I agree. There is no point in waiting a few years to see how the situation develops. If we have the chance to increase protection now,

it is better to do so. The Bill, at least, sets out the obligations under which site owners must operate. Hopefully, that will mean that there is better practice from now on and that people will have the means to redress any problems.

Mrs M Bradley: I have considered this issue greatly, and I have been thinking about it again since last week. We have seen some horrendous problems experienced by the people who are paying to be on those sites. They need to get the protection that they require when they need it. They should not have to wait a length of time before something is dealt with. Therefore, if we can build something into the Bill now, we should do so.

The Chairperson: I am detecting that nobody, whatever their perspective, thinks that the first amendment is suitable. For what it is worth, I do not think that there is any point in legislating for something that does not include enforcement; that would be a bad law. I have considered the second amendment carefully for the last day or two, and I am not convinced that there is a need for it for several reasons.

The backcloth of this has to be the fact that John’s Bill is radically changing the whole way in which caravans in the seasonal sector are protected. The whole inclusion of agreements is quite progressive, and the Bill gives powers and protections that have not existed hitherto, which is why some of that horrendous activity occurred. Given those stories, I understand and support the need for such provisions. However, I am not convinced that there is a need to do it on a collective basis. I understand that somebody may want to go to the cost of going to court to protect their individual rights. However, I am not so sure about that being done a collective basis for some of the stuff that might happen.

We have talked about all sorts of facetious reasons why somebody would want to consult. However, I take the point made by site owners that the basis on which they should consult is quite ill-defined. A site owner who wants to avoid the hassle and cost of going to court may not be able to, because a bolshie residents’ association might exercise the right contained in the Bill to go to County Court, if it can afford to do so, and to stop such an action might become quite burdensome for the site owner. As it is not clear what site owners should consult on, the safest option for them would be to give 28

days' written notice every time they intend to do something. However, I think that that places a burden on them.

I also think that there is also a case for seeing how the legislation works as regards written agreements, which, I think, are sufficient protection, rather than including more provisions now. It is worthwhile seeing how it works in practice. If there is not sufficient protection, there may be a case for doing things on a more collective basis. I do not think that it is in the interests of site owners to sour relationships with customers, given the altered context and environment in which they are going to have to operate with respect to written agreements.

The bottom line for me is that it does not matter whether we support an amendment that is enforceable or one that is not; it is pointless either way, because this is about consultation. It is not about enforcing the will of the residents' association on the site owner and the site, it is about consulting. We have all had the experience of consultation and we know what it can be mean. Ultimately, even if a group of residents on a site are not consulted, it does not mean that their will prevails, even if they pursue the matter through the County Court. All they can get — and I stand corrected if I am wrong — is consultation; they cannot get enforcement of their view. Therefore, although the proposed amendment will create a convoluted process, it will not offer protection, because, to take the swimming pool example, if a site owner wants to take away a swimming pool he can still do so.

Ms Ní Chuilín: Yes, but if a site owner wants a caravan owner to leave a site, that caravan owner must be given 28 days' notice.

The Chairperson: That is a different matter. If someone wants to do something to an individual that is contrary to the written agreement, the Bill makes that agreement enforceable.

Ms Ní Chuilín: That is one end of the argument, and you can use the swimming pool example, or whatever. Consultation is sometimes very poor, but the fundamental reason why people feel that they have been wronged is because they have not been consulted. They pay quite hefty site fees and have site owners who exercise extreme power. Such site owners will still have the ability to do that even if Bill is amended. The second proposed amendment will put more manners on them.

The Clerk of Bills: The consultation would not apply to any matters of dispute between an individual and a caravan site owner. It can only be about significant changes to the operation and management of the seasonal site and changes to site fees.

Ms Ní Chuilín: That is the main contention.

Mr F McCann: Many people with caravans on seasonal sites pay almost the equivalent in rent as Housing Executive tenants. The protection that most would see in the Bill is that it gives people the option of going to law. If that option exists, the site owner and caravan owner might think twice about confrontation and enter into negotiation or discussion to settle a problem.

Ms Lo: We live in a democracy. Surely if there are major changes in the management of facilities on the site, the site owner would be obligated to consult with the caravan owners. It is good practice to consult, and it is essential that site owners are made to consult through the Bill.

Mrs M Bradley: Although we are talking about the Caravans Bill we must remember that the provisions also deal with permanent homes. Are those properties protected by the Bill?

The Chairperson: They are, but in a different section.

Mr McCallister: I take the Chairperson's point that the Bill will radically change the law for site owners. The requirement to have a written contract will provide a great deal of protection for caravan owners.

On the overburdening of site owners, a threshold of 50% of the residents must be reached before a residents' association could be formed, which is the same for the residential sector. Examples from my own constituency show that having residents' associations is less burdensome, because site owners speak to a collective rather than to 200 separate caravan owners. Indeed, simple things such as getting rules and standards on storage boxes have been a nightmare for some park owners, who have had to speak to 200 or 300 individual caravan owners rather than to one collective body. Our examples also show that, rather than souring relationships, the establishment of residents' associations has actually improved relationships between site and caravan owners, as it allows both sides to gain a better understanding

of the issues. It has done a lot to improve relationships on some parks. Therefore, it would add value.

It is much more difficult for a site owner to take on a group than to take on individuals; and some site owners, quite frankly, have behaved outrageously towards some of their customers. We should encourage them to consult those customers and hear what they want on their park because the customers are buying into the business. The provision can add value and can improve the relationship between the two parties.

Mr Brady: I thought that the purpose of the legislation is to put a provision in place that is not there now. It seems to me that this will regulate owners. There has been talk that it will place a huge burden on them: this is a business, and there is no reason why it should not be regulated. If agreement can be reached by consensus, that is fine. However, there must be something in place to make sure that it happens. I imagine that the thrust of the Bill is to make site owners accountable. I have read about the tremendous burden that will be placed on site owners. However, if they have a business, they should run it properly. If they cannot run it properly, legislation must be in place to make sure that they do so. I thought that that was the purpose of the Bill. If site owners had been operating properly, I presume that John would not have introduced the Bill in the first place. It seems a fairly simplistic argument.

The Chairperson: Am I right in saying that, for whatever reason, nobody is too fussed on the first amendment, which does not include enforcement?

Members indicated assent.

The Chairperson: What about the second amendment?

The Committee Clerk: The amendment that the Chairperson is referring to is that the requirement to consult will be limited to communication but would include enforcement via application to the court. That is the second amendment in members' packs.

Question proposed:

That the Committee recommend to the Assembly that the following amendments be made: Insert new clause in part 2 (after clause 8)

() (1) In any seasonal agreement there shall be implied the terms set out in schedule 2; and this subsection shall have effect notwithstanding any express term of the agreement.

(2) If the owner fails to comply with schedule 2(2) and 2(3) the occupier may apply to the court for an order requiring the owner to consult with the occupier in accordance with schedule 2(2) and 2(3)."

Insert new clause in part 2

"Jurisdiction

() (1) The county court for the county court division in which the seasonal site is situated shall have jurisdiction –

(a) to determine any question arising under this Part or any seasonal agreement, and

(b) to entertain any proceedings brought under this Part or any such agreement;

and references in this Part to "the court" shall be construed accordingly.

(2) But where the parties have agreed in writing to submit any question arising under this Part or, as the case may be, any seasonal agreement to arbitration, references in this Part to the court shall be read as references to the arbitrator."

Insert new clause in part 2

"Power to amend implied terms

() (1) The Department of Enterprise, Trade and Investment may by order make such amendments to Schedule 2 as that Department considers appropriate.

(2) An order under this section may contain such incidental, supplementary, consequential, transitional or saving provisions as that Department considers appropriate.

(3) An order under this section may in particular –

(a) make provision for or in connection with the determination by the court of such questions, or the making by the court of such orders, as are specified in the order;

(b) make such amendments of any provision of this Part as that Department considers appropriate in consequence of any amendment made by the order to Schedule 2.

(4) No order may be made under this section unless the Department of Enterprise, Trade and Investment has consulted –

(a) such organisations as appear to it to be representative of interests substantially affected by the order; and

(b) such other persons as it considers appropriate.

(5) No order may be made under this section unless a draft of the order has been laid before, and approved by a resolution of, the Assembly.”
— [Mr McCallister.]

Insert new schedule after schedule 1

“Schedule 2

Qualifying caravan owners’ association

– (1) A caravan owners’ association is a qualifying caravan owners’ association in relation to a seasonal site if –

(a) it is an association representing the occupiers of caravans on that site;

(b) at least 50 per cent of the occupiers of the caravans on that site are members of the association;

(c) it is independent from the owner, who together with any agent or employee of the owner is excluded from membership;

(d) subject to paragraph (c), membership is open to all occupiers who own a caravan on that site and are entitled to an agreement under clause 7(1);

(e) it maintains a list of members which is open to public inspection together with the rules and constitution of the residents’ association;

(f) it has a chairman, secretary and treasurer who are elected by and from among the members on an annual basis at the Annual General meeting;

(g) with the exception of administrative decisions taken by the chairman, secretary and treasurer acting in their official capacities, decisions are taken by voting and there is only one vote for each caravan; and

(2) When calculating the percentage of occupiers for the purpose of sub-paragraph (1)(b), each caravan shall be taken to have only one occupier and, in the event of there being more than one occupier of a caravan, its occupier is to be taken to be the occupier whose name first appears on the agreement.

Owner’s obligations

2. – (1) The owner shall consult a qualifying caravan owners’ association, if there is one, about

(a) significant changes to the operation and management of, or improvements to, the seasonal site which affect the occupiers either directly or indirectly; and

(b) changes to site fees or service fees.

3.- For the purposes of paragraph 2, to “consult” a qualifying caravan owners’ association means –
(a) to give the association at least 28 days’ notice in writing of the matters referred to in paragraph 2 which –

(i) describes the matters and how they may affect the occupiers either directly or indirectly in the long and short term; and

(ii) states when and where the association can make representations about the matters.” —
[Mr McCallister.]

The Committee divided: Ayes 6; Noes 4.

AYES

Mrs M Bradley, Mr Brady, Ms Lo, Mr McCallister, Mr F McCann, Ms Ní Chuilín.

NOES

Mr Anderson, Mr Craig, Mr Easton, Mr Hamilton.

Question accordingly agreed to.

Clause 8, as amended, agreed to.

The Chairperson: We move to the final issue. The Department has submitted a proposed amendment that would remove the requirement for the Housing Executive to obtain a licence for a Travellers’ caravan site. Following last week’s Committee meeting, I asked the Committee Clerk to draft a letter to Minister Poots to seek further feedback on the Minister’s views on the licensing of Housing Executive caravans sites. That letter has been tabled and came from concern about the planning process.

Mr Craig: Have we got a reply from the Minister on that issue? I made a point of personally speaking to him about the issue because, last week, my instinct was that when RPA was on schedule and the whole planning process was to be handed over to local government, the removal of the clause would not have been an

issue in that the powers of approval would have been in the hands of councils. The Minister confirmed that that was his thought when that was put through. Therefore, I am very concerned with moving forward on this issue if the Minister's thoughts on the matter are not clear. He basically agreed with me that, given that RPA has slowed down — I will put it no stronger than that —

Mr F McCann: You are very kind.

Mr Craig: It has stopped, reversed, been buried; whatever way you want to look at it. *[Laughter.]*

From my conversation with the Minister, I know that he is not content with that power being removed from councils. In his view, councils have little enough power or influence over anything.

The Chairperson: As a result of the convoluted system that the Assembly has, the letter must go to the Committee for the Environment. Therefore, it will be some time before the Committee gets a reply, and we are not in a position to hold up the Bill until we receive that.

I have also spoken to the Minister. Part of the reason why I thought it was worth getting formal and informal clarification is that I did not think that what was asked initially was clear and that the Minister's response did not take full cognisance of all the issues the Committee raised. The initial letter that was sent to the Minister also did not make him aware of all those issues and ramifications.

Mr Craig is correct. When I spoke to the Minister of the Environment he expressed concerns, as Mr Craig outlined, with the removal of the licence, and I imagine that that will form part of his opinion and reply. The Committee does not have that reply, although I understand that the Minister is concerned about the removal of that power. That has now been communicated informally. We may have to wait weeks for the formal communication. To be honest, a written response will not fundamentally alter people's opinions or views on the matter. However, it is good for the record that we record the Minister's response. Jonathan has outlined that the Minister of the Environment is unsupportive of a removal of that power.

Mr Craig: He is not minded to support it, given the fact that RPA is not moving forward at the moment.

The Chairperson: The point that you make is correct. Previously, the context may have been radically different.

Mr F McCann: If possible, will the Committee Clerk give the Committee the consequences of each of the proposed amendments?

The Chairperson: Stephen Martin is with us again — we may let you go after this week, Stephen. Please outline the amendment, and I will then throw it open for members to ask questions.

Mr Stephen Martin (Department for Social Development): Under the Caravans Act (Northern Ireland) 1963, caravan sites require two things: planning permission under the Planning (Northern Ireland) Order 1991, and a site licence. Section 5 of the 1963 Act clearly sets out the main purpose of the site licence, and its primary consideration is that there is proper health and safety in caravan sites including ensuring that there are proper fire exits and that caravans are properly placed, et cetera.

The Department contention is that, prior to 2003, councils had responsibility for operating sites for travellers. Under the 1963 Act, councils are exempt from site licensing requirement; therefore, prior to 2003, traveller sites would not have required site licences.

Ms Ní Chuilín: I thought that they were exempt.

Mr Martin: In 2003, there was feeling that there was a need for greater sites and that the councils were not meeting the need that was there. Therefore, those functions were transferred from the councils to the Housing Executive. Health and safety issues were addressed in the transfer of functions, as the Housing Executive is duty-bound to adhere to the model conditions, which were developed by the Department of the Environment and which set out health and safety standards. In determining a site licence, councils are also bound by those model conditions under section 5 of the 1963 Act. Therefore, in essence, provision is already there for the Housing Executive to adhere to the appropriate health and safety standards, which is the main purpose of site licensing.

The transfer of functions in 2003 created an anomaly with traveller sites suddenly being required hold a site licence, when the only thing that changed was who ran the site. It

seemed that this Bill could usefully address that anomaly, which was the intention in 2003, but, for some reason, was not done. It was on that basis that Minister Attwood went to Minister Poots, who supported the intention of removing the site licensing requirement at that time.

Mr F McCann: We know that some councils have serious difficulties in supporting a site being placed on a property and may, therefore, deliberately delay such a placement. Are you saying that the function is better placed with the Housing Executive than the councils?

Mr Martin: The function was transferred to the Housing Executive, so it has a duty to adhere to health and safety standards, which is the purpose of site licensing. Therefore, why have double? I think that the Committee received correspondence from the Human Rights Commission in which it contended that, in some cases, site licensing is being used to frustrate the Housing Executive's provision of sites.

Mrs M Bradley: I have just one question. Is the Housing Executive responsible for those sites? What is the situation with areas owned by private housing bodies that Travellers occupy?

Mr Martin: I know that Clanmil Housing Association owns one site in west Belfast.

Mrs M Bradley: There is one in Derry, too.

Mr Martin: However, when that function was transferred, the Housing Executive was allowed to provide and manage those sites. In fact, as far as I am aware, the Housing Executive manages both types of sites.

Mrs M Bradley: That is fine.

The Chairperson: What is the Committee's view on the amendment? Do members support it? We have given differing views in the past, so I suspect that there will not be consensus on it. I assume that that is still the case? Some members are in favour and some are against. I will put the Department's proposed amendment on site licensing to a vote, and members can express their opinion in that way.

Ms Lo: Is this about removing it from councils?

The Chairperson: Yes.

Question proposed:

That the Committee supports the following amendments: clause 11, page 8, line 42, after "paragraph 11" insert "or 11A"

The following amendments were also proposed:

Clause 11, page 8, line 43, after "council" insert "or provided and managed by the Housing Executive". — [Minister for Social Development.]

New clause

After clause 14 insert—

"Part 4A

Licensing of caravan sites

Exemption from licensing of sites for Irish Traveller community provided and managed by the Housing Executive

14A. In the Schedule to the Caravans Act (sites exempt from licensing) after paragraph 11 insert—

'sites for Irish Traveller Community

11A. A site licence shall not be required for the use as a caravan site of land provided and managed by the Northern Ireland Housing Executive under Article 28A of the Housing (Northern Ireland) Order 1981 (NI 3) (provision of caravan sites for Irish Traveller Community)." — [Minister for Social Development.]

Clause 15, page 10, line 19, leave out "paragraph 11" and insert "paragraphs 11 and 11A". — [Minister for Social Development.]

The Committee divided: Ayes 5; Noes 5.

AYES

Mrs M Bradley, Mr Brady, Ms Lo, Mr F McCann, Ms Ní Chuilín.

NOES

Mr Anderson, Mr Craig, Mr Easton, Mr Hamilton Mr McCallister.

Question accordingly negatived.

Ms Lo: What about the Chairperson's vote?

The Chairperson: I have one vote like everyone else.

Ms Lo: It is five against five, so why does it fall?

The Chairperson: It does not have support. Does the Committee wish to consider any other amendments?

Members indicated dissent.

The Chairperson: John, as the Bill's sponsor, are you content to put down the amendment on qualifying residents' association? That was your amendment initially.

Mr McCallister: I am content with that, unless the Committee wishes to do so.

The Chairperson: It was your amendment, so the Committee is happy for you to put it down. It was your baby, John.

Long title agreed to.

The Chairperson: Is the Committee content to conclude the clause-by-clause scrutiny of the Caravans Bill?

Members indicated assent.

The Chairperson: Stephen, thank you for your time. We will probably see you in a couple of weeks. I also thank John for his contribution in bringing and sponsoring the Bill and for his evidence throughout the process.

Northern Ireland Assembly

Committee for Health, Social Services and Public Safety

11 November 2010

Safeguarding Board Bill (NIA 25/09)

Members present for all or part of the proceedings:

Mr Jim Wells (Chairperson)
Mr Mickey Brady
Mr Alex Easton
Mr Tommy Gallagher
Mr Sam Gardiner

The Chairperson (Mr Wells): We now come to the formal clause-by-clause scrutiny of the Safeguarding Board Bill.

Clause 1 (Safeguarding Board for Northern Ireland)

The Chairperson: Clause 1 provides for the establishment of a safeguarding board for Northern Ireland (SBNI) and places a duty on the Department of Health, Social Services and Public Safety to establish the SBNI. The Committee is generally content with the clause and the proposed amendments. The Department has proposed the following amendments: amend clause 1(5)(a) to deal with circumstances in which the chair or members of the SBNI may be removed or suspended from office; and amend clause 1(5)(c) to specify the host body for the SBNI. This is the last opportunity to discuss clause 1.

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.

Clause 2 (Objective of the Safeguarding Board)

The Chairperson: Clause 2 sets out the principal objective of the SBNI, which is to co-

ordinate and ensure the effectiveness of what is done by each body represented on the SBNI to safeguard and promote the welfare of children. The Committee is generally content with the clause, and the Department has proposed no amendments. This is the last opportunity to discuss clause 2.

Question, That the Committee is content with the clause, put and agreed to.

Clause 2 agreed to.

Clause 3 (Functions of the Safeguarding Board)

The Chairperson: Clause 3 describes the main duties and powers of the SBNI. The Committee is generally content with the clause and the proposed amendments. The Minister of Health, Social Services and Public Safety agreed that he would make a statement to the House at Consideration Stage to confirm that clause 3(10) gives the SBNI the power to do anything else that facilitates or is conducive to the achievement of its objective. That clarifies an issue that was raised by many witnesses.

The Department has proposed the following amendments: amend clause 3(7) by taking out the words “reasonable steps”; and amend clause 3(9)(c) to allow for consultation with the Department rather than the SBNI requiring the Department’s approval to publish documents. That was a burning issue for many witnesses, and it has been clarified to everyone’s satisfaction. This is the last opportunity to discuss clause 3.

Question, That the Committee is content with the clause, subject to the proposed amendments agreed with the Department, put and agreed to.

Clause 3, subject to the proposed amendments agreed with the Department, agreed to.

Clause 4 (Directions to the Safeguarding Board)

The Chairperson: Clause 4 provides a power for the Department to give directions, either general or specific, to the SBNI as to how the SBNI should carry out its functions. The Department is also required to consult with the SBNI before issuing directions. Clause 4 also provides the Department with the ability to give directions without consulting in cases where the urgency of the matter necessitates it but requires the Department, in cases where the duty to consult has been set aside because of the urgency of the matter, to report retrospectively to the SBNI

with reasons for taking this course of action. The Committee is generally content with the clause, and the Department has proposed no amendments.

However, the Department proposes to amend clause 6 — annual report of the safeguarding board — so that its form and content will be prescribed in regulations. Under the regulations, the report will have to include details of any directions issued. The Minister agreed that he will make a statement to the House at Consideration Stage to confirm that the regulations relating to the annual report will state that any directions have to be published in the annual report. In other words, there will be no ambiguity: we will know exactly what directions the Department has issued to the SBNI. This is the last opportunity to discuss clause 4.

Question, That the Committee is content with the clause, put and agreed to.

Clause 4 agreed to.

Clause 5 (Functions of Safeguarding Board – general)

The Chairperson: Clause 5 provides that the way in which the SBNI exercises its functions may be prescribed in subordinate legislation. It places a duty on the SBNI to have due regard to any guidance provided by the Department in relation to the exercise of SBNI functions. The Committee was generally content with the clause and the proposed amendment. The Department has proposed the following amendment: amend clause 5(1) to ensure that regulations can address the procedure as well as the manner in which the SBNI is to exercise its functions. This is the last opportunity to discuss clause 5.

Question, That the Committee is content with the clause, subject to the proposed amendment agreed with the Department, put and agreed to.

Clause 5, subject to the proposed amendment agreed with the Department, agreed to.

Clause 6 (Annual report of Safeguarding Board)

The Chairperson: Clause 6 places a duty on the SBNI to produce an annual report for the Department. The Department must lay a copy of that report before the Assembly. The Committee was generally content with the clause and the

proposed amendment. The Minister agreed that he will make a statement to the House at Consideration Stage to confirm that the regulations relating to the annual report will state that any directions have to be published in the annual report. We referred to that when we dealt with clause 4. The Department has proposed the following amendment: amend clause 6(1) to provide a power for the Department to prescribe the content of the annual report in regulations. This is the last opportunity to discuss clause 6.

Question, That the Committee is content with the clause, subject to the proposed amendment agreed with the Department, put and agreed to.

Clause 6, subject to the proposed amendment agreed with the Department, agreed to.

Clause 7 (Committees and sub-committees)

The Chairperson: Clause 7 places a duty on the SBNI to establish: a prescribed number of committees that will be known as safeguarding panels; a committee that will be known as the child death overview panel; and a committee that will be known as the case management review panel. It also gives the SBNI the power to establish other committees. In addition, it gives the SBNI or a committee a power to establish one or more subcommittees. It provides that aspects such as the procedure, functions, staff, premises and expenses of committees and subcommittees may be prescribed in subordinate legislation.

Clause 7 further provides that the Department may pay the chairs of committees and subcommittees such remuneration and expenses as the Department may, with the approval of the Department of Finance and Personnel, determine. It also provides for who may be members of committees and subcommittees. Clause 7 is relatively non-contentious. The Committee was generally content with the clause and the proposed amendments. The Department has proposed the following amendments: amend clause 7 to allow for issues relating to the membership of committees and subcommittees to be prescribed in regulations. This is the last opportunity to discuss clause 7.

Question, That the Committee is content with the clause, subject to the proposed amendments agreed with the Department, put and agreed to.

Clause 7, subject to the proposed amendments agreed with the Department, agreed to.

Clause 8 (Functions of committees and sub-committees)

The Chairperson: We are motoring well; perhaps not as fast as the Deputy Chairperson, but we are getting there. Not too much concern was expressed about clause 8. It provides that the way in which each committee and subcommittee exercises its functions may be prescribed in subordinate legislation. It also places a duty on each committee and subcommittee to have due regard to any guidance provided by the Department or the SBNI in relation to the exercise of its functions. The Committee was generally content with the clause and the proposed amendment. The Department has proposed the following amendment: amend clause 8(2) to give the committee and subcommittee regulations to address the manner and procedure in which they are to exercise their functions. This is the last opportunity to discuss clause 8.

Question, That the Committee is content with the clause, subject to the proposed amendment agreed with the Department, put and agreed to.

Clause 8, subject to the proposed amendment agreed with the Department, agreed to.

Clause 9 (Annual report of committees)

The Chairperson: Clause 9 places a duty on each committee to produce an annual report for the SBNI. The clause did not cause the Committee too many problems, and it was generally content with the clause and the proposed amendment. The Department has proposed the following amendment: amend clause 9 to allow for the form and content of the annual report of committees to be prescribed in regulations. This is the last opportunity to discuss clause 9.

Question, That the Committee is content with the clause, subject to the proposed amendment agreed with the Department, put and agreed to.

Clause 9, subject to the proposed amendment agreed with the Department, agreed to.

The Chairperson: I know that the excitement is getting too much for folk, but we will keep going. The bulk of the problems were with the first four clauses in the Bill, and, from here on in, the Committee will be dealing with clauses

that caused it few difficulties. Therefore, we will rattle through the rest of the Bill.

Clause 10 (Duty to co-operate)

The Chairperson: Clause 10 places a reciprocal duty of co-operation on the SBNI, its constituent bodies and other bodies that may be included in the SBNI. The Committee was generally content with the clause and the proposed amendments. The Department has proposed the following amendments: amend clause 10 to make explicit reference to committees and subcommittees, as well as the board of the SBNI. This is the last opportunity to discuss clause 10.

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 (Supply of information requested by Safeguarding Board)

The Chairperson: Clause 11 places a duty on bodies or persons to supply information requested by the SBNI but sets out the specific conditions to be satisfied before such requests for information can be met. The Committee was generally content with the clause and the proposed amendments. The Department has proposed the following amendments: amend clause 11(1) to include a time frame; and amend other subsections to include references to committees and subcommittees. This is the last opportunity to discuss clause 11.

Question, That the Committee is content with the clause, subject to the proposed amendments agreed with the Department, put and agreed to.

Clause 11, subject to the proposed amendments agreed with the Department, agreed to.

Clause 12 (Arrangements to safeguard and promote welfare of children)

The Chairperson: Only one major change was made to clause 12. The clause places a duty on bodies to which the clause applies to ensure that they have due regard to the need to safeguard and promote the welfare of children when exercising their functions. It also places a requirement on the bodies to have due regard to any guidance provided by the Department in relation to the exercise of their duty under

the clause. The Committee was generally content with the clause. The Department has proposed an amendment to make consequential amendments that are of a technical nature. Again, the Minister has agreed to make a statement at Consideration Stage to confirm that the Department will develop guidance for member agencies regarding clause 12. We will all be listening to the Minister's statement with great interest to ensure that he makes all those comments. This is the last opportunity to discuss clause 12.

Question, That the Committee is content with the clause, put and agreed to.

Clause 12 agreed to.

Clause 13 (Ancillary and transitional provisions etc.)

The Chairperson: We are making good progress. Clause 13 allows the Department to make further provisions in connection with implementing the Bill. The Committee was generally content with the clause, and the Department has proposed no amendments. This is the last opportunity to discuss clause 13.

Question, That the Committee is content with the clause, put and agreed to.

Clause 13 agreed to.

Clause 14 (Regulations)

The Chairperson: We are getting into the minor clauses now. Clause 14 contains provision about the required procedures for making subordinate legislation under the Bill. The Committee was generally content with the clause, and the Department has proposed no amendments. This is the last opportunity to discuss clause 14.

Question, That the Committee is content with the clause, put and agreed to.

Clause 14 agreed to.

Clause 15 (Interpretation)

The Chairperson: Clause 15 defines the terms that are used in the Bill. The Committee was generally content with the clause, and the Department has proposed no amendments. Indeed, there was really no discussion on clause 15 at all. This is the last opportunity to discuss clause 15.

Question, That the Committee is content with the clause, put and agreed to.

Clause 15 agreed to.

Clause 16 (Commencement)

The Chairperson: Clause 16 caused no interest whatsoever and is a formality. It provides for the main provisions of the Bill to come into operation on a later date as appointed by the Department. The Committee was generally content with the clause, and the Department has proposed no amendments. This is the last opportunity to discuss clause 16.

Question, That the Committee is content with the clause, put and agreed to.

Clause 16 agreed to.

Clause 17 (Short title)

The Chairperson: Clause 17 is a one-liner. The Committee was generally content with the clause, and the Department has proposed no amendments. This is the last opportunity to discuss clause 17.

Question, That the Committee is content with the clause, put and agreed to.

Clause 17 agreed to.

Long title agreed to.

The Chairperson: Thank you very much; that was a lot less painful than I had expected. As a result of the flexibility shown by the Department and the Minister's willingness to make the appropriate statements at Consideration Stage, we have been able to overcome many of the difficulties that we perceived that we were heading towards. That is good news.

We now move on to the preparation of the Committee report and Consideration Stage, and we all hope and pray that the Bill will lead to better protection for our children. I thank the Department for its co-operation; it has been a pleasure. I am sure that a few Bills down the line will not be a pleasure, but this one has gone well.

Mr Gardiner: You should write to the Minister to thank him personally, Chairman.

The Chairperson: Now that is going a bit far. I thank the officials, and we will record on the Floor of the House that there has been good

co-operation between the Department and the Committee on the Bill. We will, I hope, pass the Bill before the next election and get it onto the statute book.

Northern Ireland Assembly

Committee for Agriculture and Rural Development

16 November 2010

Dogs (Amendment) Bill (NIA 20/09)

Members present for all or part of the proceedings:

Mr Stephen Moutray (Chairperson)
Mr Roy Beggs (Deputy Chairperson)
Mr P J Bradley
Mr Trevor Clarke
Mr Willie Clarke
Mr Pat Doherty
Mr William Irwin
Mr Francie Molloy
Mr George Savage

Witnesses:

Ms Colette McMaster	<i>Department of</i>
Mr Martin Mooney	<i>Agriculture and</i>
Mr John Terrington	<i>Rural Development</i>

The Chairperson (Mr Moutray): I welcome Colette McMaster, John Terrington and Martin Mooney from the Department of Agriculture and Rural Development.

We have received some correspondence from the Department in relation to the costs of microchipping. Before I ask the officials to talk to us about that, I want to pose a question. The proposed legislation will prohibit councils from issuing a licence unless a dog is microchipped. Therefore, in order to prove that a dog is microchipped, the animal will have to be brought to the council office each year. Boarding facilities will have to be made available and a warden will have to scan the dog before confirming that a chip is available. Is that not an additional administrative burden on councils, and is it not also an additional cost to be borne by councils?

Mr John Terrington (Department of Agriculture and Rural Development): The Bill requires that

owners microchip their dogs. That is all that it requires. The current process for applying for a dog licence involves writing your name, address and details, along with a description of the dog. We see that process being exactly the same; you will record the microchip number as well. Councils may want to run risk-based checks, but there is nothing in the Bill that requires them to do that.

Only if a dog comes to the attention of a dog warning because it is straying or has been involved in an attack will the council be required to scan it. If the dog is not microchipped or if the microchip information is not the same as the information that the council has, that is an unlicensed dog. There is nothing in the Bill that requires councils to do that.

Mr Martin Mooney (Department of Agriculture and Rural Development): There are a range of checks that councils can do, short of scanning the dog. It is not that someone could just write down any number; there is a particular format to these numbers. That number can then be checked online with the database to check that the details recorded match those on the application form. You only need to check the dog if you have grounds to believe that something is going on.

The Chairperson: How is a local authority going to know that a dog has been microchipped before it issues a licence?

Mr Terrington: When you apply for the licence, you put down the microchip number in the same way as you would claim for a reduction in the price of your licence because you are a pensioner. The council will record that information in the same way as it does now. As Martin said, the numbers will be in a format that will show that the code is legitimate. If you have recorded information on your licence application that does not match the database or your licence fee, you have an invalid licence and, if you ever come to the attention of the council, action will be taken. Nothing more is required of the council other than recording the information, as it does now, in good faith.

Mr Molloy: Thank you for the presentation. The Bill says that the dog has to be microchipped; it does not say that the microchip has to be registered with any particular authority. If you are saying that the council does not have to check out that microchip before it issues a licence, surely we are back to the dual system.

If you can get all the information that you say from just a number, surely there is no need for the tag. If I go in to licence my dog and I tell the council the number and the council can bring up the data from that number, what is the purpose of a dual system? A tag on the collar would not give you any less information.

The onus for microchipping is being transferred to local government, but with very little regulation or control. It seems to be bureaucracy more than anything else. The documentation that we got today repeats that there will be no extra cost or resources. Armagh City Council raised the issue of resources, but we had a number of councils in yesterday that raised the issue of resources and said that there had been no consultation. The Department's line that there has been adequate consultation fell flat on its face yesterday. There is no way of checking the microchip unless the scanner is put on the dog. The council, therefore, in licensing that, cannot guarantee that the dog is microchipped at all.

Ms Colette McMaster (Department of Agriculture and Rural Development): With the dual system, basically you are talking about the visual identification. Some councils did raise concern that there would be duplication. However, others said that the visual identification helps because it makes it possible to know straight away whether a dog is licensed or not. That is like a first indicator to both dog wardens and any other people who come across a dog as to whether it is licensed. In future, if a dog is licensed, it will be microchipped. The fact that a dog has a tag will mean that it will be licensed and microchipped.

Mr Mooney: The only other thing that I will pick up on is the notion that there is a willy-nilly system of recording microchip details. Some weeks ago, we sent up a draft of the subordinate legislation that will regulate what "a microchip" means for the purposes of this legislation. While it will not require an owner to register with one particular microchip database provider, it will require that, wherever an owner has registered, certain details will be recorded.

Mr Molloy: I was talking to a vet yesterday, and he said that there is a problem with horses, because microchips are registered with different databases and it can take a variety of scans to pick the information up. There is no scanner that will scan all chips.

Mr Mooney: There is.

Mr P J Bradley: There is one, is there not? The iMax.

Mr Mooney: There are two main types of microchip in use across the world. In Europe and most countries in the world, there is one international standard, which scanners will read. There is a chip used in America which older scanners sometimes do not read, and a scanner based on that system will not always pick up an ISO standard microchip. However, most scanners that are available now will pick up any chip in use in western Europe and other countries.

Mr Molloy: I am sure that the vet was not telling lies. If a dog is microchipped, there is no necessity to register that with any direct database. You can pick and choose, but dog wardens will have to have a scanner that picks up that microchip.

We will go back to the main point, which is really about double tagging and the bureaucracy that it will bring for councils. You have just told us that all you have to do is bring in the number of the microchip, and any council official can track that down and find out who owns the dog. Therefore, what is the purpose of the tag, except to see that the dog is licensed? Is it going to be compulsory for the dog to have a tag as well as a microchip? Someone at the council will have to read these and ring up to find out whether they are accurate. Council officials do not stand at counters waiting for something to come in; people will have to be paid to do that job. That is an extra resource on councils.

Ms McMaster: The proposal is that microchipping is a new technology that will be used to help with identification. The tag is there currently, and this builds on the existing system. Therefore, the proposal is that the tag will remain there. Councils have said that there are advantages in that, and we have also heard that from other people.

You mentioned that Armagh council had raised the resource concerns. We sought to deal with that in a letter that was sent to the Committee. Armagh City and District Council had concerns about who updates, maintains and administers the database and who provides the resources required at council level to insert and read the microchips. We have sought to clarify that those are not going to be requirements that will fall to

local authorities. The Bill simply requires owners to microchip their dogs. The Bill — and this is to clarify the concern that Armagh had — does not require local authorities to do anything about microchipping. They will not be required to maintain or administer the database, or to insert the microchips, which was the concern that Armagh raised.

When the consultation with councils was carried out earlier this year, all the responses were ratified by the elected representatives. We got a very full response from councils to the consultation.

Mr Terrington: The tag requirement is set out in subordinate legislation made under the Dogs (Northern Ireland) Order 1983. There is a case for saying that having two types of identification, as opposed to registration, is doubling up, and some councils said that. As Colette said, some councils also said that tags are worthwhile, because if a warden in a van is able to see that the owner is entirely compliant, it means that they do not have to do anything else. However, that is in subordinate legislation and could certainly be looked at in the future if it was felt that there was not a need.

A question was raised last week or the week before about who pays for the tag. The cost of the tag comes out of the £5 licence fee, and is about 37p, which is quite a lot when the licence is £5. On the other hand, it is not an awful lot, and that would be the likely cash saving if the tag was not there. That is offset against some councils saying that the tag provides a useful visual identification, as well as providing any of us with identification to be able to return a dog, and not have to report it as a stray or lost.

Mr Molloy: I have just one point about clause 2. You say that an additional £1 million will be provided to local councils out of the licence fee. Who is going to pay for the concessions? Will the Department recompense councils? Who will make it up to the councils if, for example, there are so many pensioners or other variations of people in an area who do not pay a full licence fee? Will it be the Department, or the Finance Department, or who will make up the difference?

Ms McMaster: The concessions are built into that estimate of the increased income. That up to £1 million takes account of the estimated number of concessionary licences. Even with the concessions, that is increasing quite significantly the income that is taken from —

Mr Molloy: Sorry, but you have based the legislation on £12·50 being needed to cover the licence. If there are to be concessions — if, in some councils, 50% of dog owners happen to be pensioners and will get a £5 licence — who will make up the difference?

Ms McMaster: It is just the licence fee. Nobody will make up the difference. That was the basis of the consultation, and that was welcomed and broadly supported by everyone. So, regardless of the concessions, it is still increasing the income —

Mr Molloy: Let us clarify that one, Colette, that it was widely welcomed by everyone. It says here that you consulted certain officials in councils and local government. I have queried that from the start; there was actually no consultation. As for the idea that councils are happy, I repeat again that local government as a body was never informed of this. The issue about who will make up the difference has never been discussed with councils at all.

If a council is not collecting rates from a number of areas — Government buildings and all the rest of it — the Department of Finance makes that up in the general grant. However, there is nobody to make up the difference in this situation, so there is no benefit at all to councils.

Ms McMaster: It was built into the regulatory impact assessment that went out to consultation with the consultation proposals.

Mr Terrington: The current licence fee is £5, with reductions for some groups of pensioners. The proposal to increase the licence fee was consulted on. There were other options, but the key option, as is set out in the Bill, was to increase the licence fee to £12·50 with reductions for a number of types of dog owners. That option was widely accepted by a range of stakeholders. We accept that some councils said that £12·50 was insufficient and suggested £25 as a better level. However, given that the licence fee has not been increased since 1983, the Department's view is that £12·50 is a balance between increasing it and keeping it affordable. I accept that, without the Bill as it stands, councils would call for an increase in the licence fee.

Mr P J Bradley: I will go back to Francie's point. Your letter tells us that you are satisfied that the councils were well enough consulted. However,

it is important to tell the officials that we heard completely different evidence at yesterday's meeting. I will say that both sides are right; I will not say that anyone is wrong.

Mr W Clarke: I would like clarification about the tag. Like Francie, I felt that it should be one system. However, I understand that having the visual identification tag will cut enforcement costs. You cannot run about scanning every dog that walks down the street with its owner. A dog warden cannot jump out and scan a dog that being walked by an old lady. I buy into that. There is a need for some sort of visual identification. Is it correct that an enforcement officer can only scan a dog that has an identification tag?

Mr Terrington: Sorry?

Mr W Clarke: Can an enforcement officer only scan a dog that does not have an identification tag?

Mr Terrington: If the dog is involved in an attack —

Mr W Clarke: It is just walking down the road.

Mr Terrington: If the dog owner is apparently compliant — the dog is accompanied, under control, on a leash, with its owner and there has been no straying or attacking offence — there would not seem to be any value in an enforcer doing anything with that owner. The belt and braces approach to licence enforcement is that the existence of the tag proves that the dog is licensed and that the owner is compliant with the issues of straying and attacks. A dog warden would have no reason to approach that owner. If a dog is involved in an attack or is a stray, a tag is identification enough to deal with those offences and the owner. If there is some dispute about ownership or something else is wrong, the microchip provides backup if the dog is not tagged.

Mr W Clarke: It is fundamental to clarify the need for the identification tag, and I think that that does it.

The Chairperson: You estimate that it will raise £1 million a year. Forty-something per cent of dogs are not licensed, and the Department does not know how many dogs are out there. What happens if we raise £500,000 a year? Where does the shortfall come from?

Ms McMaster: It is an increase, whatever happens. There is a range. You are quite right: the amount of income raised will depend on the number of dog owners who license their dogs. Even based on the existing numbers of dog owners that have a licence, this will increase overall income, taking account of concession fees.

Mr Terrington: The redirection of the fixed penalties to councils is also additional income for councils.

The Chairperson: I accept that. However, given that 48% of dog owners do not have a licence when it costs £5, if we have compulsory microchipping and the cost of the licence rises to £12.50, is it likely that there will be a rise in the number of people who have licences? It will have to be very well enforced.

Ms McMaster: It is unlikely that people who already have a licence will cease to be licensed. Our previous experience, when the licence fee was introduced, is that the number of owners who had their dogs licensed actually increased, despite the increase in the fee.

Mr Terrington: From 37p to £5, yes. There was an increase, partly due to the increased enforcement that the 1983 Order also introduced — the dog wardens. We think that the same thing will apply here. The additional resource that the Bill gives will allow for improved enforcement. However, as Colette says, we start from the basis that the majority, if not all, of those who are currently licensed will re-licence their dogs.

Mr Molloy: Your letter says that:

"In fact, the introduction of compulsory universal microchipping will reduce the number of unidentifiable dogs in local authority pounds, reducing kennelling costs".

Why, if the dogs are tagged, and with the microchip you have to catch the dog before you can measure it? I had this impression, and I think others had it, that you can scan a dog's microchip from a distance. However, you have to have the scanner up against the dog before you can actually read it. There is no benefit of having stray dogs identified on the street. Where is the fact that that will actually happen in that situation?

Secondly, why do they not have a licence system in England? Why do we need two systems here and they do not have one in England?

Mr Terrington: I will address the first issue: why we think this will save money in the long term.

Say, for example, a dog is picked up as a stray. If it has a tag, the council may return it to its home straight away or impound it and contact the owner. If it has a microchip, the same thing will apply. If it has no tag and is not licensed, or if it has been abandoned and the tag taken off or dislodged, the dog ends up in the pound and stays there until the owner is found. The cost of kennelling that dog falls on the ratepayer. Ultimately, in some cases, the ratepayer will have to pay to destroy that dog. The more dogs can be permanently identified through microchipping, the fewer the cases where an owner cannot be found. When the dog is impounded and the owner is asked to come and collect it, the owner pays the kennelling charges until such time as he collects the dog. The only type of stray dog that costs the council is an unidentified dog — one for which the owner cannot be charged for kennelling costs.

Mr Molloy: If the dog has a tag, that reduces the same problem. Why do they not have a licence system in England? What system has England?

Mr Mooney: England had a licence system until the mid-1980s. The then Conservative Government looked at the licence fee, which was 37p; it had come down from 37½p when the ½p was abolished. It cost a great deal more to collect that 37p than the licence was bringing in. People were ignoring the licence; they were not paying it. It is worth pointing out that there is a strong campaign in Britain at present to restore the licence system.

Mr Terrington: Unlike the 1983 Order, whereby the licence fee is collected and used purely for funding the enforcement of the legislation by councils, the money in England went into the central exchequer, so it had no impact on whoever was responsible for policing the legislation on strays and so on.

Mr Molloy: The Committee has been told that there is a shortage of dogs in England and that the charities here are exporting them to England, selling them and getting good prices for them. There seems to be a contradiction.

Ms McMaster: We have a licensing system here, and it has been here since 1983. It has been working well. There are no strong calls to do away with that system. It is supporting the dog warden services, and, as a result of it, we have seen improvements in dog control. It is not something that we are looking to discard. Obviously, this whole Bill —

Mr Molloy: Why break it then?

Ms McMaster: The Bill is about building on that system and improving dog control further in Northern Ireland. The intention of the Bill is to build on the system that we have.

Mr Molloy: That wall over there is fairly solid and concrete. Talking to the Department is something similar, along the lines of trying to get any sort of concessions.

The Chairperson: We keep trying.

Mr T Clarke: There is a door in the wall as well, Chairman. There are other ways of doing things.

I actually agree with the Department on this. If you do away with the licence fee, you are, in a sense, asking people who are not dog owners to subsidise a service to look after dog wardens. I think —

Mr Molloy: I am not talking about doing away with the licensing.

Mr T Clarke: You referred to England having no fee.

Mr Molloy: I was talking about the dual system.

Mr T Clarke: The other thing is something that has been recognised. I think that Mr Terrington has answered my question, but I will try to tease it out again anyway. If a dog is seized by a dog warden — Mr Molloy thought that it could be scanned from a distance; that would be some system — and its tag has been removed, compulsory microchipping will be beneficial in the identification of the dog. The only bit that I still struggle with, and which I would like to see tightened up, is that if a dog has neither it should not be kennelled while you look for its owner, because the owner has been irresponsible and has not registered the dog. The authorities should put the dog up for rehoming or, unfortunately, euthanise it, rather than look for its original home, because the dog has been brought about by illegal means. I would like to see that tightened up. At the end

of the day, there are dogs roaming the streets, and there are people who will break the law. The sooner that they get the clear message that they cannot do that, the better. There is concern about doing two systems, and it may be down to cost, but you cannot remove the microchip; that is the long and the short of it. So I want that.

Mr Terrington: The current rules are that councils must kennel the dog for five days. I am not sure whether that is in subordinate legislation or on the face of the Bill. The figures that the councils provide show that some dogs are returned, and the costs recouped. If it is an unlicensed dog under the Bill, which it will be if it is not microchipped, it is automatically an offence; there is no argument there. The costs will be recouped and the authorities will be able to put on whichever penalties they choose — the fixed penalty or the prosecution. It sits at five days, and that is not something that has been raised before.

Mr Beggs: A comment was made earlier about the system that enables dogs to be moved to England to be rehomed. I picked up some resentment that they were taken there to be sold. Should we not be grateful that there are people who are happy to rehome our surplus dogs, rather than our having to put them down, and that they choose to do that, rather than go to breeders to buy dogs?

Mr Molloy: You miss the point.

Mr Beggs: I am grateful that many people give dogs a second chance in other parts of the United Kingdom. Is that not a more accurate interpretation, rather than some sort of profiteering by selling our homeless dogs?

Mr Terrington: It certainly is a route to avoid, at the end of the five days, the destruction of any dogs which are not found a home.

Mr Beggs: The other aspect that I want to address is dogs that cannot be identified. Following this legislation, what penalties will there be for those owners who do not have a licensed dog or, if it becomes compulsory, a microchipped dog?

Mr Terrington: The Bill, as amended by the Committee's suggestion, will include a fixed penalty of up to £75 for having a non-valid licence, with a prosecution of up to £1,000.

Mr W Clarke: Will you expand on why an amendment should not be included on

compulsory microchipping of new pups at breeding establishments? There are a couple of paragraphs there. My rationale is that you can trace a dog through a microchip even if it is not licensed. Therefore, it would be very sensible to do it.

Mr Terrington: I absolutely agree that it would be sensible. It is a route that has been taken in the South, and the requirement for breeders to do it is out for consultation in Wales at the moment. The way the 1983 Order is written is that it is an offence to sell a dog that is not licensed. The Committee has heard evidence from professional breeders, and they are more than content to apply those rules. The nearest analogy that I can think of is buying a car and the car company arranging your tax for you. They arrange the licence, which means that the dog is licensed by the time you pick it up. If we make microchipping a requirement on the licence, they will have to ensure that it is microchipped before it can be licensed. Therefore, in effect, if you were selling a dog, the minimum requirement will be to ensure that it is microchipped. If that were brought in for all owners in one go, that would happen automatically.

Mr W Clarke: If you were buying a dog at a breeding establishment, it would all be done for you, and the fee would be included in the cost of buying the dog. It just seems sensible to do that.

Mr Mooney: The same would hold if you were buying a rehomed dog from a dog pound. It would already have been chipped, and you would not leave with it until your details were on the microchip.

Mr W Clarke: There is nothing in the Bill that will make dog breeders microchip dogs.

Mr Terrington: We say that there is, because, right now, they can only sell a dog that is licensed. If you make it a requirement that dogs be microchipped —

Mr W Clarke: That automatically goes on.

Mr Terrington: Yes.

Mr W Clarke: That is dead on. That is clearer.

The Chairperson: P J Bradley made the point earlier about yesterday afternoon's meeting with the councils. The evidence in relation to that will be presented at this afternoon's session,

and the Department will have an opportunity to respond then.

Mr Savage: I am glad to see this. It will make dog owners act responsibly if they want to keep dogs. It will bring the whole thing into line. It may not be possible to get it to 100%, but it will have come quite a long way. I think that you are moving in the right direction.

Mr Beggs: Going back to the issue of breeders and compulsory microchipping, your scenario is that all dogs will have to be compulsorily microchipped. Is there not an argument for allowing some time to get to the stage where it becomes compulsory? In other words, by starting with ensuring that all breeders are compulsorily microchipping and using some incentives for people voluntarily to get their dogs microchipped — for example, giving them a discount for a limited time. You take some of the pressure off the system to prevent people panicking about where they can get their dog microchipped, and, after a limited period of time, whether it is a number of years or whatever, it becomes compulsory. I would have concerns if Big Brother just told them to do it after a very short period of time. I would much prefer a little bit of carrot and stick: go with the breeders, and give a positive incentive to people to voluntarily get their dogs microchipped.

Mr Terrington: Those are good suggestions, and they are things that we have looked at. In the first term, the Minister stated that she would be content to allow a delay in this part of the Bill in order that owners can get used to the idea, rather than just commencing it straight away. The time issue is something with which we would be content. There is a requirement to bring in part of the microchipping clause to define “microchip” and so on and so forth. Any microchip that goes into a pup would be useless if it were not linked to the database, etc. There would be no powers to scan.

Some councils are comfortable with it, but for councils to become more comfortable with it, the issues start on the day that it is introduced for any set of dogs. Therefore the roll-in is better for everybody. If you put it onto registered breeders only, you are possibly impacting unfairly on responsible registered breeders and responsible owners who buy from responsible registered breeders, in advance of anyone else having to do it. Say that the Bill is enacted as it stands next summer. By the time that you make

the subordinate legislation on what a microchip is and make it a minimum requirement under any new welfare legislation which will be regulating breeding establishments, you might be looking at a few months towards this time next year. That means that you are eating into the time in which you could be starting to roll out and make people aware that they need to do this at a given time a few months later, or whatever.

The incentive is helpful. Our concern — and it is a concern that the Committee has expressed — is about any burden on councils. The incentive is a burden on councils in the sense that it is taking the £12.50 out of their bottom line. There are incentives out there, in terms of what other organisations are already offering. As we said before, that may have hit a glass ceiling. If the incentive is to work, you definitely have to know that what they have got will become a requirement in a given time. For people to know that they are getting something, they will comply in a period. It is sensible to have all of those things as part of a roll-out. The question is about how long that value would be before you bring it in.

Ms McMaster: We have outlined that that can happen. The Minister is saying that if that clause is commenced after 12 months, for instance, the preparation for it and the campaign to promote it and to encourage people to do it voluntarily can be done in that first 12 months. From the date that the clause is commenced, there is a requirement on a breeder or anyone who is selling or giving away a dog to have that dog microchipped. For the individual owners, it kicks in the next time that they get their dogs licensed after that. That will depend on when their licences are due. In that instance, there is an element of phasing in. Throughout that time, we will be working alongside councils.

Mr Terrington: It is important to say that it would be within the councils’ powers and rights to do that anyway, without the legislation making them do it. They could take the incentive out of the licence fee, raised or otherwise. At least one council does that. A lot of councils do it with dogs that they sell or pass on from pounds. That incentive model is helpful. I suspect that some councils will do that. They will say that this is going to come in in a year’s time and that they are happy to provide some way of doing that by way of vouchers, for instance,

alongside the subordinate legislation or the Dogs Trust. Rather than making that a statutory requirement, they could do that and, as I said, some do.

Mr Beggs: I was not aware that it could be done already.

The Chairperson: Will the commencement Order be subject to an affirmative process?

Ms McMaster: The commencement Order is an Order that starts the clause. The Minister has said that she is prepared to give a firm commitment that that clause will not be commenced until 12 months after the Bill has passed into law. During that period, we will be doing preparation work and working with councils and others to ensure that arrangements are in place.

The Chairperson: What form will that commitment take? Will it be written?

Ms McMaster: We have set that out in the letter that has come to the Committee.

The Chairperson: With respect, we are asking for the ministerial commitment.

Ms McMaster: That is fine. How do you want that provided? The Minister will be here today.

Mr Savage: Roy raised something there that I think is very important. Phased in over a period of time — if you came to the Committee next year and had not made a fair bit of progress, it would be pointless. You will have to set a timescale so that it cannot drag on forever. Any responsible dog owner who wanted to care for their dog could get it in in a very short space of time.

Mr Terrington: We agree entirely. It is important to have a date set so that people know what they are working to. For that purpose, what has been suggested is that it should be 12 months after Royal Assent, which will allow campaigns and press and allows people the time to do it over that year. Indeed, the process can continue for another year because it is the next time that you license your dog. The ability to get all dogs microchipped will be rolled out over two years, but it will become a legal requirement in one year from the time that is tabled now.

Mr Molloy: John said that one council was using both systems at the moment. It is interesting that a member of that council who was here

yesterday had no recollection of any discussion by Omagh District Council in relation to any of this legislation. He certainly had no input from the cost of a dual system to the councils. It is very well for members to talk about how quickly it is going to be enforced and all the rest of it, but they would do well to talk to their council first and explain to ratepayers the cost to councils to do that. That bit is missing. It is very clear that there has not been adequate consultation or a full explanation of the added costs and responsibilities to local government.

Ms McMaster: All that we have been able to do is set out the options that are available to us and the information that we got from the consultation process, the regulatory impact assessment and the responses to that, and the ongoing engagement with councils. We have not, as yet, heard the information from yesterday's meeting.

Mr Mooney: Omagh District Council's environmental services committee discussed it on 8 December last year.

Mr Molloy: A committee?

Mr Mooney: Yes. It was then ratified by the full council.

Mr Molloy: We had a councillor saying that there was no discussion on the council about it. There is a bit of a conflict between the two situations.

Mr Mooney: Its minutes are published online.

Mr Molloy: We will see the evidence.

The Chairperson: We need to move on and see what path we are going to take. The Department has indicated that it will defer commencement for 12 months and introduce subordinate legislation, and that this will be confirmed by the Minister in writing.

Mr Molloy: We have not yet got a clear explanation of the need for a dual system. Microchipping is grand if that will be the system, but we do not have a clear line about the need for both systems to be in place and the bureaucracy that surrounds them.

Mr T Clarke: You are wanted in the Speaker's Chair.

Mr Molloy: I see that you are dressed up for the Minister today, anyway.

Mr T Clarke: I would have worn my Union Jack tie, but I could not find it.

Mr P J Bradley: Could it happen that each council would order its supply of microchips from a different source? How many suppliers are there? It is back to the earlier question about the one reader to serve all council areas. It could cause a lot of problems if we do not allow for that at the early stages.

Mr Terrington: It is worth saying that there is nothing in the Bill requiring them to order, buy or insert microchips. That would have been a burden on them. The burden falls on the owner to have a microchip. As long as that microchip is compliant with the legislation — it meets an ISO standard — then it will be able to be scanned by most normal readers. As long as the information held against that includes the information required to unite that dog with its owner, the database will be compliant.

These systems are in place across Europe. The very same model is used for welfare protection in England. *[Interruption.]*

The Chairperson: Members, we have a witness speaking here.

Mr Terrington: It is used for tail-docked dogs in England. It is used for linking dogs that have caused problems in Scotland, or will do when that legislation is commenced. The system of microchips linking to databases and being read by standard readers is a well-trodden path.

Mr P J Bradley: It is just that I read somewhere that there is only one reader that is compatible with all microchips. I think it is called the iMax Black Label — it sounds like a drink.

The Chairperson: Are we content with what the Department has brought forward, or do members have other proposals?

Mr T Clarke: Content.

Mr Beggs: Reluctantly content.

Mr Molloy: Not content.

The Chairperson: Do members have any other proposals, then?

Mr Molloy: One system, very straightforward. If we introduce microchipping, let that be the one system. If we continue the licence, and if it is not broken, why try to fix it? You can put so much information on the microchip — all of the

information that is on the tag. It is very seldom that a dog will actually hold on to its tag for the full year. Either it is not tagged for part of the year or it finishes up having to be renewed. The microchip cannot be taken out or lost — one system that is universal.

Mr T Clarke: I propose that we accept what is here. It gives the council greater flexibility. We have had reassurance that the councils can actually reduce the fees if they wish. We have been given the most that it can be —

Mr Beggs: In the short term.

Mr Terrington: It is not so much reducing the fees as, if they decide to pay for the microchipping, in that sense, by providing a voucher or however they would do that, rather than —

Mr T Clarke: At the end of the day, we are all aware that some dogs do not have tags and that some people can remove tags. While I appreciate what Francie is saying in relation to the two systems, the other advantage of the tag is that a member of the public can observe whether a dog is licensed or not without having a scanner, and can report the dog if it does not have a tag. From that point of view, I think we should accept it.

The Chairperson: We have a proposal from Mr Clarke. Do we have a proposal from you, Mr Molloy?

Mr Molloy: Yes, for one system.

The Chairperson: OK. We will take Mr Molloy's proposal first, as it was proposed first.

Mr Beggs: Do you have to have a seconder?

The Chairperson: No.

Mr T Clarke: It is a direct negative.

The Committee Clerk: For the record, we need to —

Mr T Clarke: They are two counter-proposals.

The Committee Clerk: Members could abstain from the vote.

Members indicated dissent.

The Chairperson: And Trevor Clarke's proposal?

Members indicated assent.

The Chairperson: OK. We are now going to move on to the formal clause-by-clause scrutiny. I thank the officials for their attendance; they are welcome to remain in the Gallery while we go through this.

Ms McMaster: Thank you.

Clause 1 (Exemptions)

The Chairperson: There have been no issues on this that I am aware of —

Mr Beggs: Where are we?

The Chairperson: Clause 1.

Mr Molloy: There is a query that I raised that has not been answered: who pays the difference with regard to exemptions? In any other system — I pointed out the rates system — the exemptions are paid for out of the general grant. In this system, exemptions are being proposed by the Department, but the people who will pick up the costs will be local government. I do not think that that part has been thought out. If the majority of people in a council area are getting a £5 licence, we will be no further forward than we are at present.

The Chairperson: OK, we will write to the Department and seek a response in relation to that.

Question, That the Committee is content with the clause, put and agreed to.

Clause 1 agreed to.

Clause 2 (Microchipping)

The Chairperson: This is subject to the receipt of correspondence.

Question, That the Committee is content with the clause, subject to the receipt of correspondence from the Minister confirming that the commencement of the clause will be deferred for 12 months from the date when the Bill is enacted, put and agreed to.

Clause 2 agreed to.

Clauses 3 to 5 agreed to.

Clause 6 (Setting on or urging dog to attack)

The Chairperson: I remind members that the Department has agreed that the new article 28(3)(b) of the 1983 Order, as introduced by

clause 6, as well as a number of consequential articles in respect of broadly parallel or linked Order-making powers under articles 25(2)(f) and 33(3)(c) and a further consequential amendment of article 54 of that Order, be subject to the affirmative process rather than the negative process. In addition, the Department agreed to extend the restriction in respect of people, livestock and other dogs to include other domesticated animals.

Question, That the Committee is content with the clause, subject to the amendment suggested by the Committee and agreed by the Department, put and agreed to.

Clause 6 agreed to.

Clause 7 (Attack by dog on a person or another dog)

The Chairperson: The Department agreed to extend the restriction in respect of attacks on people, livestock and other dogs to include other domestic pets.

Question, That the Committee is content with the clause, subject to the amendment suggested by the Committee and agreed by the Department, put and agreed to.

Clause 7 agreed to.

Clause 8 (Control conditions on dog licences)

The Chairperson: The Department agreed that guidance would be made available to, and agreed with, enforcement officers and their councils as soon as possible. In addition, the Department has agreed to amend article 30B as introduced by clause 8 to consider education or training courses as a control condition.

Question, That the Committee is content with the clause, subject to the amendment suggested by the Committee and agreed by the Department, put and agreed to.

Clause 8 agreed to.

Clauses 9 and 10 agreed to.

Clause 11 (Fixed penalty notices)

Mr Molloy: There is enough draconian stuff in the thing, without the bill as well.

Question, That the Committee is content with the clause, put and agreed to.

Clause 11 agreed to.

Clauses 12 and 13 agreed to.

Clause 14 (Amount of fixed penalty)

The Chairperson: The Department agreed that it should align the fee system with that contained in the Clean Neighbourhoods and Environment Bill.

Mr T Clarke: What happens if that does not come in before this one?

The Committee Clerk: It will still be on the face of the Bill that it should be £75.

Mr T Clarke: Francie thinks it is not dear enough.

Mr Molloy: Your former Chairman actually disagreed with the licence fee that the Department was proposing of £50.

Mr T Clarke: Ah, but he is former.

Mr Molloy: This is a similar situation, so maybe a wee bit of consistency from your party —

The Chairperson: OK members, we will move on.

Mr T Clarke: It must be something in the water in Mid Ulster.

Mr Beggs: Take this outside if you want.

The Chairperson: Absolutely.

Question, That the Committee is content with the clause, subject to the amendment suggested by the Committee and agreed by the Department, put and agreed to.

Clause 14 agreed to.

Clauses 15 to 18 agreed to.

Schedule 1 agreed to.

Long title agreed to.

Northern Ireland Assembly

Committee for Social Development

16 November 2010

Licensing and Registration of Clubs (Amendment) Bill (NIA 19/09)

Members present for all or part of the proceedings:

Mr Simon Hamilton (Chairperson)
Mr Sydney Anderson
Mrs Mary Bradley
Mr Mickey Brady
Mr Jonathan Craig
Mr Alex Easton
Mr Tommy Gallagher
Mr John McCallister
Mr Fra McCann

Witnesses:

Mr Tom Bowler *Department for Social
Development*
Mr Liam Quinn *Development*

The Chairperson (Mr Hamilton): Tom Bowler and Liam Quinn from the social policy unit in the Department for Social Development (DSD) are with us again. You are both very welcome. Proceedings are being recorded by Hansard, so mobile phones should be switched off. We are going to commence our formal clause-by-clause scrutiny of the Licensing and Registration of Clubs (Amendment) Bill. We are required at this stage to set out our final position on the clauses and any proposed amendments to the Bill.

Clause 1 (Closure of licensed premises)

The Chairperson: Part 1 of the Bill deals with licensing. Clause 1 introduces additional closure powers relating to all licensed premises. It allows a Magistrate's Court in a district that is experiencing or is likely to experience disorder to make a closure order for licensed premises. It allows a police officer of the rank of inspector or above to make a closure order of up to

24 hours if it is believed that there is public disorder on or near and related to the premises.

The clause requires a police officer to apply to the relevant Magistrate's Court to consider the closure order as soon as possible. There is a new offence relating to keeping premises open in contravention of a court order, which will attract a fine not exceeding £5,000 and/or up to six months' imprisonment. The clause also sets out the circumstances in which premises are deemed to be open by listing those who may legitimately enter the premises, so as to help the police determine whether premises that should be closed are trading illegally. The Committee has previously indicated that it does not wish to pursue amendments A to I. Are we content with that position?

Members indicated assent.

The Chairperson: However, some Committee members previously indicated that they may wish to propose amendments to the clause. If there are any members who wish to do so, I invite them to do it at this stage so that we can consider them as a Committee.

Mr Brady: I know that Fra had concerns about some of the issues.

The Chairperson: We had some expression of interest in proposing amendments by a member who is not here. That leaves us to make a decision on whether to wait or move on. The Committee's position was quite clear. Of course, there is nothing to prevent any member from tabling an amendment at Consideration Stage if he or she so chooses.

Mr Brady: I just do not want to upset anybody later by not flagging the matter.

The Chairperson: You have done that. Do you want me to put the Question on the clause, to which you can dissent? That would register your party's position and give you flexibility.

Mr Brady: I do not like to dissent. However, in this case, I will make an exception.

The Chairperson: I do not like to use the word "dissident" any more. Should I say "residual opposition"?

Mr Brady: That is the in word now.

The Chairperson: Tom and Liam, do you wish to make any final comment on the clause?

Mr Tom Bowler (Department for Social Development): No.

Question put, That the Committee is content with the clause.

The Committee divided: Ayes 6; Noes 2.

AYES

Mr S Anderson, Mrs M Bradley, Mr Craig, Mr Easton, Mr Gallagher, Mr Hamilton.

NOES

Mr Brady, Mr F McCann.

Question accordingly agreed to.

Clause 1 agreed to.

Clause 2 (Penalty points)

The Chairperson: Clause 2 introduces a penalty points system for licensed premises. Where a licensee is convicted of two or more offences on the same occasion, the court may restrict the points that are attributable to the highest number that is due for some of the offences. The Department is also empowered to amend the levels of penalty points by the affirmative resolution procedure. A Magistrate's Court may suspend a licence for not less than one week or more than three months where 10 penalty points have been accumulated within a three-year period. The Committee has previously indicated that it does not wish to pursue amendments J to N. Is that still our position?

Members indicated assent.

The Chairperson: Tom and Liam, have you anything more to add?

Mr Bowler: No.

The Chairperson: I had some unease — perhaps “unease” is too strong a word. Rather, we raised some issues and sought assurances on defences that could be made. There is flexibility that, at first glance, did not appear to be there. The Committee and I are content with that flexibility.

Question, That the Committee is content with clause, put and agreed to.

Clause 2 agreed to.

Clause 3 (Proof of age)

The Chairperson: This is going too well. There must be something wrong.

Clause 3 introduces a statutory proof of age scheme for licensed premises that deals with the prohibition of young people who are under 18 years of age from certain premises, and the sale and delivery of alcohol to them. The clause allows that, in court proceedings that relate to underage alcohol offences, “all due diligence” may be demonstrated by the licensee's, or relevant member of staff's, being shown certain documents that are specified for the purpose of proof of age by a customer. The documents include a passport; a photocard driving licence; an electoral identity card; and a proof-of-age standard scheme (PASS) card.

The clause requires all licensed premises to display a notice that contains information on underage sales and acceptable documents as proof of age. The Committee indicated that it does not wish to pursue amendments O to S. Is that still the Committee's position?

Members indicated assent.

The Chairperson: If the Department has nothing more to add, I will put the Question.

Question, That the Committee is content with the clause, put and agreed to.

Clause 3 agreed to.

Clause 4 (Application to limited liability partnerships)

The Chairperson: Clause 4 inserts new provisions that apply to licensed premises and clarify how the Licensing (Northern Ireland) Order 1996 applies to limited liability partnerships. The provisions provide that a reference to a director of a body corporate is a reference to a member of a limited liability partnership and that a reference to the secretary of a body corporate is a reference to any designated member of a limited liability partnership.

Mr F McCann: That is a mouthful and a half.

The Chairperson: It is. I would not want to say that too fast; it would be like a tongue-twister.

The Committee did not indicate that it wants to amend clause 4. No amendments were

suggested during evidence. Is the Committee content with that position?

Members indicated assent.

The Chairperson: Nothing more from the Department? I will have to provoke you into saying something. *[Laughter.]*

Question, That the Committee is content with the clause, put and agreed to.

Clause 4 agreed to.

Clause 5 (Closure of registered clubs)

The Chairperson: Part 2 of the Bill deals with registration of clubs. Clause 5 refers to the Registration of Clubs (Northern Ireland) Order 1996 and contains measures relating to the closure of registered clubs. The provisions are identical to the closure provisions for licensed premises in clause 1, which we have already discussed. The exception is that a Magistrate's Court may only revoke a closure or order a registered club to close for a maximum of 28 days, not three months. The Committee previously indicated that it does not support amendments T to Z. Are we still happy to take that position?

Mr F McCann: That we do not support the clause?

The Chairperson: That we do not support amendments T to Z. To clarify, there is a distinction between amendments suggested to us during our evidence gathering and amendments that we might propose now. We had previously agreed that we did not want to pursue amendments T to Z.

Mr F McCann: For clarification, I take it that we are still open to bringing amendments before the Assembly when the Bill comes before the House. I declare my interest in the Irish National Foresters and in Cumman na Méirleach on the Falls Road. I have some concerns about clubs. Even in the evidence given to the Committee, a clear distinction has been shown between antisocial activity associated with clubs and some of the other things that go on.

The Chairperson: I wish to clarify the Committee's position on amendments T to Z. You are making a different point. Are we happy enough not to pursue any of those amendments?

Members indicated assent.

The Chairperson: Are you saying, Fra, that you are not going to propose an amendment now but that you reserve your right to table one at Consideration Stage?

Mr F McCann: Yes.

Question put, That the Committee is content with the clause.

The Committee divided: Ayes 6; Noes 2.

AYES

Mr S Anderson, Mrs M Bradley, Mr Craig, Mr Easton, Mr Gallagher, Mr Hamilton.

NOES

Mr Brady, Mr F McCann.

Question accordingly agreed to.

Clause 5 agreed to.

Clause 6 (Penalty points)

The Chairperson: Clause 6 amends the Registration of Clubs Order, which currently provides for a system of penalty points for clubs convicted of accounting offences. The clause will enable the system to encompass many more offences, and it mirrors the provisions in clause 2 for licensed premises. As with licensed premises, a registered club's registration can be suspended where the club accrues 10 or more penalty points in a three-year period. The Committee indicated that it does not support amendments AA to LL. Are we still content with that position?

Members indicated assent.

The Chairperson: Is there anything further from the Department?

Mr Liam Quinn (Department for Social Development): No.

The Chairperson: As for clause 2, some reassurance was sought on the flexibility and defences. The point made by the Department was that there were very few prosecutions for accounting offences anyway, so one would anticipate that there will be very few penalty points levied if that pattern continues.

Mr Quinn: That is right, Chairman.

Mr F McCann: One of the issues that we raised over the months concerned the voluntary nature of club committees. Many of the committees

are elected annually, meaning that many of their members have not got experience. Do you not believe that, if passed, the clause will penalise clubs and their committees and that that will frighten people off from volunteering for committees?

Mr Quinn: The fact that there have been so few prosecutions over the past 10 years indicates that there is not really a problem.

Mr F McCann: Never say never.

Mr Quinn: Clubs have certain obligations to meet. I understand the issue about newly appointed committee members, but the club committee should make sure that the individual who has responsibilities has access to training or has somebody there to advise them during their first few months in office. There has not been an issue to date, and I do not foresee an issue arising. As we have said before, and have heard evidence to this effect, most of the clubs are well run and well organised, and, as such, can deal with those issues.

Mr F McCann: As with the other clauses, we reserve the right to table amendments at another stage.

The Chairperson: Does anybody else wish to comment at this stage? As with the previous clause, Fra, you will reserve your position and vote against it at this point.

Question put, That the Committee is content with the clause.

The Committee divided: Ayes 6; Noes 2.

AYES

Mr S Anderson, Mrs M Bradley, Mr Craig, Mr Easton, Mr Gallagher, Mr Hamilton.

NOES

Mr Brady, Mr F McCann.

Question accordingly agreed to.

Clause 6 agreed to.

Clause 7 (Proof of age)

The Chairperson: Clause 7 amends the Registration of Clubs Order to introduce a statutory proof of age scheme. Its provisions mirror those that are set out in clause 3 for licensed premises. The Committee indicated

that it does not support amendments to the clause. Is that still our position?

Members indicated assent.

The Chairperson: If the Department has nothing to add, I will put the Question.

Question, That the Committee is content with the clause, put and agreed to.

Clause 7 agreed to.

Clause 8 (Accounts of registered clubs)

The Chairperson: Clause 8 amends the Registration of Clubs Order to pave the way for regulations and guidance that will make the accounting requirements for registered clubs more flexible. The clause removes requirements to prescribe by regulations the manner in which clubs maintain their system of control of accounts. It gives small and medium-sized clubs the option to have their accounts audited by an auditor or independent examiner. The clause allows the Department to issue directions on the system of control of accounts and the selection of an independent examiner. The Committee indicated that it does not support amendments UU to YY. Are we still content with that position?

Members indicated assent.

The Chairperson: If there are no further comments from members or the Department, I will put the Question.

Question, That the Committee is content with the clause, put and agreed to.

Clause 8 agreed to.

Clause 9 (Authorisations for special occasions)

The Chairperson: This is where it all falls apart. This is where we hit the skids.

Clause 9 amends the Registration of Clubs Order to increase the number of occasions, from 52 to 120 in any year, on which registered clubs may apply to the police for later opening to 1.00 am, or to midnight on a Sunday. A club must give at least seven days' notice of the event and may, at the police's discretion, include a number of occasions on the one application, which, I believe, is already practice.

The Committee has indicated informally that it would support an amendment to the clause that would limit the number of special authorisations

to 75 a year as opposed to 120. I have to take a formal position. At that stage, there seemed to be general support for such an amendment, although, I accept, that there was some dissent.

Mr Craig: I want to propose that amendment formally.

Mr Brady: That proposed amendment is prescriptive. Have there been any particular problems with clubs as a result of the number of late licences that they are already allowed?

Mr Quinn: Do you mean with the 52 late licences that they are already allowed? No, not in particular.

Mr Brady: Therefore, if there were 152, there probably would not be a problem. The proposed amendment seems to be based on the premise that the more late licences are granted, the more likely that it is that there will be problems. I cannot see the rationale or logic behind that. It is prescriptive. As it has been stated continually, clubs are well run. In general, there are few problems with them as opposed to other licensed establishments. I use the word “establishments” advisedly.

Mrs M Bradley: I feel the same. The police have told us that they have no big problem with the number of late licences either. Had they told us that there were problems as a result of clubs having x number of late licences, we would be dealing with that accordingly. We should let the clubs have a go.

The Chairperson: I know what Jonathan’s view is, as does the Committee, because we have debated it at length on previous occasions. I do not think that anyone’s argument will change. We have talked the issue through.

I am sitting here looking at the number of members in attendance. At this stage, it does not look as though any amendment or the clause itself will be agreed because there are four members for and four against. That position will be replicated throughout. Therefore, we do not have anything. The clause will not be accepted. Opposition to 52 late licences would extend into opposition to the clause in totality. However, the Committee needs to take a position on the clause.

The Committee Clerk: Chairman, as you know, the Committee will produce a Bill report, which is its advice to the Assembly. Therefore, the Assembly will be looking to the Committee for

guidance. If the amendment, which has not yet been moved, falls, and the Question is put to the Committee as to whether it is content with the clause, it, too, would fall. Therefore, the Committee would neither be passing the amendment nor endorsing the clause.

That might be a little confusing for the Assembly, so what the Committee could do is park the issue and return to it on Thursday, when we may have a full complement of members. We could vote on any proposed amendments and the clause then.

Regardless of how clause 9 plays out on Thursday, I anticipate that members will be tabling amendments to it at Consideration Stage, so if the Committee decides to endorse 120 special authorisations a year, I would be surprised if members did not table an amendment to limit the number to 75 a year.

The Chairperson: That is right. Similar to the position that was taken on the previous clause, members are not prohibited from tabling an amendment at a later stage stating any number of special authorisations. However, it would be preferable for the Committee to take a firm view one way or the other.

Mrs M Bradley: I suggest that we park the clause in the meantime.

The Committee Clerk: I propose, Chairman, if the Committee is agreeable, to consider clause 9 again on Thursday. If there are more members present, we may come to an agreement.

Mr Craig: I am quite happy to propose an amendment now.

The Chairperson: Who knows who will be present on Thursday morning and whether we will be able to take any firm position. However, that option is always there. If no agreement is reached, the clause will not be voted down; rather, it will not be supported.

Are members happy to park the clause? Doing so does not prevent members from tabling an amendment at a later stage.

Clause 9 referred for further consideration.

The Chairperson: Our tiebreaker has just arrived. Good timing, John.

Clause 10 (Ancillary provision)

The Chairperson: Clause 10 allows the Department to make Orders to give full effect to the legislation. The Examiner of Statutory Rules suggested that subordinate legislation associated with the clause should be subject to draft affirmative, rather than negative, resolution. The Department accepts that and has agreed to amend the clause accordingly. Is that still the Department's position?

Mr Bowler: Yes.

The Chairperson: Subject to the text, does the Committee support the proposed amendment, which will alter the level of Assembly scrutiny to subordinate legislation from negative to draft affirmative? That will give us some power.

Members indicated assent.

Question, That the Committee is content with the clause, subject to the Department's proposed amendment, put and agreed to.

Clause 10, subject to the Department's proposed amendment, agreed to.

Clause 11 (Interpretation)

The Chairperson: Clauses 11 to 13 are minor clauses containing largely technical measures. Does the Department have any final comment to make on those clauses?

Mr Quinn: No, Chairman.

Question, That the Committee is content with the clause, put and agreed to.

Clause 11 agreed to.

Clauses 12 and 13 agreed to.

Clause 14 agreed to.

Schedule 1 (Schedule to be inserted in Licensing Order as Schedule 10A)

The Chairperson: Schedule 1 contains tables of offences and penalty points for licensed premises that are to be included in the Licensing (Northern Ireland) Order 1996 as schedule 10A.

Are there any comments from the Department?

Mr Quinn: No.

Question, That the Committee is content with the schedule, put and agreed to.

Schedule 1 agreed to.

Schedule 2 (Schedule to be substituted in Registration of Clubs Order for Schedule 6)

The Chairperson: Schedule 2 contains tables of offences and penalty points for offences that apply to clubs to be included in the Registration of Clubs (Northern Ireland) Order 1996 as schedule 6.

The Committee has indicated that it does not support amendments NNN to PPP, which would reduce the level of some penalty points for clubs. Are members content with that?

Members indicated assent.

The Chairperson: Are there any comments from the Department?

Mr Quinn: No.

Question, That the Committee is content with the schedule, put and agreed to.

Schedule 2 agreed to.

Schedule 3 (Amendments)

The Chairperson: Schedules 3 and 4 contain miscellaneous amendments and provisions that are to be repealed. Does the Department have anything further to add?

Mr Quinn: No, Chairman.

Question, That the Committee is content with the schedule, put and agreed to.

Schedule 3 agreed to.

Schedule 4 agreed to.

The Chairperson: Stakeholders have proposed a number of other amendments. The Committee has indicated that it does not support amendments RRR to DDDD — that is how bad this is getting.

However, the Committee may seek further clarity on the plans of the Minister or the Executive on alcohol pricing, public drinking controls and community alcohol partnerships at Consideration Stage. Are members happy enough with that position?

Members indicated assent.

The Chairperson: We shall now discuss irresponsible drinks promotions. The Committee has agreed to defer consideration of measures set out in amendment QQQ to curb irresponsible

drinks promotions until the Department reports on its consultation on the matter.

I advise members that their packs contains a summary of the limited number of responses received from stakeholders on the irresponsible drinks promotions proposals. Those are the responses that we elicited during evidence sessions.

The Committee Clerk: They include initial responses from the Wine and Spirit Trade Association (WSTA), the British Retail Consortium (BRC), the PSNI, the Public Health Agency and Queen's University Belfast (QUB). The retailers oppose the proposed measures on curbing promotions, arguing that multi-buy sales from supermarkets are not linked to alcohol abuse, and that the measures would have unintended effects on retailers and other alcohol consumers; for example, wine consumers. The PSNI highlighted enforcement concerns and made some suggestions in that regard — for example, advertising bans — although it is generally supportive of the measures. The Public Health Agency is supportive but advocates minimum alcohol pricing, and QUB is generally supportive of the measures.

The Chairperson: That is a summary of the responses that we have had. Is there any additional comment from the Department?

Mr Quinn: We have nothing further to add at this stage.

The Chairperson: Are we happy to indicate our general support for the measures to control irresponsible drinks promotions and to set that out in the Bill report? The report is being produced now in advance of Consideration Stage, when we will see the final detail, but we can probably get a draft that is sort of supportive, although we obviously cannot commit to anything, because we have not seen any detail. Are we happy to do that, and we can then take a more considered view before Consideration Stage?

Members indicated assent.

The Committee Clerk: I hope that the departmental officials will appear before the Committee after the consultation closes on 6 December — hopefully before Consideration Stage, whenever that may be — to brief it

again in order to allow members to form a joint Committee view.

The Chairperson: It is an unorthodox way of doing it, but I think that we all understand the circumstances. Given that we are quite supportive of the thrust of the proposals, I do not think we will raise any objections.

Mr F McCann: Last week, I raised the issues of changes in trends of entertainment and the way in which young people choose to entertain themselves. I notice that we have neither sought responses from young people or their representatives nor asked them to have an input into what we are doing. It may not be a bad idea, although it is at a late stage, to try to ascertain their opinion.

Mr Quinn: As part of the consultation, we will contact all the groups representing young people, such as the Children's Commissioner and similar organisations. I do not have a list of who will be consulted, but I can certainly provide that list.

Mr F McCann: The Commissioner for Children and Young People represents a fairly high-level opinion, but there are thousands of young people out there who choose to entertain themselves differently from the way in which older people do, so it might not be a bad idea to contact them.

The Chairperson: I am sure the Department will take that point on board. If members have nothing else to add, we will reflect our general support for the Department's initiative in our Bill report, and then take a more detailed view at a later stage before the Bill's Consideration Stage. Are we happy with that approach?

Members indicated assent.

The Chairperson: I take it that there are no other amendments that we wish to propose to the Bill. Is there any final comment on the Bill from the Department?

Mr Quinn: No.

The Chairperson: This does not complete the clause-by-clause consideration, because we have to return to clause 9. Tom and Liam, thank you very much, and we will see you again. We are nearly there.

Northern Ireland Assembly

Committee for Employment and Learning

17 November 2010

Employment (No. 2) Bill (NIA 24/09)

Members present for all or part of the proceedings:

Mrs Dolores Kelly (Chairperson)
Mr Jonathan Bell (Deputy Chairperson)
Mr Sydney Anderson
Mrs Claire McGill
Mr Pat Ramsey
Ms Sue Ramsey
Mr Peter Weir

The Chairperson (Mrs D Kelly): We move to the formal clause-by-clause scrutiny of the Employment (No. 2) Bill. This item of business will be recorded for Hansard, so all electronic devices should be switched off. Members are not too good at hiding their mobile phones; I can see that they are all checking them.

It is planned that the Committee will complete its clause-by-clause scrutiny of all 18 clauses and four schedules, including the delegated powers that are attached to some of the clauses. The Committee is required to agree or otherwise to each Part of the Bill. The Bill's purpose is to:

“Make provision about the procedures for the resolution of employment disputes and the procedures of industrial tribunals and the Fair Employment Tribunal; to make provision in relation to time off for study or training; and for connected purposes.”

The Department undertook extensive consultation on the Bill, and the Committee undertook its own extensive evidence gathering on workplace dispute resolution prior to the Bill's being drafted. Members received a memo on the Bill via e-mail on Monday. That memo lays out the purpose of the Bill. The Examiner of Statutory Rules provisionally indicated that

the delegated powers in the Bill are appropriate and that a full report would be forthcoming. In fact, we now have that report. Last week, the Committee heard evidence on the Bill from the Law Centre and the Labour Relations Agency (LRA), as well as briefings from departmental officials.

The Committee Clerk: The Committee received a further response from the LRA. Last week, members heard the LRA state its position that clauses 8 and 12 should be struck out of the Bill. The LRA put forward its arguments on that, and the Department then put forward its counter arguments. The LRA still holds to its position of wanting those clauses removed from the Bill. It will be for members to decide whether that is appropriate. As I said, the LRA position has not varied since last week.

I will begin, and my approach will be to flag up the title of each clause and to describe the clause. The Chairperson will then ask whether there is agreement on the clause. If so, we have a form of wording that must be used for the record.

Clause 1 (Repeal of statutory grievance procedures)

The Committee Clerk: Clause 1 is linked to schedule 1. Members will recall that the repeal of statutory grievance procedures is essentially the bedrock of the Bill. The procedures were put out about five years ago, and they have been repealed in GB already. This issue is core to the rest of the Bill. Therefore, we are seeking to establish whether members agree to clause 1 and to schedule 1.

Question, That the Committee is content with the clause, put and agreed to.

Clause 1 agreed to.

Schedule 1 agreed to.

Clause 2 (Statutory dispute resolution procedures: effect on contracts of employment)

The Committee Clerk: We went through this clause previously. No issues on clause 2 were raised by any respondents or members during informal clause-by-clause scrutiny. The explanatory and financial memorandum (EFM) to the Bill states:

“Clause 2 repeals Article 16 of the 2003 Order, which implies in every contract of employment a

duty to observe the statutory dispute resolution procedures in circumstances specified by the Department in regulations."

The provision that will be repealed was never commenced, and there has been no demand for such a provision. Therefore, we seek members' agreement on clause 2 on its own.

Question, That the Committee is content with the clause, put and agreed to.

Clause 2 agreed to.

Clause 3 (Statutory dispute resolution procedures: consequential adjustment of time limits)

The Committee Clerk: At the moment, there is provision for an automatic extension of three months in which a tribunal claim can be lodged where parties comply with the statutory dispute resolution procedures. Clause 3 repeals the relevant powers to allow that to happen.

Again, no issues were raised in connection with this clause when the Committee heard from stakeholder groups and when it looked at the matter informally and during its own consultation.

Question, That the Committee is content with the clause, put and agreed to.

Clause 3 agreed to.

Clause 4 (Non-compliance with statutory Codes of Practice)

The Committee Clerk: Clause 4 also relates to schedule 2. Again, we will have to return to the schedules separately. The clause will amend the Industrial Relations (Northern Ireland) Order 1992 to support a non-statutory approach to grievances, because the grievance procedure will be repealed by clause 1. The change will establish the context for a revised Labour Relations Agency code of practice, which will set good practice standards to which employers and employees will be expected to adhere. Failure to comply with the new code will enable a tribunal, if it considers it just and equitable, to increase or reduce a relevant award by up to 50%. Therefore, the clause will essentially allow a variance of reward where grievance procedures have not been complied with.

Question, That the Committee is content with the clause, put and agreed to.

Clause 4 agreed to.

Clause 5 (Determination of industrial tribunal proceedings without hearing)

The Committee Clerk: Clause 5 specifies that the determination of tribunal proceedings without a hearing will be permitted only when all parties to the proceedings consent in writing to that process, or if one of the parties presents no response whatsoever in the proceedings or does not contest the case. That means, effectively, that all the parties concerned have to register a view.

Question, That the Committee is content with the clause, put and agreed to.

Clause 5 agreed to.

Clause 6 (Restriction of publicity)

The Committee Clerk: Clause 6 deals with restriction of publicity.

Mr Weir: It may be difficult to get people to agree to that.

The Committee Clerk: Clause 6 enables industrial tribunals to restrict publicity in a wider range of circumstances than currently exists. At the moment, a restricted reporting order may be made in proceedings involving allegations of sexual misconduct. The clause extends that power to cover individuals for whom the disclosure of identifying matter would likely cause risk to either themselves or their property. It also covers situations in which the tribunal considers such an order to be in the interests of justice.

Question, That the Committee is content with the clause, put and agreed to.

Clause 6 agreed to.

Clause 7 (Enforcement of sums payable)

The Committee Clerk: Currently, when an industrial tribunal orders a party to pay an award but that party fails to do so, the party seeking enforcement through the courts must first register the matter with their County Court through the Enforcement of Judgments Office. The County Court will then issue an order for enforcement. The clause will make amendments that remove that intermediate step so that an individual can go straight to the order for

enforcement without having to go through the County Court. It speeds up the entire process and makes it more simple administratively.

Question, That the Committee is content with the clause, put and agreed to.

Clause 7 agreed to.

Clause 8 (Conciliation before bringing of proceedings)

The Committee Clerk: I will deal with clauses 8 and 12 together, because those were the clauses on which issues arose. The Department has agreed to its suggestion to reword the EFM in the most pared down form. The LRA effectively opposed that rewording. Members heard the LRA's arguments and the Department's counter arguments.

There appeared to be two opposing viewpoints that were not being easily reconciled. That means that members will need to make a decision on where they want to go. In cases where parties to a dispute that could result in a tribunal claim seek assistance from the Labour Relations Agency, the agency has a duty to provide assistance, even if there is no prospect of any kind of conciliated settlement. Clause 8 will convert the LRA duty into a power, which allows the agency to target its resources more effectively so that it can prioritise cases. Although we have to deal with the clauses 8 and 12 separately, when combined, they will essentially ensure that that power applies to industrial tribunals and the fair employment tribunal.

Members heard the agency's counter argument, which said that if it no longer had the absolute power or duty to provide assistance, the situation could somehow be used to run down or reduce its resources. The Department made considerable representations to say that that was not the case.

The EFM now reads in a very different way; it essentially reinforces the idea that it gives the LRA more power to prioritise cases as it wishes. The Department also said last week that there would be further consultation and examination of how that prioritising works in practice. Members will recall that the Department stressed that this is not a resource issue.

Although taken together, the Question on each has to be put separately.

The Chairperson: Are members content that the Question be put?

Mrs McGill: I have the correspondence from Bill Patterson in front of me. The penultimate paragraph of his e-mail states:

"The offer of 'complete discretion' masks the underlying diminution of the strength of the Agency's case in seeking additional resources given that the Agency's duty to conciliate is reduced to a power."

The last time that we discussed this, I made the point that complete discretion was helpful. To some extent, I can see the LRA's argument. However, according to the Committee Clerk, the Department —

The Committee Clerk: I gave my interpretation of what the Department said. I said that members would obviously recall what the Department said. However, members must use their own judgement. I am merely paraphrasing. I support neither the position of the LRA nor that of the Department. I am a completely neutral player.

Mr Bell: Where is the bowl of water? *[Laughter.]*

The Committee Clerk: If it is helpful, I will detail the options that are available to the Committee. They are: agreement to the clause; delay to reconsider the clause, although I must flag up that we have very little time left to get everything in before the end of the Committee Stage, even though that should not influence anyone; rejection of the clause; or the Committee can go to a division to seek agreement.

The Chairperson: We have discussed the matter over at least three weeks and have heard from all the relevant representatives. It is up to members to make their own judgement on whether their interpretation is what the Department gave an undertaking for or whether Mr Patterson's comments are considered to have greater importance at this stage.

Mrs McGill: I am not sure whether the LRA did not respond in the first instance or whether it responded in its first submission but did not comment on the clauses or ask for them to be removed. Which is the case?

The Committee Clerk: The LRA highlighted the arguments. About three or four weeks ago, members received a subsequent paper that asked for the removal of clauses. I do not know

the LRA's thought process, but I think that it had discussions with the Department, and my assumption is that, because of what the Committee heard last week, they were not able to reach agreement.

Ms S Ramsey: In the scheme of things, the LRA is an arm's length or non-departmental public body (NDPB). If an issue were being raised, it strikes me that the LRA and the departmental officials could have sat down and used their influence to come to an agreement on the matter.

I understand the points that everyone is making, but I am cynical about the fact that sometimes when a departmental official gives their interpretation of legislation, it does not mean the same as it would in the real world. I realise that we have been going over this issue for a number of weeks, but would it not be sensible to say to the Department and the LRA that they should sit down and talk about it over the next day or two to try to get a form of words that suits them both? If the LRA is saying one thing and the Department is saying another, where do we fit in? We are trying to get a balance in all this.

The Committee Clerk: There have been regular and long drawn-out discussions between the LRA and the Department. Long-serving members will recall that the Committee began looking at the issue about two years ago. Members heard last week that the LRA is concerned that its resources might be reduced, but the Department appeared to be saying that that was neither the case nor its thinking. It wants to see how it works, and it wants to build on it. The Department seemed to suggest that there would be subsequent legislation that would iron out any difficulties. The Committee should decide today whether it is content with the Bill as drafted and with moving it forward and seeing whether difficulties emerge. Alternatively, it can take the LRA view that it just expects difficulties or that it feels that it may be put under pressure with its resources and might be expecting cuts.

Ms S Ramsey: That is the difficulty that we are in. As this is legislation, there could be an agreement or there could be a nod and a wink. That is not necessarily what it is about. I understand people's fear, but we need to try to get the issue clarified.

The Chairperson: The LRA heard clearly from the Department that that is not the intent, so it

is working on supposition, not reality. The reality has been that money has been returned by the LRA [*Inaudible.*] We have to be sensible about public expenditure while not denying people their rights.

Ms S Ramsey: I agree with you, but I cannot understand why there has been an issue, considering that the LRA is an arm's-length body. The matter should have been sorted before it got to the Committee.

The Committee Clerk: It is the nature of the argument. The Department has offered its reassurances, but, for whatever reason, the LRA is not willing to accept them. It is hard to comment on that, but members must make their own judgement.

The Chairperson: I want to move this on. We have three options. First, we can agree the clause. Secondly, we can reject it and ask for further consideration. Thirdly, we can go to a division and vote on it. Do members wish to accept clause 8?

Mr P Ramsey: I have some sympathy with Sue Ramsey's proposition. We do not want to have a division on the clause. It is open to interpretation. If it were humanly and physically possible, could we delay a decision on this clause and convene a meeting on Monday or Tuesday to ratify any possible amendments?

The Chairperson: There are problems with the timescale. We have spent a large amount of time on this clause. We heard from the Labour Relations Agency no later than last week, and we heard from departmental officials. Departmental officials made it very clear to the Committee that the interpretation of clause 8 was such that it would not disadvantage people seeking their rights from the Labour Relations Agency.

The Committee Clerk: I will try to re-angle this. The Bill is moving from a duty to a power and from the LRA's being made to do something to having discretion. Financial issues are not in the Bill, and the Bill is what needs to be considered. Everything else is implication and people's interpretation. In this clause-by-clause consideration, we need to look at what the Bill says. The wording in the Bill is fairly simplistic and straightforward. It is moving from a duty to a power; it is moving from the idea of the LRA's being forced to do something to its being allowed to prioritise. Finance is not mentioned

in the Bill. The financial arguments relate to the Department and to the LRA; they are not in the Bill.

Mr Weir: I understand where Sue is coming from and what is being said. However, I also understand that we are under time constraints. I wonder whether this may be less a breakdown of the wording than an underlying breakdown of the relationship between the Department and the LRA. If that is the case, I suspect that giving them an extra couple of days to try to get something sorted out will not work, because there is a deeper underlying problem. In the light of what is in the Bill, as opposed to concerns about future developments, which are not in the Bill, I am happy to accept the clause.

The Committee Clerk: I suggest that the report reflects the heavy caveats, that members' concerns are highlighted, that any agreement, if that is what members want, is based on what the clauses are literally saying, and that members and the Committee will have a watching brief on how the other issues develop. The vote is very much on the clauses as they are drafted.

Question put, That the Committee is content with the clause.

The Committee divided: Ayes 5; Noes 0.

AYES

Mr S Anderson, Mr Bell, Mrs D Kelly, Mr P Ramsey, Mr Weir.

Question accordingly agreed to.

Clause 8 agreed to.

The Chairperson: I note that Claire McGill and Sue Ramsey abstained.

Clause 9 (Conciliation after bringing of proceedings)

The Committee Clerk: I will talk about clause 9 and clause 13 together. Clause 9 deals with industrial tribunals, and clause 13 deals with fair employment tribunals. We will come back to clause 13, but the two clauses need to be looked at together.

The purpose of these clauses is to give the LRA the duty to offer conciliation to parties that are involved in particular types of industrial tribunal cases. That is time limited to between seven and 13 weeks after a claim has been

lodged. More complicated cases, including industrial tribunals and fair employment tribunal discrimination cases, are not subject to those limits. After the time limit expires in relevant cases, the agency is no longer under a duty to offer conciliation but retains the power to do so. Clauses 9 and 13 remove the legislative provisions requiring that the LRA's duty to offer conciliation revert to a power to do so. It allows them to act independently.

Question, That the Committee is content with the clause, put and agreed to.

Clause 9 agreed to.

Clause 10 (Recovery of sums payable under compromises involving the Agency)

The Committee Clerk: Clause 10 is linked to clause 14 and is similar to clause 7. It deals with LRA-brokered settlements of issues that could, or otherwise would, be determined by a tribunal. The Committee spoke previously about the idea of streamlining and making things faster. Where a settlement includes an agreement for one party to pay the other a sum of money and that sum of money is not paid and the other party wishes to enforce payment, the clause will enable the party seeking payment to pursue the matter through the courts without the initial need to seek a County Court order. Again, it takes out that intermediate step. The clause will apply in cases only in which the conciliated settlement simply requires the claimant not to commence tribunal proceedings or, where they have begun, to end them. It will not be possible to use the process in situations in which the terms of the conciliated settlement are more complex.

Question, That the Committee is content with the clause, put and agreed to.

Clause 10 agreed to.

Clause 11 (Powers of Fair Employment Tribunal in relation to matters within jurisdiction of industrial tribunals)

The Committee Clerk: The fair employment tribunal has the power to hear, alongside the fair employment aspect of a complaint, additional aspects of a complaint that relate to other forms of alleged unlawful or unfair discrimination. Any other aspect of the complaint, such as a claim for unpaid wages or a breach of contract, must be heard and

determined as part of a separate industrial tribunal proceeding. Since all aspects of the claim often arise from the same original set of facts, that duplication of effort, that is, the need to have two separate tribunal hearings, is administratively wasteful and an unnecessary burden on all the parties that are involved in a tribunal case. The aim of the clause is to amend existing legislation to remove that anomaly and to allow the fair employment and the industrial tribunal aspects of cases to be heard by the fair employment tribunal as part of one tribunal proceedings, rather than being split.

Question, That the Committee is content with the clause, put and agreed to.

Clause 11 agreed to.

Clause 12 (Conciliation before bringing of proceedings)

The Committee Clerk: The Committee dealt with clause 12 previously, and it is linked to clause 8. I gave the description of how the two clauses operate together. The Committee divided on clause 8, and it must decide what it wants to do with clause 12.

Question put, That the Committee is content with the clause.

The Committee divided: Ayes 4; Noes 0.

AYES

Mr S Anderson, Mr Bell, Mrs D Kelly, Mr P Ramsey.

Question accordingly agreed to.

Clause 12 agreed to.

The Chairperson: I note that Claire McGill and Sue Ramsey abstained.

Clause 13 (Conciliation after bringing of proceedings)

The Committee Clerk: Clause 13 was dealt with as part of my discussion of clause 9. I gave a full description of clause 13 at that point.

Question, That the Committee is content with the clause, put and agreed to.

Clause 13 agreed to.

Clause 14 (Recovery of sums payable under compromises involving the Agency)

The Committee Clerk: Clause 14 was similarly dealt with as part of the description of clause 10. The description still stands for clause 14.

Question, That the Committee is content with the clause, put and agreed to.

Clause 14 agreed to.

Clause 15 (Time off for study or training)

The Committee Clerk: Clause 15 applies with schedule 3 and deals with time off for study or training. Members will recall that this element was new to the Bill. It was not part of the Committee's original consultation, but the Department consulted on it.

These provisions introduce powers that will allow for the subsequent introduction of a new right for qualifying employees, that is, those who have served 26 weeks as an employee, to make a formal request to their employer for time away from core duties to undertake study or training. An application will be for study or training that is intended to improve both an employee's effectiveness at work and the effectiveness of the employer's business. Therefore, a request cannot be an unrelated request; it must be relevant to an employee's work and to their employer's business.

Employers will be obliged to give serious consideration to such requests and can turn them down on the basis of a specified list of business reasons that is comparable to the list that is already in place for the right to flexible working. The business reasons that can be given for refusing a request are very similar to those for flexible working. The permissible grounds for refusal are listed at schedule 3, which is why clause 15 works with schedule 3.

Question, That the Committee is content with the clause, put and agreed to.

Clause 15 agreed to.

The Committee Clerk: We also need to agree the delegated powers of the Bill. Those have been examined by the Examiner of Statutory Rules, and he is content with them. I will run through very quickly where those delegated powers lie: clause 4(2); clause 5; clause 6(3); clause 10; clause 14; clause 17; and schedule 3.

The Chairperson: Are members content to agree the delegated powers?

Members indicated assent.

Clause 16 (Repeals)

The Committee Clerk: Clause 16 is the repeals clause. Essentially, this clause takes out or repeals any legislation that sits in the way of the Bill or that needs to be modified by the Bill.

Question, That the Committee is content with the clause, put and agreed to.

Clause 16 agreed to.

Clause 17 (Commencement)

The Committee Clerk: Clause 17 sets out when the Bill will be enacted.

Question, That the Committee is content with the clause, put and agreed to.

Clause 17 agreed to.

Clause 18 (Short Title)

The Committee Clerk: Clause 18 is the short title. At the moment, the running short title is the Employment (No. 2) Bill, because there were two Employment Bills running at the same time. This will obviously become the Employment Act 2011, because the previous Employment Bill was given Royal Assent this year, but that will not happen for this Bill until next year.

Question, That the Committee is content with the clause, put and agreed to.

Clause 18 agreed to.

The Committee Clerk: There are four schedules, which, as we have gone through, apply to different clauses.

Schedule 1 is the repeal of the statutory grievance procedures and the resulting consequential amendments. The Committee has agreed to schedule 1 already.

Schedule 2 agreed to.

Schedule 3 (Time off for study or training)

The Committee Clerk: Schedule 3 has two parts. Part 1 is time off for study or training, with provisions being inserted as Part 7A of the Employment Rights (Northern Ireland) Order 1996.

The Chairperson: Are members content to agree that part of the schedule?

Members indicated assent.

The Committee Clerk: Part 2 of schedule 3 deals with the related amendments to employment law that flow from the rights for training and time off for study.

The Chairperson: Are members content to agree that part of the schedule?

Members indicated assent.

Question, That the Committee is content with the schedule, put and agreed to.

Schedule 3 agreed to.

Schedule 4 (Repeals)

The Committee Clerk: Schedule 4 is the general list of existing legislation that must be repealed to enact the Bill.

Question, That the Committee is content with the schedule, put and agreed to.

Schedule 4 agreed to.

Long Title

The Committee Clerk: Members have to decide whether to agree on the long title of the Bill, which is:

“A Bill to make provision about the procedures for the resolution of employment disputes and the procedures of industrial tribunals and the Fair Employment Tribunal; to make provision in relation to time off for study or training; and for connected purposes.”

The long title lays out the scope of the Bill and would be assessed against making amendments to that Bill in the future.

Question, that the Committee is content with the long title, put and agreed to.

Long title agreed to.

The Committee Clerk: That completes the formal clause-by-clause scrutiny. It may be ambitious, but we hope to bring the report on the Bill to the Committee for its approval next week.

The Chairperson: That report will reflect the caveats, concerns and issues that have been raised.

Northern Ireland Assembly

Committee for Health, Social Services and Public Safety

18 November 2010

Safeguarding Board Bill (NIA 25/09)

Members present for all or part of the proceedings:

Mr Jim Wells (Chairperson)
Mrs Michelle O'Neill (Deputy Chairperson)
Mr Mickey Brady
Dr Kieran Deeny
Mr Alex Easton
Mr Tommy Gallagher
Mr Sam Gardiner
Mr Paul Girvan
Mr John McCallister

Clause 12 (Arrangements to safeguard and promote welfare of children)

The Chairperson (Mr Wells): At last week's meeting, during the formal clause-by-clause scrutiny of the Safeguarding Board Bill, the Question was put to the Committee that it was content with clause 12 as drafted, and the clause was agreed. However, the Department has a proposed amendment to clause 12, and we should have agreed the clause subject to the amendment agreed with the Department. I know that you all spotted that. For the sake of clarity and for the minutes, the Department intends to propose an amendment to clause 12 to show consequential amendments. The letter that the Committee received from the Minister last week included information on the issue. I simply need to keep everything absolutely right.

Mr Girvan: We need to agree clause 12, with the amendment.

The Chairperson: Yes; I have to go through a formal procedure to keep us right. I should have put the Question that the Committee is content with clause 12, subject to the amendment agreed with the Department. Therefore, to rectify

that mistake, I propose to put the Question again. This is entirely a procedural matter, and there is nothing untoward.

Mr McCallister: Are you slipping something in?

The Chairperson: I am not slipping in an increase in the Chairperson's salary or anything like that. It is simply procedural. I will formally put the Question.

Question, That the Committee is content with the clause, subject to the proposed amendment agreed with the Department, put and agreed to.

Clause 12, subject to the proposed amendment agreed with the Department, agreed to.

Northern Ireland Assembly

Committee for Social Development

18 November 2010

Licensing and Registration of Clubs (Amendment) Bill (NIA 19/09)

Members present for all or part of the proceedings:

Mr Simon Hamilton (Chairperson)
Ms Carál Ní Chuilín (Deputy Chairperson)
Mr Sydney Anderson
Mrs Mary Bradley
Mr Mickey Brady
Mr Jonathan Craig
Mr Alex Easton
Ms Anna Lo
Mr Fra McCann

The Chairperson (Mr Hamilton): We move to clause-by-clause scrutiny of the Licensing and Registration of Clubs (Amendment) Bill. At its meeting on 16 November, the Committee agreed to return to this today.

Clause 9 (Authorisations for special occasions)

The Chairperson: Clause 9 is the only clause about which the Committee has yet to determine its view. The clause amends the Registration of Clubs (Northern Ireland) Order 1996 to increase the number of occasions, from 52 to 120 in any year, on which registered clubs may apply to the police for later opening to 1.00 am, or to midnight on a Sunday. A club must give at least seven days' notice of the event and may, at the police's discretion, include a number of occasions in one application.

Some members have indicated that they would support an amendment to the clause that would limit the number of special authorisations to 75 a year as opposed to 120. There was support for and opposition to such an amendment. I take it that that remains the case and that no

one has had an epiphany and changed their mind over the past couple of days.

Mr F McCann: I propose that the Committee goes for 120 special authorisations.

The Chairperson: Well, the Bill provides for 120 special authorisations. In the absence of any amendments, I will put the clause as drafted to the Committee. Does anybody else want to say anything at this stage? For the benefit of members who were not present on Tuesday, I recap that we debated the number of days to be stipulated in the clause. Jonathan proposed that it should be amended to 75 days, and we discussed that, but, to use an X Factorism, there was a deadlock.

Ms Lo: The Alliance Party is thinking of proposing that it should be 104 days, just to be in the middle. In the case of Jonathan's amendment failing, we will propose a limit of 104.

The Chairperson: It is like an auction. I feel like David Dickinson without the tan here. *[Laughter.]* OK, so I will put Jonathan's amendment. Jonathan, do you want to say anything? He is asleep.

Mr Craig: It is basically as was: 75 days would be a 50% increase, and I honestly think that they would be doing quite well to get that, because it would be damaging to other trades.

Mr F McCann: I understand where Jonathan is coming from. He has made it clear all along that, if he had his way, there would not be any increase at all. Obviously, 75 is a compromise for him. However, we should remember that the initial proposal was to allow 156 applications and that 120 was the compromise between that figure and no increase. That 120 falls somewhere between the maximum sought by the clubs and no increase, so accepting the clause as drafted is a fair compromise.

At the start of this process, there was some confusion in the Committee about the nature of clubs. We got confused with the likes of nightclubs and the trouble associated with them. I declare an interest as a member of the Irish National Foresters and of Cumman na Méirleach on the Andersonstown Road.

Mr S Anderson: It is still there.

Mr F McCann: I have nine membership cards.

The Chairperson: Was everyone in the Felons Club the other evening a member?

Mr F McCann: I signed them all in.

The evidence to the Committee clarified the clear difference that there is between a nightclub and a registered club. Everyone from whom we took evidence, probably with the exception of people from the pub trade and hoteliers, said that, in general, clubs run a good show and that there is no trouble or hassle. If we were to limit the number of special authorisations to 75 a year, we would be near enough penalising clubs because of what happens at other institutions.

The Chairperson: Jonathan can speak for himself, but the thrust behind the idea is to increase it to acknowledge that there is a demand for some clubs to be open a bit more. It is not a matter of taking a pub's side or a club's side but of trying to be a bit flexible. If we were to set the limit at 75 days or, as Anna suggested, 104 days and that proved to be OK in that there was not any additional hassle or concern, the limit could always be increased at a later stage if there was continued demand for it.

We all know where we are. We have thrashed the issue out, and opinions are pretty firm. I will put Jonathan's amendment to the Committee.

Question proposed:

That the Committee recommend to the Assembly that the clause be amended as follows: In page 18, line 42, replace "120" with "75". — [Mr Craig.]

Question put.

The Committee divided: Ayes 4; Noes 4.

AYES

Mr S Anderson, Mr Craig, Mr Easton, Mr Hamilton.

NOES

Mrs M Bradley, Mr Brady, Mr F McCann, Ms Ní Chuilín.

Question accordingly negatived.

The Chairperson: Anna Lo abstained. Do you want to put an amendment?

Ms Lo: I propose a limit of 104 days. Last Monday, I talked to my colleagues. We thought that an increase to 120 days was excessive and that Jonathan's amendment for 75 days was reasonable. The thinking was that, if his amendment were to fail, we would propose a limit of 104 days.

The Chairperson: Of course, Jonathan and other members still have the right to table an amendment at Consideration Stage and to make an argument on the Floor of the House for a limit of 75 days. The Committee can take a position on Anna's amendment now. You are effectively arguing that up to two special authorisations a week be allowed.

Ms Lo: Yes, for a Friday and a Saturday.

Mr Craig: I accept Anna's argument. I do not want to be accused of being unreasonable, and I see the logic behind her amendment. I think that a limit of 120 days sends out the wrong message, and, for that reason alone, I will back Anna's amendment.

The Chairperson: There is more logic to it being 104 days than 120 days in that it is arrived at by multiplying the 52 weeks of the year by two.

Mr S Anderson: We need to get the right balance, and I have always come from the perspective of business so as not to impact greatly on business. Especially in these economic times, we need to take that aspect into account.

The Chairperson: I will put it to a vote.

Question proposed:

That the Committee recommend to the Assembly that the clause be amended as follows: In page 18, line 42, replace "120" with "104". — [Ms Lo.]

Question put.

The Committee divided: Ayes 5; Noes 4.

AYES

Mr S Anderson, Mr Craig, Mr Easton, Mr Hamilton, Ms Lo.

NOES

Mrs M Bradley, Mr Brady, Mr F McCann, Ms Ní Chuilín.

Question accordingly agreed to.

Question, That the Committee is content with the clause, subject to the Committee's proposed amendment, put and agreed to.

Clause 9, subject to the Committee's proposed amendment, agreed to.

Long title agreed to.

The Chairperson: That concludes the clause-by-clause scrutiny. I thank the Committee for its diligence. I also thank everybody who gave evidence and the officials from the Department for being here throughout the process. Their help and support has been very much appreciated.

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 29 October 2010

Written Answers to Questions

Office of the First Minister and deputy First Minister

Equality and Good Relations

Dr S Farry asked the First Minister and deputy First Minister to outline their Department's position on the relationship between equality and good relations.

(AQW 926/11)

First Minister and deputy First Minister (Mr P Robinson and Mr M McGuinness): Our Department's position is outlined in the draft CSI document and in the Northern Ireland Act 1998.

UK Comprehensive Spending Review

Mr S Anderson asked the First Minister and deputy First Minister, pursuant to AQW 550/11, whether all Executive Ministers have fully discharged the agreed "collective and corporate approach to the major and unprecedented fiscal challenges" faced in the current economic situation.

(AQW 967/11)

First Minister and deputy First Minister: The Executive continues to work both collectively and through its Budget Review Group to develop and agree a response to the fiscal challenges it faces.

Aggregates Levy

Mr D Kinahan asked the First Minister and deputy First Minister what discussions they have had with HM Revenue and Customs to ensure either the continuation of the relief from aggregates levy or that it is replaced with a suitable alternative.

(AQW 1153/11)

First Minister and deputy First Minister: Following meetings with the Chancellor and Deputy Prime Minister in recent weeks, we have written to the Prime Minister asking him to look again at the decision by the Economic Secretary, Justine Greening, to suspend the scheme from 1 November 2010.

We are very concerned that the Autumn Finance Bill which was to have provided for an extension of this vitally important scheme until 2021, now puts the aggregates industry in a difficult financial position.

Officials from DFP and DOE are liaising closely with counterparts in HM Treasury and HM Revenue and Customs to explore options for the continuation of the scheme. These discussions are ongoing.

Sexual Orientation Strategy

Ms D Purvis asked the First Minister and deputy First Minister whether they will continue to produce and implement the Sexual Orientation Strategy in the event that the Programme for Cohesion, Sharing and Integration is not implemented.

(AQW 1313/11)

First Minister and deputy First Minister: The recent Cohesion, Sharing and Integration consultation document indicates that Ministers are fully committed to publishing the sexual orientation strategy. In

answer to AQO 121/11 on 27 September 2010, Junior Minister Newton reaffirmed to the Assembly the commitment to publish a Strategy and outlined how this work will be taken forward. He confirmed that a Strategy will be published.

Play and Leisure Policy

Mrs D Kelly asked the First Minister and deputy First Minister when they intend to publish their Play and Leisure policy.

(AQW 1355/11)

First Minister and deputy First Minister: The Play and Leisure Policy statement was published in 2009.

As a consequence of that the Play and Leisure Implementation Plan (the Plan) has been drafted. The Plan is currently with the OFMDFM Committee for consideration and the agreement of the Executive will be sought prior to the issue of the Plan for consultation.

It is anticipated that the Plan will be published for consultation shortly.

Ministerial Subcommittee on Children and Young People

Mrs D Kelly asked the First Minister and deputy First Minister how many times the Ministerial Sub-Committee on Children and Young People has met to date; and what actions have been taken forward following the meetings.

(AQW 1358/11)

First Minister and deputy First Minister: The Ministerial Sub-Committee on Children and Young People was established with the ultimate aim of improving the lives of children and young people here.

Since it was re-established under devolution in January 2008, the Ministerial Sub-Committee has met on seven occasions.

It identified 6 key priorities and established cross-departmental sub-groups and agreed associated action plans to take forward these issues. The sub-groups include: Child Poverty; Early Years; Provision for vulnerable young people; Safeguarding; Provision for children with special educational needs and Road Safety.

Each of the sub-groups have been working to achieve the actions contained in their respective action plans which, with the exception of the Child Poverty Action plan, were agreed by the Executive in March 2010.

The Child Poverty sub-group has been focusing its efforts on the identification of options for the future delivery of childcare and on developing an agreed definition of severe child poverty.

Phase one of their work was the development of an economic and policy appraisal in respect of childcare, which we will shortly bring to the Executive; and Phase two will be the development of a childcare strategy.

In the meantime, we intend to seek the Executive's agreement to the Child Poverty Sub-Group Action Plan.

We also intend to seek a progress report from each of the groups which we will bring to the Executive for agreement.

Prior to bringing any of these issues to the Executive, we will, of course, refer them to the Committee for consideration.

Quangos

Mr P Weir asked the First Minister and deputy First Minister what quangos with a Northern Ireland remit are proposed to be (i) abolished; or (ii) merged by the Westminster Government.

(AQW 1378/11)

First Minister and deputy First Minister: The Coalition Government proposals envisage the reform of some 310 public bodies. Options for reform include retention, transfer of functions, merger, change in status or abolition with functions either being discontinued or delivered in a different way.

We are currently consulting all departments about the nature of their involvement, either informal or statutorily based, with the bodies listed to enable us to make a comprehensive assessment of the implications for this administration and the need for the legislative consent of the Assembly to the changes proposed.

Executive Business

Ms M Ritchie asked the First Minister and deputy First Minister, pursuant to AQW 995/11 & 938/11, whether they will outline their position on Executive business with regards to transparency and accountability mechanisms.

(AQW 1414/11)

First Minister and deputy First Minister: You will recall that, at its meeting of 13 September 2007, the Executive unanimously agreed a protocol on confidentiality to protect the process by which Executive decisions are reached. This protocol included the provisions that Ministers should avoid saying anything publicly which might anticipate the Executive's reaction, fetter its discretion or which could subsequently appear to breach the principle of collective Executive responsibility; and that Ministers should ensure that the necessary steps are taken to protect the detailed content of papers and Executive minutes which are to be or have been considered by the Executive.

The Executive's position on this matter was further elucidated by the deputy First Minister in the Assembly Chamber in response to an oral question on 3 February 2010 when he stated that the confidentiality protocol protects the space for expression of views while facilitating the reaching of an agreed position and that it is essential that the Executive be allowed to conduct its work in an environment where individual Ministers can have confidence that the content of their papers and their views are protected. For that reason, information concerning details of Executive business is not normally released although it may be appropriate on occasion to provide information on the Executive's work on a particular issue.

Community Relations Council

Mr S Anderson asked the First Minister and deputy First Minister, pursuant to AQW 503/11, whether their Department has ever identified any communities which were under-represented in the awarding of (i) core funding; and (ii) project funding by the Community Relations Council.

(AQW 1426/11)

First Minister and deputy First Minister: As part of the development of the draft Programme for Cohesion, Sharing and Integration, we intend to carry out a review of core funding or project funding (as currently delivered by the Community Relations Council). 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.

Further details of the consultation can be found online at <http://www.ofmdfmi.gov.uk/index/equality/community-relations.htm> .

We would encourage you to take part in the consultation, particularly if you have ideas on how the funding to support the overall aim and themes of the programme can be delivered.

Apprentices

Mr P Weir asked the First Minister and deputy First Minister how many apprentices have a placement within their Department or any of its arms-length bodies for 2010/11.

(AQW 1432/11)

First Minister and deputy First Minister: There are currently no apprenticeship placements confirmed for 2010/2011 within our Department or its arms-length bodies.

OFMDFM has, along with all other Departments, signed up to the Programme-led Apprenticeship programme which is sponsored by DEL.

Programme for Cohesion, Sharing and Integration

Mr J Dallat asked the First Minister and deputy First Minister how many people attended the recent public meetings to discuss the Programme for Cohesion, Sharing and Integration; and for their assessment of the level of satisfaction with the document expressed at these meetings.

(AQW 1446/11)

First Minister and deputy First Minister: The consultation on the draft Programme for Cohesion Sharing and Integration included 11 formal public meetings across a range of geographic locations. The details of the number of people who attended each event are included in the table below.

CSI VENUES AND NUMBERS

Date	Venue	Number of Attendees
Wednesday 1st September	City Hotel, Derry/Londonderry	54
Monday 6th September	Grosvenor House, Belfast	98
Tuesday 7th September	Arts Centre, Newry	16
Thursday 9th September	Glenavon Hotel, Cookstown	18
Monday 13th September	Tullyglass Hotel, Ballymena	36
Wednesday 15th September	Clinton Centre, Enniskillen	19
Tuesday 21st September	Town Hall, Newtownards	57
Wednesday 22nd September	Seagoe Hotel Portadown	48
Monday 27th September	Armagh City Hotel	35
Wednesday 29th September	Silverbirch Hotel, Omagh	18
Tuesday 12th October	Lodge Hotel, Coleraine	12

As the consultation is still ongoing, it is not possible to comment on the attitudes of those who attended the meetings. All comments and suggestions received will be taken into consideration before the final version of the programme is published.

Ethnic Minority Development Fund for 2010-11

Ms A Lo asked the First Minister and deputy First Minister to list the groups which have received grants for core costs from their Department's Ethnic Minority Development Fund for 2010-11.

(AQW 1463/11)

First Minister and deputy First Minister: The following groups are receiving development funding which includes core costs from the Department's Ethnic Minority Development Fund for 2010-11:

- South Belfast Partnership Board
- Ballymena Inter-Ethnic Forum
- SEEDS
- Old Warren Partnership Board
- South Tyrone Empowerment programme (STEP)
- Ballymoney Community Resource Centre/
Kilcranny House
- ArtsEkta
- Multi Cultural Resource Centre
- Chinese Welfare Association

- Barnardos
- Derry Travellers
- Wah Hep
- NICEM
- An Munia Tober
- East Belfast Independent Advice Centre
- Craigavon Intercultural Programme
- HomePlus NI
- GEMS
- Embrace
- Polish Association NI
- Craigavon Travellers Support Committee
- NICRAS

A full list of funded projects and organisations and amounts awarded is available in the Northern Ireland Assembly library.

Planning Appeals Commission

Mr T Lunn asked the First Minister and deputy First Minister for his assessment of the current workload of the Planning Appeals Commission.

(AQO 452/11)

First Minister and deputy First Minister: The Planning Appeals Commission is an independent tribunal Non-Departmental Public Body, which operates at arms length from Government and exercises its functions accordingly. Operational responsibility for the Commission including the deployment of resources to address the prevailing workload rests with the Chief Commissioner.

In the last five years the Commission has experienced significant workload pressures in relation to planning appeals, draft development plans and public inquiries into major planning proposals.

In recognition of the challenges and pressures facing the Commission and in line with our PSA 21 commitment, we have committed additional spending power of around £2 million over the three years 2008/11.

The additional resources we provided have enabled and are continuing to enable the Commission to address its workload pressures. We are pleased to note that to date the Commission has made significant progress in reducing the numbers of outstanding planning appeals from over 3,000 cases in 2007 to around 450 cases at present, and that the Chief Commissioner is considering how best to address the current challenge of increased major planning applications.

Our Department has no locus in relation to workload scheduling or decision making within the Commission. We are however responsible for the sponsorship and resourcing of the Commission and will continue to liaise closely with the Commission regarding its workload and associated resourcing issues.

Department of Agriculture and Rural Development

Phytophthora Ramorum

Mr D Kinahan asked the Minister of Agriculture and Rural Development what tests are used to identify phytophthora ramorum in (i) Large Oak; (ii) Japanese Larch; (iii) Rhododendron; and (iv) other species.

(AQW 1150/11)

Minister of Agriculture and Rural Development (Ms M Gildernew): Phytophthora ramorum is a fungus-like organism that can potentially infect over 140 diverse plant species, including oak, Japanese larch and Rhododendron, causing disease symptoms. A number of different methods are used in the field and the laboratory to diagnose the disease and identify the pathogen.

Lateral Flow Devices are small field kits which can be used to detect the presence of Phytophthora species. When taken alongside the observation of typical symptoms, which vary from host to host, they give strong indication that the cause of the symptoms on the plant is P. ramorum.

Laboratory isolation methods use selective media and specialist techniques to isolate the pathogen. *P. ramorum* forms distinctive sporulating structures – sporangia, chlamydospores and mycelia – which are used to confirm the identity of the pathogen, employing a microscope.

Molecular technology called polymerase chain reaction (PCR) is also used to identify the pathogen. Real time PCR is a highly specific and sophisticated DNA technology which can identify, very precisely, the presence of even small amounts of *P. ramorum* DNA. There is no danger of reporting a false positive.

A combination of these three methods is used, along with assessment of the symptoms. There are differences in the ease of detecting and identifying the pathogen according to host. It is relatively easy on hosts such as *Rhododendron* or *Viburnum* species to both isolate the pathogen and to detect it using PCR. On large woody hosts such as Japanese larch or oak isolation is more difficult because of the presence of fungal inhibitors in the wood, which can also have a negative effect on PCR.

However, DARD inspectors are fully trained to recognise the symptoms on larch or other large woody hosts, and to take appropriate samples from which the laboratories have the best opportunity to make an accurate diagnosis.

Phytophthora Ramorum

Mr D Kinahan asked the Minister of Agriculture and Rural Development what meetings her Department has had with the forestry commissions in other parts of the UK regarding identifying and tackling phytophthora ramorum.

(AQW 1151/11)

Minister of Agriculture and Rural Development: The Forestry Commission GB has invited a representative of my Department's Forest Service to become a member of their Phytophthora ramorum Outbreak Management Team (OMT) in August. Officials have taken part in a number of meetings of the OMT by teleconference and by attendance in person. A Forestry Commission OMT member has visited the North to share Forestry Commission knowledge of management of the disease in Japanese larch with the Forest Service. In addition, Forest Service has also participated in the Department of Agriculture, Fisheries and Food (DAFF) Advisory Group Meetings on Phytophthora ramorum, set up to contain the spread of the disease in the South.

Phytophthora Ramorum

Mr D Kinahan asked the Minister of Agriculture and Rural Development what steps she has taken to inform woodland owners and farmers of how to (i) identify phytophthora ramorum; and (ii) tackle phytophthora ramorum if it is discovered.

(AQW 1152/11)

Minister of Agriculture and Rural Development: I have chaired a meeting of forestry stakeholders in September outlining the steps my Department is taking to contain the recent outbreak of Phytophthora ramorum in Japanese larch, highlighting the symptoms of the disease and urging landowners to remain vigilant and report unusual symptoms in Japanese larch to the Forest Service. My Department has also issued press releases in August and September 2010, alerting landowners and farmers about the disease, and urging them to report unusual symptoms to the Forest Service. In addition, Forest Service officials have met with the forest industry representative body which includes woodland owner representatives, to update them about the symptoms of the disease and measures which are now in place to combat its spread.

On sites where infection by Phytophthora ramorum is confirmed by the Department, the person responsible for the site is served with a notice by DARD's Quality Assurance Branch, or in the case of Departmental woodland, is sent a letter, indicating that symptomatic Japanese larch and any other symptomatic foliar host species within a designated area are to be felled by a stated date and that the work must follow biosecurity protocols (included as part of the notice or letter) at all times.

Chip Initiative

Mr J McCallister asked the Minister of Agriculture and Rural Development when the review and analysis report on the Chip Initiative will be published.

(AQW 1155/11)

Minister of Agriculture and Rural Development: The 'Chip Initiative' project started in response to recommendations from the NI Potato Stakeholder Group report in 2005, with the overall aim of maximising the use of locally grown potatoes in the fresh chip market.

An interim report on the project was produced in 2008 and made available to the farmers and processors involved in the project and to others in the industry at events celebrating the International Year of the Potato. These took place at CAFRE's Greenmount Campus and at Crawfordsburn Country Park. The project concluded earlier this year and the final report is expected to be published in November.

Phytophthora Ramorum

Mr D Kinahan asked the Minister of Agriculture and Rural Development whether her Department's guidance to landowners on phytophthora ramorum differs from the guidance followed by the Forestry Service.

(AQW 1156/11)

Minister of Agriculture and Rural Development: Where the Quality Assurance Branch (QAB) of my Department has reasonable grounds for suspecting that Phytophthora ramorum is present on a woodland site, a QAB official will require those responsible for the site, where the infection is present or suspected, to take appropriate measures. A statutory notice, detailing requirements, is issued to private land owners while in the case of land managed by Forest Service, QAB issue a letter instead of a notice but the same measures are required. Hence the specified actions, such as felling of Japanese larch trees and observance of bio-security protocols, apply equally to both Forest Service and private woodland infected by Pramorum.

Rural Development Programme

Mr D O'Loan asked the Minister of Agriculture and Rural Development to detail (i) the total budget of the Rural Development Programme; and (ii) the amount spent to date, broken down by administration and the grants awarded.

(AQW 1195/11)

Minister of Agriculture and Rural Development: The total allocation for the NI Rural Development Programme 2007-13, as approved by the European Commission is €689,710,615 euros. This equates to approximately £540 million sterling.

The amount spent to the end of September 2010 is £204.95 million, of which £5.15 million is administration and £199.8 million is grants awarded.

Defending Litigation

Mr P Weir asked the Minister of Agriculture and Rural Development what the legal costs were to her Department of defending litigation cases in each of the last three years.

(AQW 1207/11)

Minister of Agriculture and Rural Development: The legal costs to my Department of defending litigation cases in each of the last three financial years were:

2007/08	£235,849.16
2008/09	£223,747.43
2009/10	£307,902.87

Dog Owners

Mr P Weir asked the Minister of Agriculture and Rural Development how many dog owners have been prosecuted in each of the last three years for (i) attacks on people; and (ii) attacks on other dogs.
(AQW 1222/11)

Minister of Agriculture and Rural Development: Local Councils are responsible for enforcing all aspects of the Dogs Order 1983, including the provisions on dangerous dogs, and are required to provide statistical information to my Department relating to the operation of the Order.

The information that my Department holds on prosecutions relating to dog attacks on people and animals is provided at Table 1.

It is not an offence under the 1983 Dogs Order for a dog to attack another dogs, therefore the Councils do not provide my Department with specific statistical information on such incidents.

You may wish to be aware that Clause 6 of the Dogs (Amendment) Bill, which is currently in front of the Assembly, amends the 1983 Dogs Order to make it an offence to set a dog on, or to urge a dog to attack a dog owned by another person. Clause 7 of the Bill makes it an offence to allow a dog to attack and injure a dog owned by another person.

TABLE 1

DOG ENFORCEMENT STATISTICS – SUCCESSFUL PROSECUTIONS

Year	Successful prosecutions for attacks on people	Successful prosecutions for attacks on animals
2007	38	5
2008	37	5
2009	49	14

Overpayments to Contractors

Mr T Burns asked the Minister of Agriculture and Rural Development (i) whether her Department has made any overpayments to contractors in each of the last five years; if so to detail (ii) the goods or services which were overpaid; (iii) the projects to which the overpayments related; (iv) the value of the overpayments; (v) whether the overpayments were successfully reclaimed from the companies or individuals overpaid.

(AQW 1231/11)

Minister of Agriculture and Rural Development: The National Fraud Initiative data matching exercise identified 4 overpayments totalling £20,709.39 for goods and services. All were fully recovered and are detailed in Annex 1.

The Department has not recorded any losses relating to overpayments to contractors in its Resource Accounts for any of the last five years. Other information not captured by the data matching exercise relating to overpayments that may have taken place but were successfully reclaimed is not readily available.

To extract this information would require individual business areas within the Department to review their records and to do so would result in disproportionate costs.

ANNEX I**SUMMARY OF OVERPAYMENTS FULLY RECOUPED**

Date	Contractor	Goods/ Service	Project	Value	Recouped
Total 05/06				NIL	
27/04/06	CDR Group	Software Maintenance	None	3,757.65	Yes
Total 06/07				3,757.65	
02/07/07	Maxol Direct	Oil	None	2,806.61	Yes
20/11/07	Eurest	Catering	None	7,842.47	Yes
Total 07/08				10,649.08	
22/05/08	Jacobs Engineering	Engineering	Moneyhaw River	6,302.66	Yes
Total 08/09				6,302.66	
Total 09/10				NIL	
DARD Total				20,709.39	

Threat to Baby Shellfish in Carlingford Lough

Mr P J Bradley asked the Minister of Agriculture and Rural Development whether she will have the threat to baby shellfish in Carlingford Lough from the disease OshV-1 included on the agenda for the next North-South Ministerial Council Aquaculture and Marine Sectoral meeting.

(AQW 1252/11)

Minister of Agriculture and Rural Development: NSMC meetings in the Aquaculture and Marine sectoral format cover the work of the Foyle, Carlingford and Irish Lights Commission. However, fish health is not a function of the FCILC/Loughs Agency at present and remains the responsibility of DARD in the north. OshV1 is a fish health matter and is being actively dealt with by Fisheries Division in DARD who work closely at official level with DAFF and the Marine Institute, who are responsible for fish health matters in the south.

There would also be communications and sharing of information between DARD and the Loughs Agency where required. Any unusual occurrence or development which was impacting on shellfish in Carlingford Lough may, of course, be reported to NSMC through the Chief Executive's progress report.

I can confirm that the north of Ireland has not had any reports of mortalities attributable to OshV1 and recent DARD testing for the disease in Carlingford Lough has returned negative.

DARD will continue to liaise with Pacific oyster producers and the British and Irish authorities in controlling this emerging disease and in responding to the EC review, due by April 2011, of Regulation 175/2010/EC which regulates movements from affected areas.

Mackerel Fishing

Mr P J Bradley asked the Minister of Agriculture and Rural Development what assessment she has made of the potential that mackerel fishing brings to the fishing industry; and for her assessment of its uptake by local trawler operators.

(AQW 1253/11)

Minister of Agriculture and Rural Development: Of the mackerel stocks fished by our vessels by far the most significant is the “West Coast” or North East Atlantic Mackerel stock. Our two producer organisations (POs) hold 9.9 per cent of the Total Allowable Catch of this stock allocated to Britain and the north of Ireland. Approximately 60 per cent of this is held by one locally owned vessel. Two other locally owned vessels have quota holdings for mackerel and participate in the fishery. Approximately 25 % of the PO holding is in respect of Scottish based vessels which are in the membership of one of our POs.

The “West Coast” mackerel allocation is fully fished every year, however in the last two years the largest local holder has leased quota to other vessels whilst a replacement vessel was being built. This new vessel commenced fishing in August this year.

Over the last three years the landings of mackerel by British and the north’s vessels into our ports has averaged 2,039 tonnes per year, valued at approximately £1.6m. This represents around 12 per cent of the quota held by the two local POs. Mackerel landings into the north are limited by remoteness from the main mackerel fishing grounds and lack of deep water port facilities that can accommodate the largest pelagic fishing vessels. However the landings which do take place are important for local processors.

Laying Birds

Mr P J Bradley asked the Minister of Agriculture and Rural Development for her assessment of the number of laying birds currently in production; and the anticipated numbers that will exist following the introduction of the ban on laying cages in 2012.

(AQW 1254/11)

Minister of Agriculture and Rural Development: Council Directive 99/74/EC came into force in July 1999 and laid down minimum welfare standards for the protection of laying hens. It banned the installation of new conventional or “battery” cages from January 2003, and the keeping of laying hens in existing conventional cages from January 2012. The Directive was transposed into domestic legislation here in July 2002 through the Welfare of Farmed Animals (Amendment) Regulations (NI) 2002.

There are just over 3.5 million laying hens currently in production here. It is not possible to anticipate the number of laying hens that will be in production in 2012. However, I recognise the steps that the local industry is taking to comply with the deadline to phase out the use of conventional cages, and indeed since 2003 all new installations of laying hen systems have been of the enriched cage type, free range, barn or organic.

Dog Owners

Mr P Weir asked the Minister of Agriculture and Rural Development whether any proposed legislation from her Department will address the issue of dog owners who allow their dogs to attack other dogs.

(AQW 1377/11)

Minister of Agriculture and Rural Development: Clause 6 of the Dogs (Amendment) Bill, which is currently before the Assembly, amends the 1983 Dogs Order to make it an offence to set a dog on or to urge a dog to attack a dog owned by another person. Clause 7 of the Bill makes it an offence to allow a dog to attack and injure a dog owned by another person. Setting a dog on or urging a dog to attack another dog will carry a maximum fine on conviction of £2,500. Allowing a dog to attack and injure another dog will carry a maximum fine on conviction of £1,000.

The Bill is currently with the Committee for Agriculture and Rural Development, which is due to report by 29 November 2010.

Department of Culture, Arts and Leisure

2013 World Police and Fire Games

Mr P Frew asked the Minister of Culture, Arts and Leisure to detail the sporting venues outside Belfast that will be used for the 2013 World Police and Fire Games.

(AQW 1312/11)

Minister of Culture, Arts and Leisure (Mr N McCausland): Although no final decisions have been made in regard to the location of any sporting venue for the Games, an advertisement was placed in the Belfast Telegraph by Sport Northern Ireland (SNI) on behalf of the Stakeholder Group on Friday 2nd July 2010 seeking expressions of interest for venue owners wishing to host sporting events. The advertisement was also placed on the SNI website.

In addition, letters introducing the 2013 Games and the expression of interest process were sent to the Chief Executives of each District Council in Northern Ireland and the appropriate representative at each sport governing body that could potentially have a sport included in the Belfast 2013 Games.

SNI are currently reviewing the expression of interest returns to determine whether the venues/facilities meet the pre-determined facility specifications of the World Police and Fire Games Federation.

The selection criteria being used includes that priority will be given to venues that are nearest geographically to the Games Village. However, in exceptional circumstances where there is no suitable venue within Belfast for a particular sport or there is an exceptional venue outside Belfast, other venues will be considered.

The Games Village will be located in close proximity to Belfast City Centre.

Kennedy Kane McArthur

Mr M Storey asked the Minister of Culture, Arts and Leisure what progress has been made on plans to commemorate the centenary of Kennedy Kane McArthur's Olympic marathon victory.

(AQW 1403/11)

Minister of Culture, Arts and Leisure: I met with the Dervock and District Community Association (DDCA) on the 3rd August 2010. At that meeting I advised that they should engage with the Ulster Scots Agency regarding further research and with the Ulster Scots Community Network regarding publications.

I also suggested that DDCA should invite all the key stakeholders to a meeting at which they could discuss the Kennedy Kane Centenary and to collectively look at suitable funding options.

I am aware that Ballymoney District Council has recommended that Dervock be included in the Northern Ireland leg of the 2012 Olympic Torch Relay. However, the route for the Torch Relay is still under consideration and is unlikely to be finalised before the spring of 2012.

In addition DCAL officials have discussed with Deloitte, a lead 2012 partner, the possibility of them assisting DDCA in developing their plans.

I understand that Deloitte will be in contact with DDCA in the coming weeks.

Community-Based Groups

Mr P Weir asked the Minister of Culture, Arts and Leisure what grants are currently available from his Department, or any of its arms-length bodies, to community-based groups for capital build for premises.
(AQW 1411/11)

Minister of Culture, Arts and Leisure: The table below illustrates the grant funding currently available from my Department. These are provided through the Department's Arms Length Bodies to community-based groups for capital build for premises.

Project name	Summary	Budget Allocated	Date grant funding is available
Sport Matters – Community Capital Programme	A Programme prioritising schemes that demonstrate facility need within rural, semi-rural and urban settings which will increase participation in sport by those not previously engaged.	£1.5m	Programme launching 19 October 2010. For project spend in 2011/12.
ACNI Building Programme	This programme is open to applications from arts organisations to carry out feasibility studies for building projects.	Programme lies within the overall lottery budget of £4.3m – 100k available for feasibility studies.	This programme is only available until mid November

Ulster Camogie Council

Mr D Kennedy asked the Minister of Culture, Arts and Leisure, pursuant to AQW 1112/11, to outline the current status of the DARD Central Investigation Service investigation into the financial affairs of the Ulster Camogie Council.

(AQW 1416/11)

Minister of Culture, Arts and Leisure: DARD Central Investigation Service investigations into the financial affairs of the Ulster Camogie Council, carried out on behalf of the Department for Culture, Arts and Leisure are completed.

DARD Central Investigation Service concluded that the evidence available was inadequate to prove fraud.

The Sport NI report which referenced the DARD CIS report was submitted to the NIAO via the Department.

Subsequently, the Comptroller and Auditor General provided a report on this matter to the PAC. This report is in the public domain.

Comparable Service Delivery

Dr S Farry asked the Minister of Culture, Arts and Leisure what benchmarking exercises his Department conducts to assess its spending profile relative to comparable service delivery in other jurisdictions.

(AQW 1455/11)

Minister of Culture, Arts and Leisure: Although my Department is in regular contact with corresponding departments in England, Scotland and Wales on a range of matters, it has not carried out any benchmarking exercises with them. It has, however, carried out an element of benchmarking between its arm's length bodies on the level of administration costs.

Ulster Camogie Council

Mr D Kennedy asked the Minister of Culture, Arts and Leisure, pursuant to AQW 1154/11, whether any independent scrutiny or investigation has been undertaken at the request or behest of his Department into the financial affairs of the Ulster Camogie Council; and when he expects to be in a position to report on these findings.

(AQW 1492/11)

Minister of Culture, Arts and Leisure: As a consequence of information provided by two unnamed sources to the Public Accounts Committee (PAC) and the Northern Ireland Audit Office (NIAO), investigations were carried out by Sport NI and by the DARD Central Investigation Service. The DARD Central Investigation Service concluded that the evidence available was inadequate to prove fraud.

The Sport NI report which referenced the DARD CIS report was submitted to the NIAO via the Department.

Subsequently, the Comptroller and Auditor General provided a report on this matter to the PAC. This report is in the public domain.

Policy Screening Process

Ms S Ramsey asked the Minister of Culture, Arts and Leisure to detail, for the period from May 2007 to date, (i) the number of policies his Department and its associated bodies have (a) “screened out” as having no Equality Impact; and (b) “screened in” as having an Equality Impact; (ii) the number of staff involved in the screening process; and (iii) the cost of the screening process.

(AQW 1547/11)

Minister of Culture, Arts and Leisure: The table below details the number of policies screened by my Department and its associated bodies

	Total Screenings	Screened Out	Screened In
DCAL	11	11	-
Associated Bodies	97	92	5

Equality screening is carried out by staff as part of their normal duties and information on the costs involved is not readily available and could only be obtained at disproportionate cost.

I trust you will find this information useful.

Ulster Camogie Council

Mr D Kennedy asked the Minister of Culture, Arts and Leisure, pursuant to AQW 1075/11, what action his Department has taken in respect of the review undertaken by the DARD Central Investigation Service into the financial affairs of the Ulster Camogie Council, as detailed in the NI Audit Office Report published on 7 July 2010.

(AQW 1623/11)

Minister of Culture, Arts and Leisure: The DARD Central Investigation Service review, carried out on behalf of DCAL, concluded that the evidence available was not sufficient and reliable, to meet the standard of proof required for a successful criminal investigation and that such an investigation would not be commensurate with the potential sums lost, and therefore not in the public interest.

Therefore, no further actions were necessary.

Department of Education

Sure Start Programme

Ms A Lo asked the Minister of Education whether she has any plans to carry out an evaluation of the Sure Start programme.

(AQW 1098/11)

Minister of Education (Ms C Ruane): Tá sé beartaithe ag an Roinn Oideachais measúnú neamhspleách seachtrach a dhéanamh ar an Chlár Tús Cinnte. Tá obair faoi shiúl le hullmhú don phróiseas soláthair.

The Department of Education plans to undertake an independent external evaluation of the Sure Start Programme. Work is underway to prepare for the procurement process.

Harryville Primary School, Ballymena

Mr D O'Loan asked the Minister of Education to detail the dates and nature of any inspections carried out at Harryville Primary School, Ballymena, since January 2007; and if there are any plans for future inspections of the school.

(AQW 1192/11)

Minister of Education: Rinneadh na cigireachtaí seo a leanas in Harryville Primary School agus/nó san Aonad Naíscoile ó mhí Eanáir 2007:

The following inspections have taken place in Harryville Primary School and/or Nursery Unit since January 2007:

- (1) The primary school and nursery unit had a focused inspection of English and ICT during the week commencing 8 October 2007.
- (2) The nursery unit had a Follow-Up Inspection on 1 June 2009.
- (3) The primary school had a Follow-Up Inspection on 30 November 2009.

The District Inspector last visited the school on 11 June 2010 to monitor progress on addressing the areas for improvement. The Education and Training Inspectorate will continue to monitor the school's progress. There are currently no further inspections scheduled to take place.

Essential School Maintenance

Mr R Beggs asked the Minister of Education whether she is prioritising essential school maintenance within her school capital budget to avoid more expensive repairs in the future.[R]

(AQW 1220/11)

Minister of Education: Is eol dom go maith an tábhacht a bhaineann lena chinntiú go gcothaítear mar is ceart eastát na scoileanna chun dearóiliú do-ghlactha na bhfoirgneamh a chosc, agus lena chinntiú go bhfuil timpeallacht foghlama atá oiriúnach don fheidhm ag ár ndaoine óga agus ag ár múinteoirí.

I am intensely conscious of the importance of ensuring that the schools' estate is appropriately maintained to prevent unacceptable deterioration of the buildings and to ensure that our young people and teachers have a learning environment that is kept fit for purpose.

Urgent maintenance of the schools estate that is required for Health and Safety, to prevent immediate closure of premises or to avoid serious deterioration of the fabric or services to buildings is normally addressed without any undue delay. However maintenance required for less urgent reasons has to be addressed on the basis of its priority and on the availability of finance.

To assist in the prioritisation of maintenance, the Education and Library Boards carry out condition surveys of the individual properties in the estate on a cyclic basis and the data from these surveys is stored on a database known as the Manhattan estate management system. The data is stored on Manhattan with priority ratings based on condition. From the stored data, those responsible for maintenance are able to ascertain the schools most in need and the areas within those schools that require attention.

In the last three years I have provided over £80m for school maintenance and in this year alone £31.9m has been allocated so far.

I am aware of the historic failure to invest sufficiently to address maintenance issues in the estate and hence I will continue to press the Executive for additional funding for schools' maintenance.

Apprentices

Mr P Weir asked the Minister of Education how many apprentices have a placement within her Department or any of its arms-length bodies for 2010/11.

(AQW 1223/11)

Minister of Education: Níor cuireadh aon phrintísigh laistigh de mo Roinn nó d'aon eagraíochtaí neamhthuilleamaíocha sa bhliain 2010/11.

There have been no apprentices placed within my Department or any arms-length bodies in 2010/11.

Schools Health and Safety Standards

Miss M McIlveen asked the Minister of Education to detail (i) the schools which failed to meet health and safety standards, following risk assessments, in each of the last two years; (ii) in which areas the standards were not met; and (iii) the steps being taken to address these failures.

(AQW 1329/11)

Minister of Education: Níl an t-eolas a d'iarr tú ar fáil. Is faoi fhoireann bhainistíochta gach scoile atá an fhreagracht as measúnuithe scoileanna ar an riosca don tsláinte agus don tsábháilteacht nó as tuairiscí cigireachta scoileanna. Ní bheidh eolas ag an Roinn agus/nó ag na Boird Oideachais agus Leabharlann ar na saincheisteanna a d'eascair astu ach amháin má dhéantar, mar gheall ar an mheasúnú, iarratas ar chothabháil bhreise agus/nó iarratas go ndéanfar oibreacha mionchaitil. Cuireann an Roinn agus na Boird in ord tosaíochta aon obair atá riachtanach chun dul i ngleic le rioscaí don tsláinte agus don tsábháilteacht.

The information you have requested is not available. Responsibility for schools' health and safety risk assessments or inspection reports rests with each school's management team. The Department and/or the Education and Library Boards will only be aware of resultant issues if, as a result of the assessment, an application is made for either maintenance and/or minor capital works to be undertaken. Any work necessary to address unacceptable health and safety risks is prioritised by the Department and the Boards

Transport Policy

Miss M McIlveen asked the Minister of Education if and when a comprehensive review of her Department's transport policy will be carried out and when the results will be published.

(AQW 1330/11)

Minister of Education: Coinníonn an Roinn Oideachais agus na Boird Oideachais agus Leabharlann soláthar iompair scoile agus beartas iompair scoile chun luach ar airgead agus úsáid éifeachtach na sócmhainní araon a chinntiú. Tá pleanáil scoile, tagarmharcáil, táscairí feidhmíochta, spriocanna feidhmíochta agus córas tairiscintí iomaíocha i measc na modhanna chun cuidiú leis na saincheisteanna seo agus chun iad a chinntiú.

School transport policy and provision are kept under review by the Department of Education and the Education & Library Boards to ensure both, value for money and the effective use of resources. School planning, benchmarking, performance indicators, performance targets and competitive tendering are some of the means used to inform and ensure these considerations.

Equality and All-Ireland Directorate

Miss M McIlveen asked the Minister of Education to detail the annual budget for the Equality and All-Ireland Directorate.

(AQW 1331/11)

Minister of Education: Is é an buiséad bliantúil reatha le haghaidh na Stiúrthóireachta um Chomhionannas agus na Stiúrthóireachta Uile-Éireann ná £1,530,000 i leith Caiteachas Ginearálta Riaracháin. Tá caiteachas tuartha tuarastail de £2,735,000 don bhliain 2010/11 ag an Stiúrthóireacht fosta.

The current annual budget for the Equality and All Ireland Directorate is £1,530,000 for General Administrative Expenditure. The Directorate also has forecast salary expenditure of £2,735,000 for 2010/11.

This covers the full range of functions set out in my answer to AQW 572/11 published in the Official Report on 8 October 2010.

Health and Safety Issues

Mr M Storey asked the Minister of Education, pursuant to AQW 525/11, to detail (i) the lack of clarity surrounding the definition of what constitutes health and safety work, as indicated by the Education and Library Boards; and (ii) what steps she is taking to ensure that this definition is understood.

(AQW 1340/11)

Minister of Education: De bhun AQW 525/11, eascraíonn an easpa soiléire ar cad is obair ar shláinte agus shábháilteacht ann as an réimse éagsúil leathan saincheisteanna a fholáíonn an téarma sláinte agus sábháilteacht agus féadfar a rá go mbaineann aon iarratas ar mhionobreacha le sláinte agus sábháilteacht, ach nuair a mheasann comhairleoirí gairmiúla na Roinne an t-iarratas, is minic a bhíonn sé ina shaincheist bhainistithe réadmhaoine nó ina iarratas ar riachtanas a spíonadh, agus ina iarratas ar dhul i ngleic le riachtanas, ag an scoil atá i gceist.

Pursuant to AQW 525/11, the lack of clarity as to what constitutes health and safety work arises because the term health and safety covers a wide and diverse range of issues and any minor works application can be purported to be health and safety related, yet often when the application is assessed by the Department's professional advisors it proves to be either a property management issue or a request to consider and address a need at the particular school.

Regardless of this, the degree of risk attached to each health and safety related application is assessed and responded to appropriately. The Department and the Education and Library Boards monitor the levels of risk on an ongoing basis and where an unacceptable risk is identified it is dealt with immediately.

The Department has been working with the Education and Library Boards to introduce additional fields on the estates database to capture more specific information on reported health and safety works and bring clarity to what constitutes health and safety works.

Maintenance of Schools in the North Antrim Area

Mr M Storey asked the Minister of Education how much has been spent on the maintenance of schools in the North Antrim area, in each of the last three years, broken down by sector.

(AQW 1341/11)

Minister of Education: Tá an caiteachas ar chothabháil scoileanna i limistéar Aontroim Thuaidh mionsonraithe sa tábla thíos:

The spend on maintenance of schools in the North Antrim area is detailed in the table below:

Sector	2007/08	2008/09	2009/10
Controlled	£542,679.98	£508,312.70	£645,868.29
Maintained and other maintained	£197,880.52	£208,753.75	£230,370.48
	£740,560.50	£717,066.45	£876,238.77

Figures for voluntary grammar and grant maintained integrated schools are not readily available.

Ministerial Clearance of Papers

Mr M Storey asked the Minister of Education how many papers, from her officials, are currently awaiting her clearance.

(AQW 1343/11)

Minister of Education: I ndáil le doiciméid a fuarthas ó fheidhmeannaigh roimh dheireadh mhí Mheán Fómhair 2010, tá 10 gcinn ag feitheamh le mo chead.

In relation to papers received from officials up to the end of September 2010, one is awaiting my clearance.

Ministerial Clearance of Papers

Mr M Storey asked the Minister of Education what is the average number of days it takes to get Ministerial clearance of papers from officials before they are presented to the Education Committee.

(AQW 1354/11)

Minister of Education: Ó Mhí Eanáir 2010, glacadh trí lá, ar an mheán, chun doiciméid ó fheidhmeannaigh a cheadú sula bhfuil siad réidh le cur chuig an Choiste Oideachais.

From January 2010 to date it has taken an average of three days to clear papers from officials before they are ready to be sent to the Education Committee.

Vacant Teaching Posts

Mr T Buchanan asked the Minister of Education how many vacant teaching posts currently exist in (i) primary schools; and (ii) post-primary schools, broken down by Education and Library Board area.

(AQW 1368/11)

Minister of Education: Tá an t-eolas seo sna táblaí thíos.

The information is contained in the tables below.

(I) NUMBER OF VACANCIES IN THE 2009/10 ACADEMIC YEAR IN PRIMARY SCHOOLS AT 2 NOVEMBER 2009 1, 2

Type of Vacancy	Education and Library Board Area				
	Belfast	Western	North Eastern	South Eastern	Southern
Full-Time Permanent	4	8	4	15	14
Full-Time Temporary ³	3	1	5	5	2
Part-Time Permanent	4	0	4	4	1
Part-Time Temporary ³	1	1	5	3	3

(II) NUMBER OF VACANCIES IN THE 2009/10 ACADEMIC YEAR IN POST-PRIMARY SCHOOLS AT 2 NOVEMBER 2009 2

Source: Teacher Vacancy Survey

Type of Vacancy	Education and Library Board Area				
	Belfast	Western	North Eastern	South Eastern	Southern
Full-Time Permanent	9	7	4	3	7
Full-Time Temporary ³	2	2	2	2	2
Part-Time Permanent	0	1	0	0	0
Part-Time Temporary ³	0	1	1	0	1

1. Includes preparatory departments of grammar schools.
2. Number of vacancies is for classroom teachers only.
3. Temporary vacancies include temporary positions of 1 year or more and temporary positions of less than 1 year.

Expected Level of Reading or Writing

Mr T Buchanan asked the Minister of Education how many children left (i) primary school; and (ii) post-primary school without achieving the expected level of reading or writing in each of the last three years, broken down by (a) gender; and (b) Education and Library Board area.

(AQW 1371/11)

Minister of Education: Soláthraítear sna táblaí thíos eolas ar mheasúnuithe Eochairchéim 2 i mBéarla don earnáil bhunscoile agus i mBéarla GCSE don earnáil iarbhunscoile.

The tables below provide information on Key Stage Two assessments in English for the primary sector and GCSE English for the post-primary sector.

Progress in raising educational standards has been made however significant challenges remain, particularly to close the gap between the most and least disadvantaged. I have made it a priority to tackle underachievement and to promote equality and the raising of standards in literacy and numeracy in all our schools.

(I) NUMBER OF PRIMARY PUPILS NOT ACHIEVING THE EXPECTED LEVEL (LEVEL 4 OR ABOVE) IN ENGLISH IN KEY STAGE TWO ASSESSMENTS BY GENDER AND BY EDUCATION AND LIBRARY BOARD 2007/08 TO 2009/10.

	2007/08	2008/09	2009/10
Boys	3,158	2,882	2,690
Girls	1,909	1,746	1,588
TOTAL	5,067	4,628	4,278
BELB	1,014	982	869
WELB	920	823	757
NEELB	1,177	998	1,003
SEELB	873	828	768
SELB	1,083	997	881

	2007/08	2008/09	2009/10
Total	5,067	4,628	4,278

Source: Key Stage Assessments

(II) NUMBER OF POST PRIMARY SCHOOL LEAVERS NOT ACHIEVING GCSE ENGLISH A*-C BY GENDER AND BY EDUCATION AND LIBRARY BOARD 2006/07 TO 2008/09.

	2006/07	2007/08	2008/09
Boys	5,415	5,099	4,643
Girls	3,336	3,037	2,942
TOTAL	8,751	8,136	7,585
BELB	1,549	1,318	1,147
WELB	1,739	1,513	1,411
NEELB	2,028	1,915	1,809
SEELB	1,617	1,577	1,450
SELB	1,818	1,813	1,768
Total	8,751	8,136	7,585

Source: School Leavers Survey

Retired Teachers

Mr T Buchanan asked the Minister of Education to detail the number of teachers who took early retirement from (i) primary school; and (ii) post-primary school in each of the last five years and are currently teaching part-time, broken down by gender.

(AQW 1373/11)

Minister of Education: Léiríonn na figiúirí i dTábla 1 líon na múinteoirí a chuaigh ar scor sna cúig scoilbhliana seo a chuaigh thart – 01/09/05 go 31/08/10. Léiríonn Tábla 2 líon na múinteoirí a chuaigh ar scor sna cúig bliana seo a chuaigh thart agus a athfhostaíodh sa bhliain airgeadais reatha seo i ról páirtaimseartha (i.e. i ról ar bith seachas ról buan). Tá múinteoirí a chuaigh ar scor ón tseirbhís pheiripitéatach agus ó scoileanna speisialta folaithe fosta.

Figures in Table 1 represent the number of teachers who retired in the last five school years - 01/09/05 to 31/08/10. Table 2 represents numbers of teachers who retired in any of the last five years but have been re-employed in this current financial year in a part-time capacity (i.e. in any capacity other than permanent). Included are teachers who retired from the peripatetic service and from special schools.

The Department, on a monthly basis, monitors and challenges instances where retired teachers have been re-employed.

TABLE 1 - EARLY RETIREES IN LAST 5 YEARS

		Primary	Post-primary	Special	Peripatetic
1/9/05-31/08/06	Male	42	151	6	3
	Female	203	123	12	29
1/9/06 -31/08/07	Male	43	153	5	1
	Female	191	137	9	4
1/9/07-31/08/08	Male	31	168	4	0
	Female	126	202	19	0
1/9/08-31/08/09	Male	24	78	1	1
	Female	83	114	8	1
1/9/09-31/08/10	Male	6	41	8	0
	Female	50	62	8	0

TABLE 2 – RETIRED TEACHERS RE-EMPLOYED IN 010/2011

	Primary	Post-primary	Special	Peripatetic
Male	3	25	2	0
Female	32	47	3	2

Newly Qualified Teachers

Mr T Buchanan asked the Minister of Education to detail (i) the number of newly qualified teachers in each of the last three years; and (ii) of these how many are in (a) full-time; and (b) part-time teaching posts, broken down by (iii) gender; and (iv) Education and Library Board area.

(AQW 1376/11)

Minister of Education: Tá an t-eolas a iarradh mionsonraithe sa tábla faoi iamh.

The information requested is detailed in the attached table.

Graduates in Permanent Employment													
Year	All Graduates		Female						Male				
			BELB	WELB	NEELB	SEELB	SELB	BELB	WELB	NEELB	SEELB	SELB	
2006/07	807	Full-time	63	34	93	66	78	10	13	24	21	20	
		Part-time	6	3	5	13	11	1	0	4	0	2	
2007/08	805	Full-time	53	37	75	55	46	17	12	20	14	15	
		Part-time	2	4	6	1	2	0	0	1	3	1	
2008/09	735	Full-time	31	20	49	42	30	17	3	12	11	10	
		Part-time	3	3	7	7	7	0	0	2	0	1	

Pupils Living in Poverty

Mr D McKay asked the Minister of Education what steps her Department is taking to support and assist pupils who are living in poverty.

(AQW 1420/11)

Minister of Education: Tá roinnt beart i bhfeidhm ag mo Roinn chun tacú agus cúnamh le daltaí a mhaireann i mbochtanas. Déantar cuid díobh seo trí dheontais nó trí íocaíochtaí a théann díreach chun sochair don dalta nó don teaghlach, agus foláíonn siad Béalí Saora Scoile agus Liúntais Éadaí, rudaí atá ar fáil do theaghlaigh agus do dhaltaí nach bhfuil ioncam acu nó a bhfuil ioncam íseal acu. Soláthraíonn mo Roinn cistiú do scoileanna, fosta, chun cúnamh le riarachán Liúntas Cothabhála Oideachais. Is faoi réir DEL atá cistiú do na liúntais féin.

My Department has a number of measures in place to support and assist pupils who live in poverty. Some of these are in the form of grants or payments that benefit the pupil or family directly and include Free School Meals and Clothing Allowances which are available to families and pupils with no or low income. My Department's post-primary transfer policy includes a recommendation that schools use their admissions criteria to prioritise the admission of a fair number of children who are registered as being entitled to free school meals.

My Department also provides funding to schools to assist with the administration of Education Maintenance Allowances. Funding for the actual allowances falls to DEL.

Other measures are targeted at schools in areas of deprivation or children who suffer social disadvantage and include Extended Schools, Sure Start, and the Preschool Education Expansion Programme.

In addition there are measures in place to provide support to marginalised groups that often face poverty as well as barriers to education. These include Newcomers, Traveller and Roma children, School Age Mothers and Looked After Children. Funding is also provided to enable special provision to be put in place to remove or diminish the barriers to achievement which young people with special educational needs, some of whom may live in poverty, may face.

Finally my Department has a range of policies aimed at ensuring every child has the opportunity to fulfill their potential including the school improvement policy, the revised curriculum, Entitlement Framework and the Literacy and Numeracy Strategy. My Department is also currently consulting on a draft Early Years (0 – 6) Strategy.

My Department is also working closely with OFMDFM and other stakeholders in relation to the development of the Child Poverty Strategy.'

Children from Poorer Backgrounds

Mr D McKay asked the Minister of Education for her assessment of whether children from poorer backgrounds are more likely to under-perform at school; and what action her Department is taking to address this issue.

(AQW 1422/11)

Minister of Education: Léiríonn fianaise ceangal do-bhuanaithe idir tearcghnóthachtáil oideachais agus míbhuntáiste socheacnamaíoch. Mar shampla, ba dhócha faoi dhó go mbainfeadh fágálaigh scoile ó na cúlraí is flúirse amach an tagarmharc tábhachtach de 5+ GCSE (nó a chomhionann), lena n-áirítear grád A*-C i mBéarla agus i Mata, i gcomparáid leo siúd ó na cúlraí is mó faoi mhíbhuntáiste, mar a thomhastar trí Theidlíocht le haghaidh Béalí Saora Scoile (63.6% i gcomparáid le 29.7% sa bhliain 2008/09).

Evidence clearly shows an untenable link between educational underachievement and socio-economic disadvantage. For example, school leavers from the most affluent backgrounds were twice as likely to achieve the important benchmark of 5+ GCSEs (or equivalent) including English and Maths at grades A*-C, compared to those from the most disadvantaged backgrounds as measured by Free School Meal Entitlement (63.6% compared to 29.7% in 2008/09).

The challenge may be greater for those schools serving the most disadvantaged communities, or where the value placed on education is not as high as it might be. However, it is not insurmountable, and we already have schools in this situation achieving very good outcomes for their young people. We must not allow disadvantage, poverty of aspiration, or any other barrier to learning to stand in the way of pupils achieving to their full potential at each stage in their education.

Since becoming Education Minister, I have made it a priority to tackle underachievement wherever it exists and to promote equality and the raising of standards for all our young people. I have therefore introduced a range of interconnected policies to ensure that every child can fulfil her or his potential. Policies include my school improvement policy, ending state sponsored testing at the age of 10 or 11, the revised curriculum and entitlement framework, the literacy and numeracy strategy, the review of special educational needs and inclusion, the early years strategy, the Extended and Full Service Schools programmes, support for Newcomer and Traveller Children and the Achieving Belfast and Derry programmes. My work through the North-South Ministerial Council also has a focus on tackling underachievement, especially among the most disadvantaged, as this is an area of co-operation and concern.

Free School Meals

Mr D McKay asked the Minister of Education to detail the percentage of children who were (i) entitled; and (ii) not entitled, to free school meals who achieved 5 GCSEs at grades A* to C in (a) 2006; (b) 2007; (c) 2008; (d) 2009; and (e) 2010.

(AQW 1423/11)

Minister of Education: Tá an freagra sa tábla thíos. Baineadh an t-eolas ó Shuirbhé na bhFágálach Scoile agus léiríonn sé an staid le linn na cúig bliana seo a chuaigh thart. Níl sonraí ar fáil go fóill don bhliain acadúil 2010.

The answer is contained in the table below. The data have been extracted from the School Leavers Survey and shows the position over the past five years. Data is currently not yet available for the 2010 academic year.

PERCENTAGE OF SCHOOL LEAVERS ACHIEVING AT LEAST 5 GCSES A*-C (INC. EQUIVALENTS) BY FREE SCHOOL MEAL ENTITLEMENT 2005 TO 2009

Academic Year	Entitled to Free School Meals	Not Entitled to Free School Meals
2005	35.6	70.3
2006	37.6	70.2
2007	37.9	70.4
2008	39.7	71.8
2009	42.9	75.0

Source: School Leavers Survey

Year 8 at Secondary Schools in the North Antrim Area

Mr D McKay asked the Minister of Education to detail the number of pupils who enrolled in Year 8 at each secondary school in the North Antrim area, in each of the last three years; and the percentage of these children who were entitled to free school meals.

(AQW 1424/11)

Minister of Education: Tá an t-eolas a iarradh sa tábla thíos.

The information requested is contained in the table below.

POST PRIMARY SCHOOLS IN THE NORTH ANTRIM CONSTITUENCY – YEAR 8 ENROLMENTS AND ENTITLEMENT TO FREE SCHOOL MEALS – 2007/08 – 2009/10

School name	Year 8 enrolment			% Year 8 pupils entitled to free school meals		
	2007/ 08	2008/ 09	2009/ 10	2007/ 08	2008/ 09	2009/ 10
Ballee Community High School	57	77	58	24.6	35.1	53.5
Ballycastle High School	62	62	60	27.4	16.1	18.3
Ballymena Academy	177	178	176	*	*	2.8
Ballymoney High School	136	143	112	27.2	24.5	26.8
Cambridge House Grammar School	163	151	153	4.9	4.0	5.2
Cross and Passion College	108	139	132	19.4	18.0	12.1
Cullybackey High School	134	128	127	14.2	14.1	16.5
Dalriada School	127	125	129	*	4.8	7.0
Dunclug College	88	112	111	22.7	19.6	26.1
Dunluce School	99	116	88	20.2	24.1	22.7
Our Lady of Lourdes High School	43	40	50	20.9	32.5	22.0
Slemish College	127	128	125	16.5	10.2	13.6
St Louis GS	134	144	142	3.7	4.2	6.3
St Patrick's College	63	92	75	25.4	21.7	26.7

Source: School census

Note:

1 The schools above have been selected using the most recent constituency boundaries.

* refers to fewer than 5 pupils.

Faith-based Schools

Mr J Dallat asked the Minister of Education whether any negative evidence has been gathered by the Education and Training Inspectorate in relation to the education provided by faith-based schools in each of the last three years.

(AQW 1453/11)

Minister of Education: Faoi láthair, déanann an Chigireacht Oideachais agus Oiliúna cigireacht ar gach scoil faoi chothabháil stáit ar bhonn timthriall seacht mbliana nach ndéantar idirdhealú maidir le cineál bainistíochta scoile ann. Tá gach tuairisc chigireachta do na trí bliana seo a chuaigh thart ar fáil ag www.etini.gov.uk.

Currently, the Education and Training Inspectorate inspects all grant-maintained schools on the basis of a seven-year cycle, within which there is no distinction made with regard to school management type. All inspection reports for the last three-years are available at www.etini.gov.uk.

State-funded Preschool Provision

Mr P Givan asked the Minister of Education, pursuant to AQW 987/11, what legal requirement is placed upon education authorities to provide state-funded pre-school provision for children who live outside Northern Ireland at the time of application.

(AQW 1470/11)

Minister of Education: I ndáil le soláthar réamhscoile, éilíonn Airteagal 32(4) den Ord Oideachais (TÉ) 1998 go dtugtar tosaíocht do pháistí a bhfuil cónaí orthu i dtuaisceart na hÉireann roimh iarratasóirí neamhchónaitheacha. Ní spíonfar a leithéid d'iarratas ach amháin nuair atá áiteanna fós le fáil laistigh den líon formheasta rollaithe tar éis gach iarratasóir a bhfuil cónaí orthu sa tuaisceart a bheith glactha leo.

In respect of pre-school provision, Article 32(4) of the Education (NI) Order 1998 requires priority to be given to all children resident in the north of Ireland before any non-resident applicants. Such applications will only be considered where places remain available within the approved enrolment number after all northern resident applicants have been admitted.

I intend to bring forward proposals to delete this Article in relation to pre-school admissions and similar Articles in legislation relating to the primary and post-primary sectors.

The main reason I wish this law to be amended is because it is at odds with the reality of the way people in border areas live and access services. The residency priority is not in keeping with the developing concepts of EU citizenship and freedom of movement across borders.

Preschool Places

Mr P Givan asked the Minister of Education, pursuant to AQW 987/11, how many children did not receive a funded pre-school place after the additional £1.3 million was provided, broken down by constituency.

(AQW 1471/11)

Minister of Education: Mionsonraítear sa tábla thíos líon na bpáistí ina mbliain dheireanach réamhscoile nach raibh áit acu ag deireadh an phróisis um iontrálacha réamhscoile ar 30 Aibreán 2010 i ngach ceann de limistéir na mBord Oideachais agus Leabharlann (BOL). Níl an t-eolas agus é miondealaithe de réir toghcheantair ar fáil go héasca.

The table below details the number of children in their final pre-school year who were unplaced at the end of the pre-school admissions process on 30 April 2010 in each of the Education and Library Board (ELB) areas. This information is not readily available broken down by constituency.

	No. of children unplaced
BELB	246
WELB	165
NEELB	184
SEELB	308
SELB	299
Total	1202

On 20 May I announced additional funding of up to £1.3 million, to provide up to 1,200 more pre-school places in the voluntary/private sector, in order to ensure that, where possible, every child would be offered a funded pre-school place. The Pre-School Education Advisory Groups in each of the

Education and Library Board areas allocated additional places to those settings in their area which had spare capacity and unplaced children seeking a funded pre-school place. 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 each ELB.

I will write to the member with the information he has requested as soon as it becomes available.

GCSEs

Mr S Moutray asked the Minister of Education (i) how many children left Year 12 without achieving 5 GCSEs at grades A* to C in each of the last five years, broken down by each Education and Library Board; and (ii) the percentage this represents for each Education and Library Board.

(AQW 1477/11)

Minister of Education: Tá an t-eolas a iarradh sa tábla thíos:

The information requested is in the table below:

Board Area	Year	Number of year 12 pupils not achieving 5 or more GCSEs at grades A*-C	Number of pupils in year 12	Percentage of year 12 pupils not achieving 5 or more GCSEs at grades A*-C
BELB	2008/09	1,100	4,491	24.5
	2007/08	1,472	4,765	30.9
	2006/07	1,557	4,770	32.6
	2005/06	1,684	4,780	35.2
	2004/05	1,811	4,877	37.1
WELB	2008/09	1,213	4,154	29.2
	2007/08	1,397	4,360	32.0
	2006/07	1,602	4,484	35.7
	2005/06	1,703	4,561	37.3
	2004/05	1,812	4,587	39.5
NEELB	2008/09	1,478	5,189	28.5
	2007/08	1,733	5,345	32.4
	2006/07	1,984	5,445	36.4
	2005/06	2,053	5,455	37.6
	2004/05	2,221	5,650	39.3
SEELB	2008/09	1,435	4,131	34.7
	2007/08	1,550	4,354	35.6
	2006/07	1,766	4,420	40.0
	2005/06	1,777	4,388	40.5
	2004/05	1,860	4,430	42.0

Board Area	Year	Number of year 12 pupils not achieving 5 or more GCSEs at grades A*-C	Number of pupils in year 12	Percentage of year 12 pupils not achieving 5 or more GCSEs at grades A*-C
SELB	2008/09	1,443	5,208	27.7
	2007/08	1,614	5,514	29.3
	2006/07	1,865	5,584	33.4
	2005/06	1,949	5,570	35.0
	2004/05	2,046	5,619	36.4

Data excludes special and independent schools, and pupils with a statement of special educational needs.

Data includes equivalent qualifications. The information presented relates to the schools in the respective Board areas.

Source: Summary of Annual Examination Results.

Press Office

Mr A Easton asked the Minister of Education how many staff currently work in her Department's Press Office; and to detail the running costs of the Press Office in each of the last three years.

(AQW 1488/11)

Minister of Education: Tá Preasoifig na Roinne Oideachais ina cuid den Fhoireann Cumarsáide, rud a fholáíonn 14 fhoireann, lena n-áirítear 5 phreasfheidhmeannach agus 4 fhoireann dearaidh ghrafaigh.

The Department of Education's Press Office is part of the Communications Team which comprises a total of 14 staff, including 5 press officers, 5 administrative staff and 4 graphic design staff. In addition to press and public relations work the Communications Team has responsibility for; the Departmental website and intranet, updating the NI Direct website, design and print of documents, preparation of ministerial briefings relating to school visits and preparation of staff briefing papers. Four of the 5 press officers would be exclusively engaged in traditional press office functions and their salary costs are detailed below. It is not possible to disaggregate other running costs.

Gross salary details include gross pay received, and corresponding employer's national insurance contributions and superannuation costs.

2009/10	£146,437
2008/09	£153,006
2007/08	£142,704

Legal Services

Mr P McGlone asked the Minister of Education how much her Department and its agencies paid for legal services in each of the last five years; and to detail the firms engaged.

(AQW 1512/11)

Minister of Education: Is soláthraithe sa tábla thíos atá mionsonraí ar chaiteachas a leag an Roinn Oideachais amach mar chostais dlí i ngach ceann de na cúig bliana seo a chuaigh thart ó 2005-06 go 2009-10. Níl aon ghníomhaíochtaí ag an Roinn.

Details of expenditure that the Department of Education has coded to legal services in each of the last five years from 2005-06 to 2009-10 are provided in the table below. The Department does not have any agencies.

The figures in the table below include both legal fees and compensation costs.

	£
2005-06	(82,196.81)
2006-07	915.47
2007-08	1,016,824.72
2008-09	2,155,542.99
2009-10	39,761.29

In 2005-06 a number of cases were withdrawn and the associated accounting provision reversed, resulting in an overall negative cost.

Within the expenditure shown in the table payments of legal fees were made to the following organisations:

Department of Finance and Personnel/Departmental Solicitor's Office;

- Mr B Flanagan BL;
- Mr P Coll BL;
- Mr J O'Hara QC;
- Addleshaw Goddard LLP;
- Mr A Sands BL;
- Mr B McCluskey QC;
- EC Harris and Partners;
- Mr M Wolfe;
- Rowsell Wright Limited;
- Caldwell and Robinson Solicitors;
- The Children's Law Centre;
- Crown Solicitor's Office;
- Desmond J Doherty and Co Solicitors;
- Mr E McArdle;
- Kelly and Corr Solicitors;
- Mr P Maguire; and
- N I Local Government Officers' Superannuation Committee.

Cost of Substitution Teacher Cover

Mr M Storey asked the Minister of Education, for each of the last three years, to detail the cost of substitution teacher cover for (i) primary schools; and (ii) post-primary schools, broken down by sector and Education and Library Board.

(AQW 1540/11)

Minister of Education: Tá an t-eolas a iarradh mionsonraithe sna táblaí faoi iamh.

The information requested is detailed in the attached tables.

PRIMARY

Area	Sector	06/07 Cost	07/08 Cost	08/09 Cost
Belfast	Maintained	£2,174,003.92	£2,669,246.70	£2,987,615.60
	ELB Controlled	£1,987,941.70	£2,307,623.04	£2,697,670.65
	Grant Maintained Integrated	£74,943.27	£69,081.11	£82,937.14
	Total	£4,236,888.89	£5,045,950.85	£5,768,223.39
North-Eastern	Maintained	£2,105,684.08	£2,368,313.38	£2,730,932.23
	ELB Controlled	£4,087,918.32	£4,420,283.97	£4,895,235.83
	Grant Maintained Integrated	£201,061.65	£274,519.04	£301,198.23
	Total	£6,394,664.05	£7,063,116.39	£7,927,366.29
South-Eastern	Maintained	£1,684,321.83	£2,220,565.22	£2,451,983.96
	ELB Controlled	£3,598,384.74	£4,067,209.29	£5,081,126.94
	Grant Maintained Integrated	£158,474.86	£175,791.38	£210,720.58
	Total	£5,441,181.43	£6,463,565.89	£7,743,831.48
Southern	Maintained	£4,199,024.35	£4,778,862.18	£5,503,021.91
	ELB Controlled	£2,660,941.76	£2,916,460.26	£2,988,554.84
	Grant Maintained Integrated	£191,057.63	£179,546.58	£224,748.05
	Total	£7,051,023.74	£7,874,869.02	£8,716,324.80
Western	Maintained	£3,240,487.91	£3,856,740.84	£4,400,655.45
	ELB Controlled	£1,823,456.08	£1,813,502.59	£1,913,444.49
	Grant Maintained Integrated	£149,277.12	£123,633.36	£108,479.67
	Total	£5,213,221.11	£5,793,876.79	£6,422,579.61
	Grand Total	£28,336,979.22	£32,241,378.94	£36,578,325.57

POST PRIMARY

Area	Sector	06/07 Cost	07/08 Cost	08/09 Cost
Belfast	Maintained	£1,527,494.17	£1,706,752.73	£1,851,207.29
	ELB Controlled	£1,247,521.66	£1,680,260.34	£1,611,677.56
	Grant Maintained Integrated	£258,747.52	£268,878.97	£288,251.72
	Total	£3,033,763.35	£3,655,892.04	£3,751,136.57
North-Eastern	Maintained	£1,101,222.76	£1,216,645.09	£1,417,381.26
	ELB Controlled	£2,849,358.83	£2,962,656.62	£3,159,652.78
	Grant Maintained Integrated	£287,402.79	£344,238.82	£369,929.69
	Total	£4,237,984.38	£4,523,540.53	£4,946,963.73
South-Eastern	Maintained	£987,606.04	£943,397.30	£1,191,795.86
	ELB Controlled	£2,131,271.69	£2,399,230.66	£2,645,070.97
	Grant Maintained Integrated	£280,627.51	£387,063.71	£572,286.65
	Total	£3,399,505.24	£3,729,691.67	£4,409,153.48
Southern	Maintained	£2,187,424.12	£2,479,596.86	£2,690,709.20
	ELB Controlled	£1,761,487.61	£1,899,890.82	£2,207,472.97
	Grant Maintained Integrated	£318,911.74	£304,669.95	£221,786.18
	Total	£4,267,823.47	£4,684,157.63	£5,119,968.35
Western	Maintained	£1,977,756.07	£2,188,916.00	£2,486,764.61
	ELB Controlled	£1,244,564.69	£1,176,393.33	£1,330,049.41
	Grant Maintained Integrated	£329,194.46	£360,492.14	£373,761.01
	Total	£3,551,515.22	£3,725,801.47	£4,190,575.03
	Grand Total	£18,490,591.66	£20,319,083.34	£22,417,797.16

Formal Intervention Programme

Mr T Burns asked the Minister of Education to detail (i) any additional resources provided by her Department to each school as a result of an inspection by her Department and a subsequent Formal Intervention programme; (ii) what criteria is used to determine the level of additional finance; and (iii) what procedures are in place to monitor and account for how this additional finance is used.

(AQW 1546/11)

Minister of Education: Níor sholáthair an Roinn aon chistiú breise díreach do scoileanna atá sa Phróiseas Idirghabhála Foirmiúla (PIF). Cinntíonn an Roinn, áfach, go bhfaigheann gach scoil sa PIF clár tacaíochta óna Bord Oideachais agus Leabharlann, atá ag obair leis an CCMS, atá dírithe ar dhul i ngleic le réimsí ar leith a sainaithníodh le haghaidh feabhsúcháin sa tuairisc chigireachta. Faoi láthair, soláthraítear an tacaíocht seo ó na sócmhainní atá ar fáil cheana féin do scoileanna agus do Bhoird, rudaí a sholáthraítear chun a chinntiú go bhfaigheann daltaí an t-oideachas ardchaighdeáin a bhfuil siad ina theideal.

The Department has not provided any additional funding directly to schools in the Formal Intervention Process (FIP). However, the Department does ensure that each of the schools in the FIP receives a programme of focused support from its Education & Library Board, working where appropriate with CCMS, tailored to address the specific areas for improvement identified in the inspection report. That support is currently provided from within the resources already available to schools and Boards, which are provided to ensure that pupils receive the high quality education to which they are entitled. In 2009/10, the Department allocated £7.2m to the Boards in support of school improvement and in 2010/11, expects to allocate a similar level of funding.

School Inspections

Mr T Burns asked the Minister of Education where school inspections identified leadership as 'unsatisfactory', what recommendations in relation to the composition of the Board of Governors of each school was made, in each of the last three years.

(AQW 1549/11)

Minister of Education: Rinne an Chigireacht Oideachais agus Oiliúna (COO) moladh maidir le ballraíocht Bhord na nGobharnóirí ar dhá scoil, ceann amháin sa bhliain airgeadais 2007/08 agus an ceann eile sa bhliain airgeadais 2009/10, inar chinn sí go raibh an cheannaireacht míshásúil.

The Education & Training Inspectorate (ETI) made a recommendation in relation to the composition of the Boards of Governors of two schools where it found leadership to be unsatisfactory, one in the 2007/08 financial year and one in the 2009/10 financial year. In both cases, ETI recommended that, because the school was not providing an acceptable standard of education, due primarily to shortcomings in the management of the school, the Department of Education should exercise its power under Article 14 of the 1998 Education Order to appoint additional voting members to the Board of Governors, with appropriate experience and expertise, to assist the Governors in addressing the issues raised in the inspection report. The Department acted upon this recommendation in both cases.

Joint Study on North/South Co-operation in Education

Mr C McDevitt asked the Minister of Education for an update on the Joint Study on North-South Co-operation in Education.

(AQW 1634/11)

Minister of Education: Tá mo Roinn agus an Roinn Oideachais agus Eolaíochta ag cíoradh, faoi láthair, staidreamh scóipe a chuir an Lárionad um Staidéar Trasteorann agus an Cuibhreannas Malartaithe Thuaidh Theas i gcrích, ar chomhoibriú Thuaidh/Theas thar na 5 bliana seo a chuaigh thart. Tá siad ag obair fosta ar chomhoibriú reatha leanúnach agus ar chomhoibriú féideartha sa toadhcaí a shainaithe i réimsí leasa choitinn. Tá an tuairisc, rud a fholáíonn plean gníomhaíochta, le bheith leis an bheirt Airí faoin Earrach 2011.

My Department and the Department for Education and Skills are currently considering the scoping study completed by the Centre for Cross Border Studies and the North South Exchange Consortium, on North/South collaboration over the past 5 years. They are also working on identifying current joint ongoing and potential future cooperation in areas of mutual interest. The report, including a costed 2-3 year action plan, is due with both Ministers by Spring 2011.

Department for Employment and Learning

Defending Litigation

Mr P Weir asked the Minister for Employment and Learning what the legal costs were to his Department of defending litigation cases in each of the last three years.

(AQW 1165/11)

Minister for Employment and Learning (Mr D Kennedy): The legal cost for the Department of Employment and Learning of defending litigation cases in each of the last three years was as follows:

Financial Year	Cost
2007 / 2008	£16,393.53
2008 / 2009	£1,068
2009 /2010	£nil

Overseas Students

Mr A Ross asked the Minister for Employment and Learning to detail (i) the number of overseas students who completed university courses in Northern Ireland; and (ii) the total fees charged to overseas students, in each of the last five years.

(AQW 1209/11)

Minister for Employment and Learning: The table below details (i) the number of overseas students who completed university courses in Northern Ireland; and (ii) the total fees charged to overseas students, in each of the last five years.

Year	(i) Number of overseas students who completed courses in Northern Ireland	(ii) Total fees charged to overseas students £million
2005/06	700	8.046
2006/07	852	8.697
2007/08	777	9.504
2008/09	769	10.99
2009/10	698	11.412

Student Fees

Mr A Ross asked the Minister for Employment and Learning for his assessment of the proposed removal of the cap on student fees in England.

(AQW 1210/11)

Minister for Employment and Learning: The findings of the Browne Review of higher education and student support in England were published on 12 October. Lord Browne's report includes a raft of proposals which have the potential to fundamentally change the higher education system, one of which is the proposal to remove the existing cap on tuition fees.

As I stated in the Northern Ireland Assembly on 12 October 2010, I will be carefully considering the implications of the Browne and Stuart reviews particularly in light of the importance of maintaining and further enhancing Northern Ireland's widening participation record and the outcome of the Spending Review, before launching a public consultation on these issues.

University Fees

Mr A Ross asked the Minister for Employment and Learning what bursaries are available to assist young people from socially-deprived areas to meet the cost of university fees.

(AQW 1211/11)

Minister for Employment and Learning: Higher education providers wishing to charge up to a maximum of £3,290 tuition fees in the 2010/11 academic year are required to have Approved Access Agreements in place. These Agreements must also include details of financial support for less well off students. Those providers who wish to charge the maximum tuition fee for a course will have to provide at least £329 to students on those courses who are receiving the full maintenance grant support or special support grant. Some providers are giving substantially more than £329 and some are also giving bursaries to students eligible for part of these grants.

Southern Regional College: Lonsdale Street Campus

Mr C Boylan asked the Minister for Employment and Learning, pursuant to AQO 259/11, whether he has bid for or secured funding to refurbish the Lonsdale Street Campus of the Southern Regional College, Armagh; and when he expects this work to commence.

(AQW 1255/11)

Minister for Employment and Learning: Bids have been made in Budget 2010 and to the Investment Strategy for Northern Ireland (version 3) to secure funding for a replacement campus at the Lonsdale Street Campus of the Southern Regional College in Armagh. Until the outcome of Budget 2010 is known no date can be set for work to commence.

Access to University Education for People with a Disability

Mr G Robinson asked the Minister for Employment and Learning whether he intends to ensure that people with a disability maintain access to university education despite budgetary restraints on his Department.

(AQW 1262/11)

Minister for Employment and Learning: My Department remains committed to widening participation in higher education by students from groups who are currently underrepresented, in particular students with learning difficulties and disabilities. The implementation of the new Widening Participation Strategy will be a key element in ensuring that university education will continue to be accessible and affordable to people from all backgrounds.

My Department funds Disabled Student's Allowances which help students with the extra costs they have from studying their course that directly results from a disability, mental health condition or specific learning difficulty. The allowance does not depend on the student's, or their family's, income and does not have to be repaid.

In addition, my Department funds a Register of Support Providers in each of the two Northern Ireland universities. These are registers of professional and non-professional support providers who are recruited and trained to assist students with disabilities. Support from the register is available to all disabled students in the universities, university colleges, and Further Education Colleges. In academic year 2009/10 my Department provided funding of almost £210,000 to cover the administration costs of assessing students' support needs and "matching" the students with support providers.

The universities and university colleges also receive a widening access premium to assist with additional costs of students with disabilities. In academic year 2009/10 these institutions were funded £261,586 to provide specialist equipment and/or specific support for such students. The level of widening access premium allocated to the higher education institution is based on the number of its full-time undergraduate students in receipt of Disabled Students Allowance.

Foreign Nationals in Further and Higher Education

Miss M McIlveen asked the Minister for Employment and Learning to detail the number and proportion of foreign nationals currently studying at (i) Queen's University; (ii) the University of Ulster; and (iii) Further Education Colleges.

(AQW 1335/11)

Minister for Employment and Learning: As there are various definitions of 'Foreign Nationals' and limited coverage within the NI Education Sector data, 'Country of Domicile' has been used in this instance as a valid proxy. The number and percentage of enrolments by domicile at Queen's University, University of Ulster and Northern Ireland Further Education Colleges in 2008/09 are detailed in the table below:

Domicile	The Queen's University of Belfast		University of Ulster		Further Education Colleges	
	No.	%	No.	%	No.	%
NI	19980	87.6	19515	84.3	137363	96.4
GB	655	2.9	645	2.8	794	0.6
ROI	930	4.1	2250	9.7	3092	2.2
Other EU	270	1.2	170	0.7	1001	0.7
Non EU	975	4.3	575	2.5	236	0.2

Sources: Higher Education Statistics Agency (HESA) and Further Education Statistical Record (FESR).

Notes:

1. Figures for The Queen's University of Belfast and University of Ulster have been rounded to the nearest 5.
2. The latest available full-year data are for 2008/09.
3. The FE data relates to Professional and Technical provision.

Postgraduate Student Finances

Mr T Clarke asked the Minister for Employment and Learning to outline the funding opportunities and the access to low-cost loans currently available to postgraduate students.

(AQW 1346/11)

Minister for Employment and Learning: Support for postgraduate students, many of whom have already had the benefit of my Department's student support for their primary degree, has always been discretionary and subject to change to reflect wider government priorities.

Each year my Department, through its Postgraduate Awards scheme, makes available student support funding to Queen's University Belfast and the University of Ulster for research and certain approved courses of full-time study leading to higher degrees (Masters and PhDs). The universities are responsible for administering the postgraduate awards scheme and select, by competition, the students to fill these awards within the limits of funding available.

There is no Departmental budget to support Northern Ireland students who seek to undertake postgraduate study in universities in Great Britain or beyond. Responsibility for funding such students, including those from Northern Ireland, undertaking postgraduate courses at higher education institutions in Great Britain rests with the Research Councils. My Department reciprocates by funding students from Great Britain attending similar courses at Queen's University Belfast and the University of Ulster.

There is no Departmental funding available to support Northern Ireland domiciled students undertaking part-time postgraduate study.

An alternative source of funding that full-time and part-time postgraduate students may be able to avail of is a Professional and Career Development loan. A Professional and Career Development loan is a bank loan which is designed to help people pay for work-related learning to help gain experience, training and qualifications to improve job skills or launch a new career. Like any bank loan, the money borrowed must be repaid but, with a Professional and Career Development loan, the interest is paid on the loan while a student is learning and for up to one month afterwards. A learner can borrow anything between £300 and £10,000 to help fund up to two years of learning (or up to three years if the course includes one year of relevant practical work experience).

Full-time and part-time postgraduate students may also be able to source funding through the Educational Grants Advisory Service which is an independent advice agency that provides information of sources of charitable educational funding for further and higher education.

Full-time and part-time postgraduate students who are in financial hardship or are contemplating leaving their course because of financial problems may be able to seek assistance from their university's Support Funds.

Postgraduate Places

Miss M McIlveen asked the Minister for Employment and Learning how many postgraduate places remained unfilled at (i) Queen's University; and (ii) the University of Ulster, in each of the last five years. **(AQW 1353/11)**

Minister for Employment and Learning: As my Department does not hold information on this issue, the information below has been provided by the universities.

As there are no quotas in place in relation to postgraduate student numbers, there were no unfilled places at either university in the past five years.

Postgraduate Student Finances

Mr T Clarke asked the Minister for Employment and Learning to detail (i) the current funding opportunities available for part-time postgraduate students to cover fees and living costs; and (ii) any private initiatives available for part-time postgraduate students who are in financial difficulty. **(AQW 1356/11)**

Minister for Employment and Learning: Support for postgraduate students, many of whom have already had the benefit of my Department's student support for their primary degree, has always been discretionary and subject to change to reflect wider government priorities.

Each year my Department, through its Postgraduate Awards scheme, makes available student support funding to Queen's University Belfast and the University of Ulster for research and certain approved courses of full-time study leading to higher degrees (Masters and PhDs). The universities are responsible for administering the postgraduate awards scheme and select, by competition, the students to fill these awards within the limits of funding available.

There is no Departmental budget to support Northern Ireland students who seek to undertake postgraduate study in universities in Great Britain or beyond. Responsibility for funding such students, including those from Northern Ireland, undertaking postgraduate courses at higher education institutions in Great Britain rests with the Research Councils. My Department reciprocates by funding students from Great Britain attending similar courses at Queen's University Belfast and the University of Ulster.

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between £300 and £10,000 to help fund up to two years of learning (or up to three years if the course includes one year of relevant practical work experience).

Full-time and part-time postgraduate students may also be able to source funding through the Educational Grants Advisory Service which is an independent advice agency that provides information of sources of charitable educational funding for further and higher education.

Full-time and part-time postgraduate students who are in financial hardship or are contemplating leaving their course because of financial problems may be able to seek assistance from their university's Support Funds.

Apprentices

Mr P Weir asked the Minister for Employment and Learning how many apprentices have a placement within his Department or any of its arms-length bodies for 2010/11.

(AQW 1433/11)

Minister for Employment and Learning: Work placements are available in the public sector under the Department's Programme Led Apprenticeship (PLA) programme. My Department currently has eight such placements available for 2010/11, of which training suppliers are aware and are seeking to fill.

College Lecturers

Mr G Robinson asked the Minister for Employment and Learning what discussions took place between his Department, Further Education Colleges and Trade Unions which represent college lecturers in reaching agreement on Premature Retirement Compensation; and why his Department is minded to accept a proposal which could be detrimental to college lecturers in comparison to other areas of the education sector.

(AQW 1519/11)

Minister for Employment and Learning: My Department's only involvement in this matter has been to consistently encourage the six College employers to adopt a common 'sector wide' approach for the purpose of implementing severance payments for Lecturers. This culminated in the College employers submitting a 'sector wide' proposal to the Department on 17th September 2010. My Department provided clarification as requested, that the 'sector wide' proposal is within the parameters of the Teachers' Premature Retirement Scheme.

This response also advised College employers that any proposal remains subject to discussion with the recognised Trade Unions, using the established negotiating mechanisms.

Further and Higher Education Facilities

Mr T Clarke asked the Minister for Employment and Learning (i) what further and higher education facilities his Department has provided; and (ii) how much investment he has allocated to the promotion of education and sustainable employment, in the South Antrim constituency, since taking office.

(AQW 1580/11)

Minister for Employment and Learning: The further/higher education facility in the South Antrim constituency is the Antrim campus of the Northern Regional College (NRC). No additional facilities have been provided since a refurbishment in 1983. New £10m facilities have recently been delivered at NRC's Newtownabbey campus and bids have been made to the CSR for further NRC capital funding – both will benefit South Antrim constituents.

The block grant allocation to the Further Education Sector for the 2010/11 academic year is £147 million, an increase of £2m on the previous academic year. Funding is allocated in line with Departmental priorities to each College and cannot be broken down to constituency level.

Under the Department's Bridge to Employment Programme, funding amounting to £63,075.64 has been provided to help 60 unemployed people gain sustainable employment in the South Antrim constituency since 2007.

Department of Enterprise, Trade and Investment

Milk Cup and Foyle Cup

Mr P Ramsey asked the Minister of Enterprise, Trade and Investment to detail (i) the total running costs; and (ii) the level of funding allocated to (a) the Milk Cup; and (b) the Foyle Cup, in each of the last five years.

(AQW 1201/11)

Minister of Enterprise, Trade and Investment (Mrs A Foster): The total running costs and the level of funding allocated to The Milk Cup in each of the last five years is as follows:

Year	Total Running Costs	Level of funding allocated	Source
2006/07	Information not available from DCAL	£35,000	NI Events Company Ltd
		£15,000	Sport NI
2007/08	Information not available from DCAL	£25,000	NI Events Company Ltd
		£15,000	Sport NI
2008/09	£438,900	£50,000	DCAL
2009/10	£458,723	£59,678	DCAL
2010/11	£431,769	£40,000	DCAL
Total	£1,329,392	£239,678	

The total running costs and the level of funding allocated to The Foyle Cup in each of the last five years is as follows:

Year	Total Running Costs	Level of funding allocated	Source
2006/07	£136,517	£60,047	NI Events Company Ltd
2007/08	£144,750	£44,712	NI Events Company Ltd
2008/09	£123,000	£50,000	DCAL
2009/10	£132,293	£50,000	DCAL
2010/11	£126,600	£40,000	DCAL
Total	£663,160	£244,759	

Rose Energy Incinerator at Glenavy

Mr P Butler asked the Minister of Enterprise, Trade and Investment whether her Department or Invest NI has discussed the potential for burning lignite or other non-poultry litter material at the proposed Rose Energy incinerator at Glenavy.

(AQW 1319/11)

Minister of Enterprise, Trade and Investment: The Rose Energy project is the subject of an ongoing due diligence process and technical appraisals have indicated that there is potential for the power station to utilise waste wood as a supplementary fuel source.

Invest NI has not discussed the use of lignite as an alternative fuel for the Rose Energy incinerator.

Rose Energy Incinerator at Glenavy

Mr P Butler asked the Minister of Enterprise, Trade and Investment whether the proposed Invest NI capital construction funding for the proposed Rose Energy incinerator at Glenavy will be granted with conditions attached to prevent co-firing the incineration of poultry litter with (i) lignite; (ii) municipal waste; and (iii) hazardous waste.

(AQW 1322/11)

Minister of Enterprise, Trade and Investment: Invest NI continues to evaluate this project and the due diligence process is at an advanced stage. The outcome of this will determine if and to what extent an offer of financial support is made.

The Rose Energy proposal is for the development of a biomass fuelled power plant that will be fuelled by poultry bedding and meat and bone meal.

The conditions in the question are more relevant to the planning approval process. Any changes to the materials to be incinerated are a matter for the environment or planning agencies.

Capital Funding for Construction from Invest NI

Mr P Butler asked the Minister of Enterprise, Trade and Investment (i) for her assessment of whether an incinerator, capable of burning waste, should receive capital funding for construction from Invest NI if it has no proven means of producing electricity through a connection to the grid; and (ii) whether (a) her Department; or (b) Invest NI intends to grant this funding without planning approval for the electricity connection to the grid.

(AQW 1323/11)

Minister of Enterprise, Trade and Investment: Invest NI has a legislative responsibility to act in accordance with the Industrial Development (Northern Ireland) Order 1982. The decision on provision of funding for any project, including an incinerator capable of burning waste, depends on its satisfying viability, efficiency and additionality criteria.

Invest NI's evaluation of a project would address these issues and identify relevant factors, such as connection to the grid, in reaching conclusions on the merits of a specific project.

Lough Neagh Tourism

Mr P Butler asked the Minister of Enterprise, Trade and Investment how much her Department spent on promoting tourism in Lough Neagh between January 2005 and October 2010.

(AQW 1357/11)

Minister of Enterprise, Trade and Investment: The Northern Ireland Tourist Board has spent in excess of £31 million on Marketing, Advertising & Promotion and Publications in the last five years. This expenditure is not attributable to specific constituencies, regions or areas.

Rose Energy Incinerator at Glenavy

Mr P Butler asked the Minister of Enterprise, Trade and Investment whether she can confirm that the Northern Ireland Tourist Board objected to Rose Energy's planning application for an incinerator at Glenavy; and (ii) to outline what concerns the Board raised in relation to the planning application and the potential impact it may have on tourism-related business and commerce in the Lough Neagh area.

(AQW 1360/11)

Minister of Enterprise, Trade and Investment: On 2 February 2009 NITB responded to Planning Service on Planning Application S/2008/0630/F - the proposal to develop a biomass fuelled powerplant near Glenavy.

NITB pointed out that it did not hold local level detailed information on the potential impact of the project on tourism. A number of strategic priorities provide context for the development of tourism in the Lough Neagh area.

In its response NITB identified a range of issues related to the proposal which fall outside NITB's competence to judge.

Investment

Mrs D Kelly asked the Minister of Enterprise, Trade and Investment to detail the investment by her Department in green economy jobs and businesses in the Upper Bann constituency in each of the last three years.

(AQW 1365/11)

Minister of Enterprise, Trade and Investment: Invest NI has invested a total of £7 million in grant in green economy businesses in the Upper Bann constituency over the periods 2008/09, 2009/10 and 2010/11 including £0.56 million of support for R&D/technology transfer.

- In 2008 Invest NI provided £6.5m of support to Kingspan Renewables, leveraging an additional investment of over £40m with expected creation of 163 jobs.
- In 2009 Vector Environmental Services Ltd, received assistance of £175k from Invest NI to enhance capabilities and create an anticipated 8 jobs.
- During 2009/2010 CMS Global received £28.5k support under Invest NI's Growth Accelerator Programme, creating an anticipated 2 new jobs this financial year.

The funding of £0.56 million for R&D/technology transfer projects in the constituency included:

- 2008/2009 – Two R&D projects - total Grant £226,318 towards total project costs of £546,938.
- 2009/2010 - One R&D project – total Grant £20,878 towards total project costs of £32,120.
- 2010/2011 – Two R&D projects – total Grant £283,886 towards total project costs of £1,388,780
- 2010/2011 - One Knowledge Transfer Programme project - total Grant £62,312 of which Invest NI's contribution was £31,156.

Invest NI-funded programmes have also identified and supported the implementation of resource efficiency measures in businesses in the Upper Bann constituency over the period in question.

A total of £2.26 million of interest free loan was offered to 37 projects costing £3.62 million and which will realise almost £1 million per annum in energy savings.

- During the last 3 years Carbon Trust interest-free energy loans have been provided:
 - 2008/2009: 5 loans worth £0.57m were disbursed on projects with the value of £1.12m to realise £0.29m annual energy savings.
 - 2009/2010: 20 loans worth £1.05m were disbursed on projects with the value of £1.43m to realise £0.41m annual energy savings.
 - 2010/2011: 12 loans worth £0.64m were disbursed on projects with the value of £1.07m to realise £0.24m annual energy savings.
- During the last 3 years The Carbon Trust has also provided the following assistance:
 - 2008/2009 - The Carbon Trust delivered 19 technical energy surveys, identifying £1,540,000 annual energy savings
 - 2009/2010 The Carbon Trust delivered 15 technical energy surveys, identifying £2,930,000 annual energy savings
 - 2010/2011 to date Carbon Trust has delivered 7 technical energy surveys, identifying £0.04m annual energy savings.

- The National Industrial Symbiosis Programme (NISP) has engaged with 13 companies in 2008/2009, 4 companies in 2009/2010 and 60 companies in 2010/2011
- The Envirowise programme completed cost reduction audits in 16 companies in 2008/2009, 19 companies in 2009/2010 and 5 companies in 2010/2011.
- Invest NI's Sustainable Development Consultancy Framework supported 17 SME's in 09/10 and 3 SME's in 2010/11.

During 2009/10 Invest NI worked directly with Craigavon Borough Council to host a Sustainable Development Workshop for local businesses.

Invest NI has also engaged with 11 companies in 2009/2010 and 13 in 2010/2011 to scope their capability to enter Renewable Energy Supply Chains.

In 2008/2009 DETI paid out £4.96 million in Reconnect grants across Northern Ireland. This investment cannot be attributed by constituency.

Rose Energy

Mr T Burns asked the Minister of Enterprise, Trade and Investment whether her Department or Invest NI has at any time granted funding to Rose Energy; and if so, to detail the amounts and nature of that funding.

(AQW 1381/11)

Minister of Enterprise, Trade and Investment: Neither DETI nor Invest NI has granted funding to Rose Energy Limited.

Rose Energy Incinerator at Glenavy

Mr T Burns asked the Minister of Enterprise, Trade and Investment whether Invest NI is prepared to offer capital construction funding of between £15million and £30million to the Rose Energy incinerator project at Glenavy, County Antrim.

(AQW 1382/11)

Minister of Enterprise, Trade and Investment: Invest NI continues to evaluate this project and the due diligence process is at an advanced stage. The outcome of this will determine if and to what extent an offer of financial support will be made and also what conditions will be attached.

Rose Energy Incinerator at Glenavy

Mr T Burns asked the Minister of Enterprise, Trade and Investment whether Invest NI is prepared to offer capital construction funding to the Rose Energy incinerator project at Glenavy, County Antrim, despite planning approval for the incinerator being subject to a legal challenge by Communities Against the Lough Neagh Incinerator, which is not due to be heard until February 2011.

(AQW 1383/11)

Minister of Enterprise, Trade and Investment: Invest NI continues to evaluate this project and due diligence is at an advanced stage. The outcome of this will determine if and to what extent an offer of financial support will be made.

An appraisal which is carried out in accordance with the Industrial Development (NI) Order 1982 allows Invest NI to take a decision to provide financial assistance conditional on planning permission being secured.

Capital Funding

Mr T Burns asked the Minister of Enterprise, Trade and Investment whether it is her Department's and Invest NI's policy to grant capital funding to development projects that have planning approvals subject

to legal challenge which are capable of being quashed after the award of said public monies to the company behind the development project.

(AQW 1384/11)

Minister of Enterprise, Trade and Investment: Invest NI has the ability to offer capital grant support towards a project which has not yet secured the necessary planning permission. In such an instance, the payment of grant would be conditional upon the project securing planning permission and no payments of grant would be made in its absence.

Under the terms of its letters of offer, Invest NI has the power to stop or claw back the payment of grant support where, in its opinion, a project has been abandoned or is not being implemented according to a Client's business plan. Where a project secures planning permission which subsequently becomes subject to legal challenge, Invest NI would therefore have the power to refuse to make payments against the offer as the Client would be unable to implement the project as approved.

Rose Energy Incinerator at Glenavy

Mr T Burns asked the Minister of Enterprise, Trade and Investment whether her Department will only allow Invest NI to offer capital construction funding for the Rose Energy incinerator project at Glenavy, County Antrim if the project is proven to be commercially viable and proven beyond reasonable doubt to be capable of functioning profitably without ongoing state aid following its construction.

(AQW 1385/11)

Minister of Enterprise, Trade and Investment: Invest NI has acted and will continue to act in accordance with the provisions as specified in the Industrial Development (Northern Ireland) Order 1982 in deciding whether or not to provide financial assistance for the Rose Energy project.

Invest NI continues to evaluate this project and the due diligence process is at an advanced stage. An offer of financial support will only be made if the project is proven to be commercially viable.

Rose Energy Incinerator at Glenavy

Mr T Burns asked the Minister of Enterprise, Trade and Investment if Invest NI intends to make a determination on its proposed offer of funding for Rose Energy's proposed incinerator at Glenavy before 31 December 2010; and why a determination needs to be made before this date.

(AQW 1402/11)

Minister of Enterprise, Trade and Investment: Invest NI continues to evaluate this project and due diligence is at an advanced stage. The outcome of this will determine if and to what extent an offer of financial support will be made. Invest NI has not committed to completing this work by a specified date.

Comparable Service Delivery

Dr S Farry asked the Minister of Enterprise, Trade and Investment what benchmarking exercises her Department conducts to assess their spending profile relative to comparable service delivery in other jurisdictions.

(AQW 1483/11)

Minister of Enterprise, Trade and Investment: The Northern Ireland Executive sets the Programme for Government and allocates resources accordingly across Northern Ireland departments.

DETI does not benchmark its expenditure against comparable service delivery in other jurisdictions, but monitors its expenditure against the budgets agreed by the Northern Ireland Executive.

Northern Ireland Tourist Board

Mr D McKay asked the Minister of Enterprise, Trade and Investment whether the Northern Ireland Tourist Board has contacted the Gaelic Athletic Association in relation to putting GAA related events on the Discover Northern Ireland website.

(AQW 1508/11)

Minister of Enterprise, Trade and Investment: The Northern Ireland Tourist Board (NITB) provides coverage for events which might be of interest to visitors on www.discovernorthernireland.com. The events covered are those which have been notified to us in advance by the event organisers or are provided by the local Tourist Information Centre (TIC) network, Regional Tourism Partnerships (RTPs) or relevant local authorities.

Apprentices

Mr P Weir asked the Minister of Enterprise, Trade and Investment how many apprentices have a placement within her Department or any of its arms-length bodies for 2010/11.

(AQW 1513/11)

Minister of Enterprise, Trade and Investment: The Department of Enterprise Trade & Investment and its arms-length bodies currently have one apprentice on placement for the 2010/11 year. A second placement, which was for 3 months, has ended.

Department of the Environment

Dog Fouling

Mr A Ross asked the Minister of the Environment how much has been spent on cleaning dog fouling in each council area, in each of the last five years; and what action has been taken in each council area to ensure that dog owners clean up after dog fouling.

(AQW 1281/11)

Minister of the Environment (Mr E Poots): My Department does not hold the information requested. The Clean Neighbourhoods & Environment Bill which I recently introduced to the Assembly will strengthen the powers available to district councils to control dogs and better address the issue of owners who fail to clear up after their dog.

Dog Owners

Mr A Ross asked the Minister of the Environment how many dog owners have been prosecuted for failing to clean after dog fouling in each council area, in each of the last five years.

(AQW 1282/11)

Minister of the Environment: Failing to clean up after a dog has fouled is not currently an offence. It is an offence, however, under Article 4 of the Litter (Northern Ireland) Order 1994 to permit a dog to foul and the following tables list the number of prosecutions through the courts for that offence in each of the last five years.

The Clean Neighbourhoods and Environment Bill currently before the Assembly provides for district councils to make dog control orders making it an offence, when being in charge of a dog on land to which the dog control order applies, not to remove faeces deposited by the dog at any time, or at any time during certain periods prescribed in the order.

2005/2006

Council	Number of cases taken to court	Number of cases of non-payment of fixed penalty waiting for court action
Belfast	18	0
Coleraine	1	0
Craigavon	1	0
Down	1	0
Newtownabbey	1	0
Total	22	0

2006/2007

Council	Number of cases taken to court	Number of cases of non-payment of fixed penalty waiting for court action
Belfast	25	0
Craigavon	0	1
Down	1	0
Larne	2	1
Newtownabbey	6	0
Omagh	0	11
Total	34	13

2007/2008

Council	Number of cases taken to court	Number of cases of non-payment of fixed penalty waiting for court action
Belfast	3	0
Coleraine	0	2
Craigavon	1	3
Down	1	0
Larne	1	0
Limavady	1	1
Newtownabbey	1	0
North Down	0	1
Total	8	7

2008/2009

Council	Number of cases taken to court	Number of cases of non-payment of fixed penalty waiting for court action
Belfast	9	1
Coleraine	1	0
Down	3	5
Larne	1	0
Newtownabbey	0	1
Total	14	7

2009/2010

Council	Number of cases taken to court	Number of cases of non-payment of fixed penalty waiting for court action
Belfast	18	0
Coleraine	1	0
Craigavon	8	2
Down	1	0
Newtownabbey	2	1
Total	30	3

Overpayments to Contractors

Mr T Burns asked the Minister of the Environment (i) whether his Department has made any overpayments to contractors in each of the last five years; and if so to detail (ii) the goods or services which were overpaid; (iii) the projects to which the overpayments related; (iv) the value of the overpayments; and (v) whether the overpayments were successfully reclaimed from the companies or individuals overpaid.

(AQW 1348/11)

Minister of the Environment: The Department has not recorded any losses relating to overpayments to contractors in its Resource Accounts in any of the last five years.

Information relating to overpayments that may have taken place but were successfully reclaimed and therefore not recorded in the Department's Resource Accounts, is not readily available. To extract this information would require individual business areas within the Department to review their records and to do so would result in disproportionate costs.

Castlebawn Shopping Centre Planning Application in Newtownards

Mr P Butler asked the Minister of the Environment to explain the criteria used and the reasons for granting a public inquiry into the Castlebawn Shopping Centre planning application in Newtownards.

(AQW 1363/11)

Minister of the Environment: The application for Castlebawn Shopping Centre has been referred to the Planning Appeals Commission (PAC) for a co joined Public Inquiry along with an application for an extension to Ards Shopping Centre. Both applications are being processed under the procedure for major applications which allows for the option to proceed by either the issuing of a Notice of Opinion

(to approve or refuse) or to ask the PAC to convene a public inquiry on which they will provide the Department with a report and recommendation.

The key test for Planning Service in deciding the process route will be whether a public inquiry is necessary to provide all the information to enable the planning decision to be taken.

The proposals taken together represent a total of over 50,000 sq. m gross of additional retail floorspace in Newtownards. Both applications give rise to significant retail impact issues that are the subject of dispute by the applicants and third parties. They have generated considerable local interest involving a range of commercial, political and community interests. In these circumstances it was felt appropriate to seek a public local inquiry to provide further information to assist in the decision making process. No date has as yet been set by the PAC for this inquiry.

Non-Governmental Organisations

Mr P Weir asked the Minister of the Environment to detail (i) the Non-Governmental Organisations that are currently in receipt of grants from his Department; and (ii) the amount of funding in each case.

(AQW 1379/11)

Minister of the Environment: The table below outlines the Non-Governmental Organisations that are currently in receipt of grants from my Department and the funding to be provided in the 2010-11 financial year.

ORGANISATIONS RECEIVING GRANT FROM THE NORTHERN IRELAND ENVIRONMENT AGENCY

Organisation	(£)
Alliance Youth Works	22,925
An Creagan	29,100
Architectural Heritage Fund	25,500
Association of Preservation Trusts	5,000
Belfast Hills Partnership	74,784
Belfast City Council	10,000
British Trust for Ornithology	52,342
Butterfly Conservation Northern Ireland	59,005
Copeland Bird Observatory	8,000
Countryside Access and Activities Network	170,000
Causeway Coast and Glens Heritage Trust	173,261
Colin Glen Trust	25,120
Conservation Volunteers Northern Ireland	187,938
Derry City Council	64,250
Dungannon and South Tyrone Borough Council	24,500
Fermanagh District Council	15,000
Omagh District Council	15,000
Coleraine Borough Council	30,000
Armagh/Banbridge Councils	25,000
Craigavon Borough Council	18,243
Newry/Down Councils	22,000

Organisation	(£)
Quarry Products Association	12,525
Business in the Community	22,000
Lagan Valley Regional Park	84,000
Marine Conservation Society	17,995
Mourne Heritage Trust	251,126
National Trust	117,000
Newry & Mourne District Council	30,000
North Down Borough Council	46,000
Raptor Study Group	10,000
Northern Ireland Archaeology Forum	5,000
Northern Ireland Environment Link	209,993
River Bann & Lough Neagh Association	2,475
Royal Society For The Protection Of Birds	240,657
Speedwell Trust	64,690
Strangford Lough Management Advisory Committee	90,950
Sustrans	1,785
Talnoy Avian Care Trust	31,877
Ulster Architectural Heritage Society	40,000
Ulster Wildlife Trust	224,847
Various Councils	40,000
Woodland Trust	120,778
Wildfowl and Wetlands Trust	32,340
Total	2,753,006

ORGANISATIONS RECEIVING GRANT FROM THE PLANNING SERVICE

Organisation	(£)
Community Places	88,500
Disability Action	80,000
Township Heritage Initiative Scheme	
Lisburn City Centre Management Limited	21,000
Bushmills THI Partnership	49,876
Walled City Partnership Limited	20,000
Total	259,376

Dikerogammarus Villosus

Mr D Kinahan asked the Minister of the Environment for his assessment of the threat posed by *Dikerogammarus villosus*; and what action his Department is taking to ensure it does not spread to Northern Ireland's waters.

(AQW 1386/11)

Minister of the Environment: It is widely recognised that invasive alien species are the second biggest threat to biodiversity loss worldwide. As the Killer Shrimp (*Dikerogammarus villosus*) has not been recorded in Ireland the immediate threat to local waters remains relatively low, although the risk assessment relating to an invasion by the shrimp has increased following its recent detection in a reservoir in England.

The Killer Shrimp is known to cause a range of negative environmental impacts. It is an aggressive predator with a high rate of reproduction making it an extremely successful invasive species with the potential to spread quickly and to cause harm to freshwater ecosystems. Experience in Europe suggests that it could spread rapidly through connected water bodies.

Its occurrence in Europe has been associated with a decrease in the diversity and abundance of invertebrates, in particular native shrimp species. In Europe it is also known to eat the eggs and fry of fish that spawn on the stony margins of lakes.

In response to such threats officials in the Northern Ireland Environment Agency (NIEA) work closely with the GB Non-native Species Programme Board. Following the discovery of the Killer Shrimp (*Dikerogammarus villosus*) at Grafham Water in England, my officials were notified and will continue to be kept informed of any developments by their counterparts in GB.

This East-West liaison is matched with North-South communication on invasive species with regular contact taking place with officials in the National Parks and Wildlife Service, Dublin, through a contract known as the 'Invasive Species in Ireland Project'.

Key aspects of this project have included the development of Codes of Good Practice for sectors considered to be at a high risk of introducing, or further spreading, invasive alien species. Codes of Good Practice have been developed for recreational water users and marina managers. My officials in NIEA have also provided training to several organisations and fishing clubs on invasive alien species identification and control.

In response to this notification my officials in NIEA issued a species alert and identification sheet around several Government Departments and other organisations. A species alert and ID sheet was also placed on the Invasive Species in Ireland website. In addition a press release was issued by my Department on 29 September 2010 warning of the threat of the Killer Shrimp. This press release outlined the need for water users to clean their boats and equipment before moving them to another water body.

Review of Public Administration

Mr D Kinahan asked the Minister of the Environment, in relation to the Review of Public Administration, to detail the amount spent on Transition Committees (i) since their formation; and (ii) each month since June 2010, broken down by each Transition Committee area.

(AQW 1387/11)

Minister of the Environment: From their formation on 1 January 2009 to 30 September 2010 £1,579,164 has been spent on support costs for the Voluntary Transition Committees. During the period 1 July to 30 September £122,246 has been spent and is included in the overall figure. Details are set out in Table A and B.

TABLE A**EXPENDITURE ON VTCS FROM 1 JANUARY 2009 TO 30 SEPTEMBER 2010**

	£
Antrim / Newtownabbey	159,524
Ards / North Down	188,708
Armagh/ Banbridge/ Craigavon	154,545
Ballymena/ Carrickfergus / Larne	175,460
Ballymoney/Coleraine/Limavady/Moyle	161,640
Belfast	171,546
Castlereagh/ Lisburn	177,749
Cookstown/Magherafelt/Dungannon	17,550
Derry/ Strabane	173,045
Down/Newry & Mourne	18,000
Fermanagh / Omagh	181,397
Total	1,579,164

TABLE B**Expenditure on VTCs from 1 July to 30 September 2010**

VTC	July	August	September	Total £
Antrim / Newtownabbey	0	10,800	0	10,800
Ards / North Down	0	0	0	
Armagh/ Banbridge/ Craigavon	0	26,351	0	26,351
Ballymena/ Carrickfergus / Larne	0	0	0	
Ballymoney/Coleraine/ Limavady/Moyle	0	0	0	
Belfast	0	0	0	
Castlereagh/ Lisburn	10,800	36,527	0	47,327
Cookstown/Magherafelt/Dungannon	0	0	0	
Derry/Strabane	0	0	0	
Down/Newry & Mourne	0	0	0	
Fermanagh/Omagh	10,800	26,968	0	37,768
Total	21,600	100,646	0	122,246

Transition Committee Change Managers

Mr D Kinahan asked the Minister of the Environment, in relation to the Review of Public Administration, to detail the amount paid to Transition Committee Change Managers (i) since the formation of the Transition Committees; and (ii) each month since June 2010; and what duties these managers now carry out, given the decision not to proceed with the Reform of Local Government.

(AQW 1388/11)

Minister of the Environment: From 1 April 2009 to 30 September 2010 £384,780 has been spent on costs for Change Managers. During the period 1 July to 30 September £53,459 has been spent and is included in the overall figure. Details are set out in Table A.

No decision has been taken not to proceed with the Reform of Local Government. I intend therefore putting fresh proposals to the Executive shortly on reframing the delivery timetable for the Reform Programme.

Consequently the work of Change Managers, appointed to assist the transition process for the new councils, is ongoing. Over time their role has widened and become more focused on delivering an improvement, collaboration and efficiency agenda for the local government sector. I am keen that that valuable role continues and whilst I have suspended Transition Committee funding from 31 October 2010, I have decided that funding for Change Managers should continue until 31 March 2011.

TABLE A

EXPENDITURE ON CHANGE MANAGERS FROM 1 JULY TO 30 SEPTEMBER 2010

Month	Expenditure £
July	0
August	53,459
September	0
Total	53,459

Strategic Leadership Board and Policy Development Panels

Mr D Kinahan asked the Minister of the Environment to detail the total amount spent on (i) the Strategic Leadership Board; and (ii) Policy Development Panels (a) since their formation; and (b) in each month since June 2010.

(AQW 1389/11)

Minister of the Environment: The information is not held by my Department in the format requested. However records show that £429,611 has been spent on Taskforce Operational Expenses that include the costs of the Strategic Leadership Board and the Policy Development Panels, since their formation in 2007 and 2008 respectively, and other minor operational costs. Of that amount £35,100 was spent from 1 July to 30 September 2010.

Belfast City Airport Runway Extension

Mr P Butler asked the Minister of the Environment to explain the criteria used and the reasons for granting a public inquiry into the proposed runway extension at Belfast City Airport.

(AQW 1395/11)

Minister of the Environment: The planning application by George Best Belfast City Airport for an extension to the runway was designated a major application under Article 31 of the 1991 Planning Order.

The proposal raises a number of complex and controversial issues and has

generated a considerable number of representations, both for and against the proposal, and a good deal of media interest.

Article 31 (2) empowers the Department to request that the Planning Appeals Commission (PAC) hold a public inquiry for the purposes of considering representations on an application. The alternative is to serve a Notice of Opinion on the applicant indicating the decision which the Department proposes to make on the application.

The key test in deciding the process route is whether a public local inquiry is necessary to provide a forum for the presentation and consideration of issues arising from representations received and which need to be assessed to allow you to determine the application.

There were clearly matters arising from the representations received and the assessment of the application that indicated that there are material planning considerations that are the subject of dispute among the interested parties. Given the nature of the proposal and these complex impacts I decided that the planning decision should be informed by discussion and clarification on the varying viewpoints on the proposal through a public inquiry arranged by the PAC.

Proposed North/South Electricity Interconnector

Mr P Butler asked the Minister of the Environment to explain the criteria used and the reasons for granting a public inquiry into the proposed North-South electricity interconnector.

(AQW 1396/11)

Minister of the Environment: The planning application by Northern Ireland Electricity for the North-South electricity interconnector was designated a major application under Article 31 of the 1991 Planning Order.

The application has attracted in excess of 6000 objections.

Article 31 (2) empowers the Department to request that the Planning Appeals Commission (PAC) holds a public inquiry for the purposes of considering representations on an application. The alternative is to serve a Notice of Opinion on the applicant indicating the decision which the Department proposes to make on the application.

The key test in deciding the process route is whether a public local inquiry is necessary to provide a forum for the presentation and consideration of issues arising from representations received and which need to be assessed to allow me to determine the application.

There were clearly matters arising from the representations received and the assessment of the application that indicated that there are material planning considerations that are the subject of dispute among the interested parties. These involve the impacts on public health arising from the proposed development and the consideration of alternative technologies, principally associated with undergrounding the cable. Given the scale of the proposal and these complex impacts I decided that the planning decision should be informed by discussion and clarification of the varying viewpoints through a public inquiry arranged by the PAC.

Rose Energy Incinerator at Glenavy

Mr T Burns asked the Minister of the Environment (i) if the Planning Service has received an application for a 15km grid connection for Rose Energy's proposed incinerator at Glenavy; (ii) to outline the process and timescales for such an application; and (iii) whether it would be subject to a public inquiry, similar to that for the North-South electricity interconnector.

(AQW 1404/11)

Minister of the Environment:

- (i) To-date no planning application has been received by Planning Service for a 15km grid connection in association with the Rose Energy proposal.
- (ii) In the absence of a planning application for a grid connection Planning Service is not in a position to be specific about the likely processing timescale. With regard to the planning process, a planning application for a grid connection in association with the power plant would be determined on its merits against the prevailing planning policy framework and taking account of all material considerations.
- (iii) Whether a grid connection planning application would be declared a major application under Article 31 of the Planning (Northern Ireland) Order 1991, and the process route to be followed if it were declared such, are matters that could only be confirmed upon receipt of an application

and following consideration of the specific merits and detail of the proposal. The key test for the Department in deciding the process route on a major application is whether a public local inquiry is necessary to provide a forum for presentation and consideration of issues arising from representations received and which need to be assessed to allow the Department to determine an application.

Planning Service

Mr D Kinahan asked the Minister of the Environment what measures the Planning Service has in place to consult with anglers who are directly involved as stakeholders on proposed developments near rivers and lakes.

(AQW 1408/11)

Minister of the Environment: In the determination of planning applications my Department is required to consult the District Council for the area in which the land to which the application relates is situated. My Department also consults with various public bodies and government departments as required.

In considering whether to consult with other statutory and non-statutory bodies, the Department may use its discretion as to whether it considers it necessary to inform a planning decision. In terms of planning applications likely to impact on any inland fishery the Department of Culture, Arts & Leisure are consulted, particularly where proposals are accompanied by an Environmental Impact Statement. It is through this process that such matters are properly considered.

My Department also advertises all planning applications in at least one local newspaper and publishes the notice on its website to bring it to the attention of those who may have an interest and would like to make comment, including anglers and angling clubs.

Furthermore, my Department neighbour notifies those people who occupy buildings on land adjoining the application site boundary and are located within 90m of the application site.

All comments received, either from consultees, individual organisations or members of the public are fully taken into account when Planning Service is considering a planning application.

Zebra Mussels

Mr S Anderson asked the Minister of the Environment for an update on the proliferation of zebra mussels in Northern Ireland waterways.

(AQW 1428/11)

Minister of the Environment: It is widely recognised that invasive alien species are the second biggest threat to biodiversity loss worldwide. The zebra mussel (*Dreissena polymorpha*) was first discovered in Northern Ireland in the Shannon-Erne system in 1997.

Following this initial discovery a zebra mussel population boom was observed in the Erne system. Research has shown that zebra mussel populations experience a 'boom and bust' cycle. Recent observations of the population in Lough Erne suggest that it has reached the carrying capacity of the lake and is starting to reduce in density.

Since their initial discovery in Lough Erne zebra mussels have subsequently been detected in Carron Lough, Derrygonnelly in 2005, Lough Neagh in 2005, Lough Bresk in 2009 and most recently in Lower Lough MacNean in August 2010.

Research undertaken on Lough Neagh by the Agri-Food and Biosciences Institute, a member of the Zebra Mussel Control Group led by the Northern Ireland Environment Agency, has shown that the expansion of the zebra mussel population in Lough Neagh has not been as prolific as that initially observed in the Erne system. Monitoring work undertaken has however detected a population expansion centred around the South East corner of Lough Neagh in recent years. Surveys have also detected the presence of zebra mussel larvae and adults at various points around the Lough as far as the north shore.

My officials in the NIEA are at present undertaking a survey for zebra mussels at lakes considered to be at highest risk of invasion.

Goods Vehicles

Mr C Boylan asked the Minister of the Environment what percentage of goods vehicles, checked up to July 2010, by Driver and Vehicle Agency enforcement officers were; (i) not road worthy; (ii) overweight; and (iii) infringed drivers' hours rules.

(AQW 1478/11)

Minister of the Environment: During the period 1 January 2010 to 31 July 2010 inclusive, 1,786 commercial goods vehicles were stopped and checked by DVA enforcement officers at the roadside. Of these, 728 (40.8%) had one defect or more, 403 (22.6%) were overweight and 405 (22.7%) were operating in contravention of drivers hours requirements.

Driver and Vehicle Agency

Mr C Boylan asked the Minister of the Environment how many complaints the Driver and Vehicle Agency has received in relation to goods vehicle operators based in (i) Northern Ireland; and (ii) outside Northern Ireland, in each of the last five years.

(AQW 1479/11)

Minister of the Environment: Between April 2005 and September 2010 a total of 784 complaints or reports on instances of alleged non-compliance were received.

Sensitive personal data is held only for business purposes and for no longer than is necessary. In some cases, therefore, we are now unable to provide information on how many complaints related to Northern Ireland goods vehicle operators compared with those for operators outside NI.

The following is a breakdown of the total number by financial year with, where possible, an indication of the number that related to Northern Ireland operators.

Period	Complaints/Non-Compliance Reports Received	No Relating to Goods Vehicle Operators in NI
April 2005-March 2006	88	n/a
April 2006-March 2007	132	n/a
April 2007-March 2008	161	n/a
April 2008-March 2009	155	147
April 2009-March 2010	142	138
April 2010-Sept 2010	106	104

Goods Vehicles (Licensing of Operators) Bill

Mr C Boylan asked the Minister of the Environment when the Goods Vehicles (Licensing of Operators) Bill was enacted.

(AQW 1480/11)

Minister of the Environment: The Goods Vehicles (Licensing of Operators) Bill received Royal Assent on 22 January 2010. A programme is in place to implement the provisions of the Act by early 2012.

Comparable Service Delivery

Dr S Farry asked the Minister of the Environment what benchmarking exercises his Department conducts to assess its spending profile in relation to comparable service delivery in other jurisdictions. **(AQW 1482/11)**

Minister of the Environment: My Department does not formally undertake benchmarking exercises as the different structures and administrative arrangements in respect of comparable organisations and functions in GB make meaningful comparisons extremely difficult. Indeed, a high level strategic benchmarking exercise undertaken this year by the Northern Ireland Environment Agency (NIEA) in relation to the Comparison of UK and Ireland Environmental, Conservation and Heritage Agencies confirmed this position.

I can, however, confirm that when revising existing fees or setting new fees for departmental services, a broad comparison is normally made with the fees levied in GB. I can also confirm that the fees charged by my Department are broadly favourable with those charged in GB.

Driver and Vehicle Licensing Office at County Hall, Coleraine

Mr J Dallat asked the Minister of the Environment what representations his Department has received regarding the retention of jobs in the Driver and Vehicle Licensing office at County Hall, Coleraine. **(AQW 1521/11)**

Minister of the Environment: Vehicle licensing is an excepted matter for which responsibility rests with the Secretary of State for Transport. It is administered by the Driver & Vehicle Agency (DVA) under an agreement with the Department for Transport, represented by the Driver and Vehicle Licensing Agency (DVLA).

In 2004, DVLA initiated a project to integrate the separate IT system for vehicle licensing operated by DVA with its own systems. Under this project, systems integration would have been accompanied by the centralisation in Swansea of much of the work carried out locally by DVA. Although the project was terminated by DVLA in 2009, owing largely to the pressures created by other competing development priorities, the potential for systems integration and the centralisation of vehicle licensing work, together with other cost-saving measures, is being kept under review by DVLA.

Consultancy Fees

Mr A Bresland asked the Minister of the Environment how much each local council spent on consultancy fees in (i) 2007/08; (ii) 2008/09; and (iii) 2009/10. **(AQW 1555/11)**

Minister of the Environment: The information is not held centrally by my Department but should be available from any individual council in which you have an interest.

Policy Screening Process

Ms S Ramsey asked the Minister of the Environment to detail, for the period from May 2007 to date, (i) the number of policies his Department and its associated bodies have (a) "screened out" as having no Equality Impact; and (b) "screened in" as having an Equality Impact; (ii) the number of staff involved in the screening process; and (iii) the cost of the screening process. **(AQW 1591/11)**

Minister of the Environment: The figures for the number of policies (a) "screened out" as having no equality impact and (b) for those "screened in" as having an equality impact by the Department of the Environment are:

POLICIES “SCREENED OUT” AS HAVING NO EQUALITY IMPACT

May 2007- March 2008	20
April 2008- March 2009	38
April 2009- March 2010	53
April 2010- date	22
Total	133

POLICIES “SCREENED IN” AS HAVING AN EQUALITY IMPACT

May 2007- March 2008	Nil
April 2008- March 2009	1
April 2009- March 2010	1
April 2010- date	Nil
Total	2

The screening of policies for potential equality impact is mainstreamed as part of the normal policy making process and as such it is not possible to disaggregate the figures for (ii) the number of staff who are involved in the screening process and (iii) the cost of the screening process.

Planning Applications

Ms D Purvis asked the Minister of the Environment, pursuant to AQW 994/11, what is the average time taken for a planning application to be assigned to a case officer within the Planning Service; and how many of the 341 planning applications listed had been waiting 30 days or longer.

(AQW 1675/11)

Minister of the Environment:

- (i) My Department is unable to determine the average time taken for a planning application to be assigned to a case officer as information is not recorded in this way. All applications are allocated as soon as an application is validated. The official statistics which were published for the first Quarter of 2010/11 indicate that 93% of applications were validated within 6 days of receipt and 99% validated within 10 days, exceeding the Business Plan targets of 85% and 95% respectively.
- (ii) At 26 October 2010, there were five applications with no case officer assigned for 30 working days or more since they were received.

These figures are subject to change on a daily basis as new applications are received and applications allocated.

It should be noted that the figures are extracted from a live dataset which is continuously updated and validated. They therefore should be regarded as indicative only at this point in time and should not be compared with any previous figures published by the Agency.

Department of Finance and Personnel**Civil Service Staff**

Mr D O’Loan asked the Minister of Finance and Personnel to detail the number of Civil Service staff employed by each Government Department, broken down by (i) grade; (ii) departmental staff; and (iii) agency workers, in (a) January 2007; (b) January 2008; (c) January 2009; and (d) January 2010.

(AQW 179/11)

Minister of Finance and Personnel (Mr S Wilson): The information requested has been placed in the Library. In view of the large number of grades within the Civil Service, the tables of permanent and casual staff show general service and analogous grades.

Unpaid Domestic Rates

Mr A McQuillan asked the Minister of Finance and Personnel, pursuant to AQW 502/11, for a breakdown by local council area of the unpaid domestic rates for the last three financial years.

(AQW 956/11)

Minister of Finance and Personnel: The domestic rates unpaid for Northern Ireland by district council area at 03 October 2010, split by year of assessment, are as follows:

DC	Year of Assessment		
	2007	2008	2009
Antrim	£101,235.93	£288,974.03	£533,212.60
Ards	£258,407.22	£449,739.87	£816,234.93
Armagh	£226,445.83	£426,838.95	£867,147.58
Ballymena	£64,074.16	£147,834.37	£454,648.83
Ballymoney	£72,265.60	£99,918.05	£266,764.94
Banbridge	£158,355.90	£279,536.06	£504,358.30
Belfast	£1,773,771.69	£2,733,615.95	£5,124,510.94
Carrickfergus	£141,856.52	£249,304.07	£474,577.50
Castlereagh	£142,748.16	£261,958.65	£480,979.71
Coleraine	£133,197.57	£280,710.69	£656,591.24
Cookstown	£63,886.31	£119,807.66	£283,796.06
Craigavon	£305,508.10	£492,455.62	£1,325,425.54
Derry	£357,378.19	£643,964.42	£1,363,025.57
Down	£252,093.47	£449,626.36	£937,463.46
Dungannon & S.Tyrone	£114,945.55	£233,163.99	£562,023.87
Fermanagh	£122,352.34	£203,046.73	£431,574.26
Larne	£54,195.34	£118,167.86	£217,227.22
Limavady	£68,212.99	£148,059.54	£344,557.80
Lisburn	£366,335.93	£668,981.96	£1,257,402.23
Magherafelt	£63,881.62	£114,376.44	£316,827.07
Moyle	£44,493.43	£75,664.05	£161,506.53
Newry & Mourne	£361,946.63	£599,146.84	£1,388,647.07
Newtownabbey	£228,416.22	£431,034.76	£817,509.93
North Down	£247,111.58	£458,578.94	£822,433.42
Omagh	£85,961.46	£167,535.73	£404,536.88
Strabane	£96,633.03	£176,860.15	£368,594.85
Totals	£5,905,710.77	£10,318,901.74	£21,181,578.33

Note that these figures are the unpaid domestic rates as at 03 October 2010; they are not the domestic rates that were outstanding at the end of each financial year.

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.

LPS had reduced the £157 million total prior year ratepayer debt to £106 million at 03 October 2010.

Defending Litigation

Mr P Weir asked the Minister of Finance and Personnel what the legal costs were to his Department of defending litigation cases in each of the last three years.

(AQW 1137/11)

Minister of Finance and Personnel: The legal costs to the Department of Finance and Personnel of defending litigation cases in each of the last three years were as follows:

Financial Year	
2007/08	£1,409,635
2008/09	£610,822
2009/10	£440,717

Value of the UK Subvention to the Block Grant 2009/10

Mr D O'Loan asked the Minister of Finance and Personnel to detail the value of the UK subvention to the Northern Ireland block grant for the 2009-10 financial year.

(AQW 1193/11)

Minister of Finance and Personnel: The latest information available on Northern Ireland's net fiscal balance is for 2007-08.

It is estimated that Northern Ireland had a fiscal deficit, that is the difference between public expenditure and revenue generated, of £7.3 billion in 2007-08. That is the equivalent of £4,167 per person in Northern Ireland.

Robin Hood Tax

Mr G Savage asked the Minister of Finance and Personnel for his assessment of the proposed tax on transactions between financial institutions known as the Robin Hood Tax.

(AQW 1233/11)

Minister of Finance and Personnel: The 'Robin Hood' or the 'Tobin' Tax was previously proposed following the financial crisis as one way of protecting against another collapse of the financial sector.

The Coalition Government announced in the June 2010 Budget that it will be introducing a bank levy from the 1st January 2011. France and Germany have made similar announcements.

A Government consultation on this levy has recently closed. While the specifics of how it might be operated are not yet known, it is intended to ensure the banking sector makes a fair contribution that reflects the risks it poses to the financial system and wider economy, and encourages banks to move away from riskier behaviours. Therefore it would appear that its objectives are broadly in line with those of the Robin Hood Tax.

Such steps to improve stability and reduce risk in the financial sector must be welcomed, however, success will depend on global co-operation and implementation

Walled City Signature Tourism Projects

Ms M Anderson asked the Minister of Finance and Personnel what role her Department had in the business case for the three Walled City Signature Tourism Projects in Derry, recently rejected by the Special EU Programmes Body; and if her Department is exploring options for appeal or re-submission of the bid.

(AQW 1246/11)

Minister of Finance and Personnel: Derry City Council submitted an application for the Western Perspective Public Realm Project to the Special EU Programmes Body (SEUPB) under the Creating Shared Public Spaces theme of the PEACE III Programme. The application was assessed against the agreed programme selection criteria by the PEACE III Steering Committee in September 2010 but did not score sufficiently to be approved for funding. The Steering Committee is chaired by the SEUPB and includes social partners and elected representatives as well as departmental officials from DFP and OFMdFM. It scores applications on a consensus basis. The Department of Enterprise, Trade and Investment is not represented on the Steering Committee and has had no role in the assessment of this project.

I understand that SEUPB has scheduled a meeting with Derry City Council to discuss the outcome of the application and possible ways forward. The Theme remains open until 17 January 2011, allowing for resubmission of the application if appropriate. Alternatively, the Council might wish to avail of the PEACE III appeals procedure.

Overpayments to Contractors

Mr T Burns asked the Minister of Finance and Personnel (i) whether his Department has made any overpayments to contractors in each of the last five years; and if so to detail (ii) the goods or services which were overpaid; (iii) the projects to which the overpayments related; (iv) the value of the overpayments; and (v) whether the overpayments were successfully reclaimed from the companies or individuals overpaid.

(AQW 1350/11)

Minister of Finance and Personnel: The Department has not recorded any losses relating to overpayments to contractors in its Resource Accounts for any of the last five years.

Information relating to overpayments that may have taken place but were successfully reclaimed is not readily available. To extract this information would require individual business areas within the Department to review their records and to do so would result in disproportionate costs.

Central Procurement Directorate

Mr D Kennedy asked the Minister of Finance and Personnel to detail the (i) total operational costs; and (ii) total staff costs for the Central Procurement Directorate in each of the last three years, including a breakdown of the operational costs and the number of staff employed each year.

(AQW 1400/11)

Minister of Finance and Personnel: The costs of Central Procurement Directorate (CPD) in each of the last three years is provided below together with the number of staff employed:

	2007/08	2008/09	2009/10
Staff Number	350	362	357
	£000	£000	£000
Salary Costs	12,390	12,771	13,234
Other Operating Costs;			
Staff Travel and Subsistence	357	413	378
Staff Training and Professional Development	236	156	176
IT and Communications ⁽¹⁾	688	817	743
Stationery, Printing and Advertising	157	202	181
Depreciation, impairment, cost of capital	412	431	467
Other Expenditure ⁽²⁾	738	1,038	457
Total Operating Costs ⁽³⁾	2,588	3,057	2,402
Total Costs	14,978	15,828	15,636

Notes

- 1 IT and communications costs includes the annual operating costs of the e – sourcing NI web portal which allows businesses to access NICS procurement opportunities.
- 2 Other expenditure includes legal costs and the operating costs of Geotechnical drilling and laboratory facilities.
- 3 The majority of CPD staff are located at Clare House. Clare House costs are borne by DFP Properties Division which is responsible for the management of the Government Estate.

Capital Investment from Westminster

Mr D McNarry asked the Minister of Finance and Personnel for a breakdown of the £9.8 billion worth of capital investment spent since 2005 as described by the Secretary of State for Northern Ireland.
(AQW 1415/11)

Minister of Finance and Personnel: I don't know the basis for the £9.8 billion figure quoted by the Secretary of State. However, according to DFP figures Northern Ireland capital expenditure over the period 2005-06 to 2010-11 sums to nearly £9.1 billion. A breakdown by year is set out in the table below:

Year	Capital Expenditure £ 000s
2005-06	1,288,304
2006-07	1,392,168
2007-08	1,390,168
2008-09	1,672,339
2009-10	1,680,641
2010-11 (September Outturn Forecast)	1,669,360
Total 2005-05 to 2010-11	9,092,980

Department of Health, Social Services and Public Safety

Mephedrone

Mr W Irwin asked the Minister of Health, Social Services and Public Safety what action is being taken to provide support and assistance to teenagers who are addicted to mephedrone.

(AQW 1162/11)

Minister of Health, Social Services and Public Safety (Mr M McGimpsey): The use of emerging substances, such as mephedrone, continues to be a concern. A range of services is available across Northern Ireland for young people who misuse alcohol or drugs, and these services also provide information, interventions, as well as treatment and support for those who misuse mephedrone. Services include awareness raising, information and prevention; access to the National Drugs Helpline (0800 77 66 00); counselling and mentoring services for those aged under 18; and access to statutory treatment and support services through GP referrals.

The Public Health Agency is also piloting four “one-stop-shop” services for children and young people across Northern Ireland. These services provide information, education, sign-posting and referrals for young people particularly in relation to alcohol and drug misuse, but also underlying issues such as suicide and self harm; mental health and wellbeing; sexual health; relationship issues; resilience; and coping with school/employment.

Causeway Hospital

Mr M Storey asked the Minister of Health, Social Services and Public Safety for an update on the business case for a renal unit at the Causeway Hospital.

(AQW 1167/11)

Minister of Health, Social Services and Public Safety: This project remains in the planning stage. The business case prepared by the Northern Health and Social Care Trust has been submitted to commissioners for their consideration. It has not yet been forwarded to the Department for assessment. Until such time I can not comment on its details.

Lung Cancer

Mr C McDevitt asked the Minister of Health, Social Services and Public Safety how many people (i) in total; and (ii) in each Health and Social Care Trust area have been diagnosed with lung cancer in each year since 2003; and how the total figures compare with the rest of the UK.

(AQW 1168/11)

Minister of Health, Social Services and Public Safety: From 2004 to 2008 a total of 4,898 incidences of lung cancer were diagnosed in Northern Ireland.

Lung cancer incidences occurring in each Health and Social Care Trust between the years 2004 to 2008 are provided in the table below. Corresponding UK figures are only available for 2007.

LUNG CANCER INCIDENCE (ICD-10* C33-C34) IN N. IRELAND BY HEALTH AND SOCIAL CARE TRUST AND YEAR

	Belfast	Northern	South Eastern	Southern	Western	NI	UK
2004	282	237	156	166	133	978	
2005	264	227	147	154	149	951	
2006	277	194	170	143	152	942	
2007	296	230	178	148	156	1020	39473

	Belfast	Northern	South Eastern	Southern	Western	NI	UK
2008	291	225	180	161	141	1007	

* For a listing and explanation of ICD-10 codes see International Classification of Diseases for Oncology, 3rd Edition, World Health Organisation, Geneva, 2000. For an explanation of ICD-10 codes see: http://en.wikipedia.org/wiki/List_of_ICD-10_codes.

Further information relating to cancer can be accessed online at:

<http://www.qub.ac.uk/research-centres/nicr/Data/OnlineStatistics/>

Lung Cancer

Mr C McDevitt asked the Minister of Health, Social Services and Public Safety how many people (i) in total; and (ii) in each Health and Social Care Trust area died from lung cancer in each year since 2003; and how the total figures compare with the rest of the UK.

(AQW 1169/11)

Minister of Health, Social Services and Public Safety: The table below gives the registered number of deaths from lung cancer in Northern Ireland by Health and Social Care Trust, 2003 to 2009. The table also includes the total number of lung cancer deaths registered in the United Kingdom for the same period.

Table 1: Number of lung cancer deaths registered in Northern Ireland by Health and Social Care Trust and Equivalent Figures for the United Kingdom, 2003-2009^P

Registration Year	United Kingdom	Northern Ireland	Health and Social Care Trust				
			Belfast	Northern	South Eastern	Southern	Western
2003	33,452	810	240	174	148	125	123
2004	33,080	837	257	205	131	133	111
2005	33,524	824	230	210	135	126	123
2006	34,244	850	252	174	137	143	144
2007	34,638	863	263	193	155	116	136
2008	35,333	927	279	218	146	151	133
2009 ^P	35,071	906	241	210	147	162	146

1 Lung Cancer is defined using the International Classification of Diseases, Tenth Revision (ICD10) codes C33-C34.

P Provisional data.

Lung Cancer

Mr C McDevitt asked the Minister of Health, Social Services and Public Safety for an estimate of the prevalence of lung cancer (i) in Northern Ireland; and (ii) in each Health and Social Care Trust in each year since 2003; and how the total figures compare with the rest of the UK.

(AQW 1170/11)

Minister of Health, Social Services and Public Safety: Information regarding the prevalence of lung cancer in Northern Ireland and each of the Health and Social Care Trusts from 2007 to date is not available. Information for the years 2003 to 2006 is given in the table below;

Year	Belfast	Northern	South Eastern	Southern	Western	NI	UK
Prevalence* (rate)							
2003	315 (77.8)	209 (40)	157 (39.3)	131 (37.8)	115 (38.2)	941 (47.5)	
2004	310 (76.8)	216 (41.4)	170 (41.9)	154 (43.1)	120 (40.7)	984 (49.4)	
2005	306 (76.1)	215 (40.9)	175 (42.6)	168 (47.2)	136 (46.1)	1016 (51.0)	
2006	316 (77.1)	209 (39.3)	181 (44.6)	154 (42.9)	141 (48.3)	1012 (50.53)	38141 (48.6)

* The total number of a patients whose first ever cancer diagnosis was lung cancer in the ten years up to 31st December of year of prevalence, and who were still alive on 31st December of year of prevalence. Rate (per 100,000) is obtained by using an European age standardised weighted average of age specific rates, i.e. the crude rates with each five-year age group

Lung Cancer

Mr C McDevitt asked the Minister of Health, Social Services and Public Safety how many people (i) in total; and (ii) in each Health and Social Care Trust area reached the five year survival rate for lung cancer in the latest year for which figures are available; and how the total figures compare with the rest of the UK.

(AQW 1172/11)

Minister of Health, Social Services and Public Safety: It is not possible to provide figures on persons fully recovered from cancer because relapse is frequently possible.

The Northern Ireland Cancer Registry's website (link below) contains one, three, five and seven years survival times for lung cancer.

www.qub.ac.uk/research-centres/nicr/Data/OnlineStatistics/TracheaBronchusLung/

Survival times broken down by Trust levels as well as UK figures are not available.

Lung Cancer

Mr C McDevitt asked the Minister of Health, Social Services and Public Safety how many people (i) in total; and (ii) in each Health and Social Care Trust area reached the one year survival rate for lung cancer in the latest year for which figures are available; and how the total figures compare with the rest of the UK.

(AQW 1173/11)

Minister of Health, Social Services and Public Safety: It is not possible to provide figures on persons fully recovered from cancer because relapse is frequently possible.

The Northern Ireland Cancer Registry's website (link below) contains one, three, five and seven years survival times for lung cancer.

www.qub.ac.uk/research-centres/nicr/Data/OnlineStatistics/TracheaBronchusLung/

Survival times broken down by Trust levels as well as UK figures are not available.

Rapid Response Vehicles

Mr G Robinson asked the Minister of Health, Social Services and Public Safety how many rapid response vehicles are currently stationed at Knockbracken Healthcare Park; and how many are available for use in emergencies at any one time.

(AQW 1179/11)

Minister of Health, Social Services and Public Safety: Two rapid response vehicles (RRVs) are currently stationed at Purdysburn Ambulance Station which is located in Knockbracken Healthcare Park. Each RRV is dynamically deployed at a number of locations daily between 0700 to 0200hours distributed over, on average, a 16 hour period in a shift pattern which matches their availability with expected demand for emergency paramedic response.

Fire Station for Limavady

Mr G Robinson asked the Minister of Health, Social Services and Public Safety to provide an update on the provision of a new fire station for Limavady.

(AQW 1180/11)

Minister of Health, Social Services and Public Safety: I understand that Limavady Fire Station is on the Northern Ireland Fire and Rescue Service priority list to be replaced over the next ten years.

My Department is facing huge financial pressures in relation to both capital and revenue budgets. When the budget position becomes clearer, I will have to look closely at my entire capital programme, including the development of any new facilities, before deciding what projects will be delivered and the timeframe for completing these schemes.

Occupational Therapists

Lord Morrow asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 545/11, to provide the requested information in relation to the number of people on the waiting list for assessment by an Occupational Therapist in the format in which it is available.

(AQW 1181/11)

Minister of Health, Social Services and Public Safety: At 3rd September 2010, there were 5,359 patients waiting from referral for treatment by an Occupational Therapist.

Ambulance Staff

Lord Morrow asked the Minister of Health, Social Services and Public Safety why his Department invested in training qualified ambulance staff to Emergency Medical Technician Level but placed these staff on non-emergency duties despite emergency ambulance cover being reduced due to the non-availability of emergency trained staff.

(AQW 1182/11)

Minister of Health, Social Services and Public Safety: The recruitment, training and deployment of ambulance service staff is entirely a matter for the Northern Ireland Ambulance Service (NIAS). NIAS has confirmed that emergency ambulance cover has not been reduced due to staff shortages.

Ambulance Cover

Lord Morrow asked the Minister of Health, Social Services and Public Safety if he can provide an assurance that there is adequate emergency ambulance cover across Northern Ireland at all times, particularly in rural areas.

(AQW 1183/11)

Minister of Health, Social Services and Public Safety: I can assure the Member that one of the core values of the Northern Ireland Ambulance Service (NIAS) is to provide emergency ambulance services based on clinical priority, where and when they are needed and to those who need them. NIAS therefore

deploys its emergency response resources on the basis of a tactical deployment plan based on historical patterns of demand which ensures that the nearest available emergency response resource is sent to an incident. The effectiveness of this service delivery model can be seen in NIAS's continued success in improving its response times for life-threatening calls both at regional and local levels.

Malignant Melanoma

Dr A McDonnell asked the Minister of Health, Social Services and Public Safety to detail (i) the number of people diagnosed with malignant melanoma in the last ten years, broken down by gender and the number of people under 30 years of age; 31 to 50 years of age and over 50 years of age; (ii) the percentage of fatalities in each age group; and (iii) the three main high risk factors specific to each age group. **(AQW 1184/11)**

Minister of Health, Social Services and Public Safety: Table 1 shows number of incidences (diagnosis) of malignant melanoma skin cancer (ICD-10 C43) in Northern Ireland the last ten years (1999-2008), split by various age groups and gender. Source: The Northern Ireland Cancer Registry.

TABLE 1: INCIDENCES OF MALIGNANT MELANOMA SKIN CANCER (1999-2008)

Age group	Male	Female
0-30	82	154
31-50	245	379
51+	634	813

Table 2 shows number of fatalities to malignant melanoma skin cancer in Northern Ireland the last ten years (1999-2008) and the percentage this number represents of the number of incidences in the same time period, split by various age groups and gender.

TABLE 2: DEATHS BY MALIGNANT MELANOMA SKIN CANCER (1999-2008)

Age group	Male	Female
0-30	5 (6%)	5 (3%)
31-50	37 (15%)	26 (7%)
51+	177 (28%)	169 (21%)

The principal risk factor for malignant melanoma is over exposure to UV light in sunshine or sun beds. In addition, people with fairer skin have a higher risk of developing malignant melanoma, as do people with greater numbers of moles. A weakened immune system, some skin conditions (solar keratosis, xeroderma pigmentation, Gorlin's syndrome) or severe burns and skin ulcers can also increase risk. Source: The Northern Ireland Cancer Registry

The Northern Ireland Cancer Registry publishes comprehensive information on cancer incidence and survival which can be accessed online at:

<http://www.qub.ac.uk/research-centres/nicr/Data/OnlineStatistics/>

Neurology Beds

Mr G Robinson asked the Minister of Health, Social Services and Public Safety to detail the total cost of CHKS Ltd's analysis which was used to inform the decision to reduce the number of neurology beds at the Royal Victoria Hospital. **(AQW 1185/11)**

Minister of Health, Social Services and Public Safety: CHKS Ltd undertook an analysis for the Belfast Trust which covered 48 specialties at a total cost of approximately £1,500 - £1,800. The analysis included neurology services. It is not possible to extrapolate the specific cost of the analysis of the neurology service.

Inquiry into the Clostridium Difficile Outbreak

Mr D O'Loan asked the Minister of Health, Social Services and Public Safety for an estimate of the cost to the Health Service of the inquiry into the C. Difficile outbreak in the Northern Health and Social Care Trust's hospitals.

(AQW 1194/11)

Minister of Health, Social Services and Public Safety: It is estimated that the total costs of the Public Inquiry will be around £2 million.

New Nursing Uniforms

Mr M Brady asked the Minister of Health, Social Services and Public Safety to outline the cost of providing the new nursing uniforms currently being distributed to each Health and Social Care Trust.

(AQW 1196/11)

Minister of Health, Social Services and Public Safety: A regional contract to deliver uniforms for all uniformed HSC staff has been awarded to a local supplier generating savings of 50% on uniform costs across the HSC. The estimated cost of implementation will be £3.5m over a 3-5 year period.

I am unable to confirm the element of this cost related solely to nursing uniforms due to the phased implementation that will take place over a number of years.

Political Party Conferences in England

Mr G Robinson asked the Minister of Health, Social Services and Public Safety to detail the cost to his Department and each of its arms-length bodies of sending personnel to attend political party conferences in England in the last six months; and the number of personnel who attended on each occasion.

(AQW 1199/11)

Minister of Health, Social Services and Public Safety: No costs have been incurred by the Department or associated bodies. As a matter of policy the Department does not send staff to attend political party conferences.

Ulster Hospital

Mr A Easton asked the Minister of Health, Social Services and Public Safety what plans he has to create a medical records library at the Ulster Hospital.

(AQW 1204/11)

Minister of Health, Social Services and Public Safety: There are currently no plans within the Ulster Hospital site redevelopment plan to create a medical records library.

Food Safety Promotion Board

Mr A Easton asked the Minister of Health, Social Services and Public Safety for his assessment of the efficiency savings that could be made at the Food Safety Promotion Board.

(AQW 1206/11)

Minister of Health, Social Services and Public Safety: The Food Safety Promotion Board will fully implement the guidance issued by the two Finance Departments to all North South Implementation Bodies on identifying and delivering a cumulative 9% efficiency saving over the period 2011 to 2013. In addition my officials, in conjunction with the Department of Health and Children, are currently considering FSPB's draft Business Plan for 2011 and in doing so are examining if there is scope

for additional efficiency savings over and above those requested by the Department of Finance and Personnel and the Department of Finance.

Uniform Fitters

Ms S Ramsey asked the Minister of Health, Social Services and Public Safety (i) how many people are currently employed in all the Health and Social Care Trusts as uniform fitters; (ii) how much has been spent on uniform fitters staff costs in each of the Trusts in each of the last three years; and (iii) how much is budgeted for uniform fitters in each of the Trusts for this financial year.

(AQW 1216/11)

Minister of Health, Social Services and Public Safety: HSC staff involved in sizing uniforms carry out a variety of sewing functions including repairing curtains, bedclothes and making specialist clothes for patients.

24.68 Whole Time Equivalent workers are employed across the HSC to carry out these sewing functions. It is not possible to calculate the amount of time and therefore cost spent solely on uniform fitting.

Childcare

Ms S Ramsey asked the Minister of Health, Social Services and Public Safety how many people were employed in each Health and Social Care Trust area in childcare settings relating to the (i) community; (ii) statutory; (iii) voluntary; and (iii) private sectors.

(AQW 1218/11)

Minister of Health, Social Services and Public Safety: The information requested is not available.

Free Prescriptions

Mr M Storey asked the Minister of Health, Social Services and Public Safety what assessment his Department has made, since the introduction of free prescriptions, of the prescribing and dispensing of inappropriate items that can be purchased elsewhere or do not directly relate to a patient's medical condition.

(AQW 1236/11)

Minister of Health, Social Services and Public Safety: Whether there are prescription charges in place or not my Department continuously seeks to promote responsible prescribing and dispensing of appropriate medicines. GPs and pharmacists are aware that they have a role to play in prescribing and dispensing sensibly.

It is not possible to determine what prescribed medication may not relate to a patient's medical condition. However, since the introduction of free prescriptions the prescription form has been revised to alert practitioners and the public alike that medicines cost the health service money. A new message on the reverse of the form asks everyone not to hoard medicines, to only order what they need and advises that many medicines are available to purchase over the counter.

“At Risk” Register

Ms S Ramsey asked the Minister of Health, Social Services and Public Safety how many children (i) aged 0-3 years old; (ii) aged 4-5 years old; and (iii) of primary school age have been on the ‘At Risk’ register in each Health and Social Care Trust area in each of the last five years.

(AQW 1237/11)

Minister of Health, Social Services and Public Safety: Table 1 below details the numbers of children of primary school age on Child Protection (At Risk) Registers at 31 March in Health and Social Care Trusts, for the five years from 2005 to 2009. Figures are not available centrally for children aged 0-3 or 4-5 years old, which could only be provided at disproportionate cost.

TABLE 1**CHILDREN OF PRIMARY SCHOOL AGE (5-11) ON CHILD PROTECTION REGISTERS AT 31 MARCH**

HSC Trust	2005	2006	2007	2008	2009
Belfast	178	180	162	202	227
Northern	109	102	111	128	156
South Eastern	164	129	156	153	221
Southern	60	81	84	108	163
Western	133	131	143	160	184
Total	644	623	656	751	951

Medical Provision in Maghaberry Prison

Mr P Givan asked the Minister of Health, Social Services and Public Safety how much has been spent by the South Eastern Health and Social Care Trust in meeting the cost of medical provision in Maghaberry Prison in each of the last three financial years.

(AQW 1256/11)

Minister of Health, Social Services and Public Safety: I refer my colleague to the information provided in AQW 7714/10.

Average Bed Occupancy Rate

Mr A Easton asked the Minister of Health, Social Services and Public Safety what the average bed occupancy rate has been in each Health and Social Care Trust in each of the last three financial years.

(AQW 1264/11)

Minister of Health, Social Services and Public Safety: Average bed occupancy rate for each Health and Social Care Trust in each of the last three financial years can be found at the following link:

http://www.dhsspsni.gov.uk/index/stats_research/stats-activity_stats-2/inpatients-1.htm

Suicides

Lord Morrow asked the Minister of Health, Social Services and Public Safety if there is any evidence of a link between the increase in suicides and the growing use of social networking sites.

(AQW 1269/11)

Minister of Health, Social Services and Public Safety: I remained concerned about the potential dangers of harmful internet content on vulnerable people, particularly in relation to suicide and self harm. Studies published in recent years have highlighted the possible influence of internet sites on the occurrence of suicide, including the possibility of a “copycat” effect being reinforced by portrayal of suicide on sites and through social networking chat rooms. However, I am not aware of any evidence that establishes a direct relationship between suicides rates and the growing use of social networking sites.

The recommendations in the Byron Report into harmful material on the internet and in video games have been accepted by the national Government. The UK Council on Child Internet Safety has been established to oversee implementation of the report’s findings and my Department is represented on this body.

Northern Ireland Medical and Dental Training Agency

Lord Morrow asked the Minister of Health, Social Services and Public Safety how much funding his Department has allocated to the Northern Ireland Medical and Dental Training Agency in each of the

last three years; and to detail the occasions that the NIMDTA has used premises other than its own for training purposes.

(AQW 1270/11)

Minister of Health, Social Services and Public Safety: During the last three years the Department has allocated the following amounts to NIMDTA: 2007/08 £44.5m; 2008/09 £48.6m; 2009/10 £52.6m. The bulk of the annual allocation to NIMDTA is in respect of junior doctor salaries.

On average NIMDTA arranges 250 training courses annually on premises outside its own and only when it is cost effective and more practical to do so. NIMDTA's facilities are not sufficient to deal with the volume of events and the number of delegates attending. The majority of training is in respect of continuing professional development (CPD) courses for dentists and GPs, for which a fee is charged.

Out-of-Hours GP Service

Mr G Robinson asked the Minister of Health, Social Services and Public Safety to outline the criteria which will be used to monitor the changes to the Out of Hours GP service in the Western Health and Social Care Trust; and how the success or failure of the new service will be measured against these criteria.

(AQW 1280/11)

Minister of Health, Social Services and Public Safety: The criteria being used are those specified in the NI Quality Standards for face to face consultations.

Service performance is monitored on a daily basis and a monitoring report, which measures performance against the standards, is produced on a fortnightly basis.

Staff Expenses

Lord Morrow asked the Minister of Health, Social Services and Public Safety how much each Health and Social Care Trust paid to staff in expenses in each of the last three years.

(AQW 1288/11)

Minister of Health, Social Services and Public Safety: The purpose of travel and subsistence allowances is to reimburse staff for expenses incurred as a result of duties relating to their job. The total costs of expenses submitted by Trust staff over the last three years were:

HSC Trust	2007/2008 £m	2008/2009 £m	2009/2010 £m
BHSCT	6.6	5.1	6.4
NHSCT	9.5	10.2	10.3
SEHSCT	5.0	5.7	6.1
WHST	7.8	7.5	7.9
SHSCT	8.7	9.9	9.0
NIAS	0.3	0.4	0.4

Figures may not add due to rounding

Costs include mileage allowances, public transport costs, subsistence and car parking. Mileage allowance increased in 2008 due to rising fuel costs.

HSC Trusts are endeavouring to keep travel and subsistence costs to an absolute minimum. This includes utilising new technologies such as tele/video conferencing and delivering more meetings in house.

Accident and Emergency Units

Mr S Moutray asked the Minister of Health, Social Services and Public Safety what action he is taking to reduce waiting times at Accident and Emergency units.

(AQW 1290/11)

Minister of Health, Social Services and Public Safety: I have set very challenging targets for patients attending any Accident & Emergency Department in Northern Ireland which require that from April 2010, 95% of patients are either treated and discharged home, or admitted, within four hours of their arrival in an A&E Department, with no patient waiting longer than 12 hours. Trusts need to ensure that staffing levels and facilities are appropriate to meet the demand of their local populations and that this is kept under continual review. In addition, my Department has in place robust arrangements to monitor the performance at each hospital and to agree any action necessary to ensure targets are met.

Limited resources continue to pose a significant challenge in meeting targets, however I will continue to press for much needed additional funding to invest in our health service to meet rising demand including services provided in Emergency Care Departments.

UK Council on Child Internet Safety

Mr C McDevitt asked the Minister of Health, Social Services and Public Safety to outline the Northern Ireland submission to the UK Council on Child Internet Safety action plan; and when the action plan will be published.

(AQW 1299/11)

Minister of Health, Social Services and Public Safety: The UK Coalition Government is currently considering how it intends to proceed in the area of the UK Council on Child Internet Safety. When the new administration has taken a decision on the way ahead we will consider what the implications are for Northern Ireland.

Lung Cancer

Mr C McDevitt asked the Minister of Health, Social Services and Public Safety how many people received active treatment for lung cancer, in the latest year available, in (i) the UK; and (ii) Northern Ireland, broken down by Health and Social Care Trust.

(AQW 1301/11)

Minister of Health, Social Services and Public Safety: (i) Information on the number of people that have received active treatment for lung cancer in the UK is not available.

(ii) Information is available on the number of people admitted to Health and Social Care Hospitals in Northern Ireland with a diagnosis of lung cancer.

The number of people admitted to hospital, broken down by HSC Trust, with a diagnosis of lung cancer recorded in the primary diagnostic position during 2009/10 is shown table below:-

HSC Trust	Belfast	South Eastern	Northern	Southern	Western	Northern Ireland
No. of Individuals Admitted	522	178	208	142	152	1,202

Source:- Hospital Inpatient System

Note the number of individuals has been approximated using a patient's Health and Care number.

Lung Cancer

Mr C McDevitt asked the Minister of Health, Social Services and Public Safety what was the estimated total expenditure on lung cancer treatment, for the latest year available, in (i) the UK; and (ii) Northern Ireland, broken down by Health and Social Care Trust.

(AQW 1302/11)

Minister of Health, Social Services and Public Safety: Patients with lung cancer may be treated in an outpatient, primary care or A&E setting. Also, palliative care and other community services are provided in support of patients with lung cancer. Costs for these services are not collected at the level of detail required to enable us to estimate what has been spent on people with specific diagnoses. For this reason, it is not possible to estimate the total expenditure in NI or UK relating to lung cancer.

Supported Living Accommodation

Mr P McGlone asked the Minister of Health, Social Services and Public Safety for a breakdown of the provision of Supported Living Accommodation for people with severe mental health conditions in (i) each Health and Social Care Trust; and (ii) each District Council.

(AQW 1303/11)

Minister of Health, Social Services and Public Safety: A range of supported housing accommodation is provided by various organisations, including the Northern Ireland Housing Executive and Housing Associations, to enable people with severe mental health conditions to live as independently as possible in the community. Each place and the support provided with it by the relevant Health and Social Care Trust is specifically designed to meet the assessed needs of the individual.

However, as the Northern Ireland Housing Executive is responsible for the provision of Supported Living Accommodation I suggest the member directs his question to the Minister for the Department for Social Development.

Rapid Response Vehicles

Mr J Craig asked the Minister of Health, Social Services and Public Safety how much it costs to purchase one Rapid Response Vehicle that is ready for use; and how many are currently available to the Ambulance Service.

(AQW 1314/11)

Minister of Health, Social Services and Public Safety: An operational rapid response vehicle (RRV) costs approximately £35,000. The Northern Ireland Ambulance Service currently has a fleet of 40 RRVs.

Review of Support Provision for Carers

Mr J Craig asked the Minister of Health, Social Services and Public Safety for an update on the implementation of the recommendations in the Review of Support Provision for Carers, which was carried out in conjunction with the Minister for Social Development.

(AQW 1315/11)

Minister of Health, Social Services and Public Safety: Further progress has been made in relation to many of the recommendations contained in the Review, such as:

- Some 30,000 copies of the revised A-Z for Carers were printed earlier this year and copies of the guide have now issued to all health and social care bodies and voluntary & community organisations working in support of carers;
- The HSC Board has agreed to take over chairmanship of the Carers' Strategy Implementation Group (CSIG), with appropriate representation from the Department. The reconstituted CSIG will take on a role of monitoring implementation of the other recommendations of the Review. It is anticipated that the CSIG, will meet again in mid November. At this meeting the membership

of the group will be reviewed and the new terms of reference (to include monitoring the new recommendations of the Joint Review) will be agreed and accepted;

- The Carers Support and Needs Assessment component of NISAT was issued to Trusts in December 2009 along with guidance indicating that it is the “tool of choice” for use in assessing the needs of carers in all adult programmes of care, thus ensuring a standardised approach to assessment;
- The analysis of the information received from all Trusts using the “Trust Self Audit Tool” has been completed and the findings were issued to the HSC Board for further action, in June 2010. The Department will contact the Board in mid 2011 to seek an update on progress;
- Officials have approached RQIA and a Review of the implementation of the DHSSPS Standards for Adult Social Care Support Services for Carers across relevant HSC services has been entered into their work programme for 2011/2012;
- A large body of information for carers has been added to the central nidirect website detailing available support from both DHSSPS and DSD. The targeted material covers support services for carers, information on benefits and signposting to appropriate organisations offering support services for carers.
- Officials continue to liaise with colleagues in the Department of Health to ascertain what progress has been made in relation to the operation and evaluation of the demonstrator sites;

Children Requiring Occupational Therapy and Physiotherapy Treatment

Mrs D Kelly asked the Minister of Health, Social Services and Public Safety how many children have been assessed as requiring (i) occupational therapy treatment; and (ii) physiotherapy treatment in the Upper Bann constituency in each of the last three years; and to detail the current waiting time for each service from the point of assessment to the commencement of treatment.

(AQW 1332/11)

Minister of Health, Social Services and Public Safety: The information requested is not collected centrally.

Overpayments to Contractors

Mr T Burns asked the Minister of Health, Social Services and Public Safety (i) whether his Department has made any overpayments to contractors in each of the last five years; and if so to detail (ii) the goods or services which were overpaid; (iii) the projects to which the overpayments related; (iv) the value of the overpayments; and (v) whether the overpayments were successfully reclaimed from the companies or individuals overpaid.

(AQW 1351/11)

Minister of Health, Social Services and Public Safety: The answer could not be provided due to the disproportionate cost involved in collecting the information.

Hepatitis B

Lord Morrow asked the Minister of Health, Social Services and Public Safety how many people have contracted Hepatitis B through blood transfusions in each of the last three years.

(AQW 1372/11)

Minister of Health, Social Services and Public Safety: There have been no recorded cases of people contracting Hepatitis B through blood transfusions in each of the last 3 years.

Video Telemetry Appointment

Mr D Bradley asked the Minister of Health, Social Services and Public Safety what is the estimated current waiting time for a patient to receive a Video Telemetry appointment at the Royal Victoria Hospital.

(AQW 1499/11)

Minister of Health, Social Services and Public Safety: The waiting times for a Video Telemetry appointment at the 20th October 2010 at the Royal Victoria Hospital is shown in the table below:

	Length of time waiting in weeks					
	0-6 wks	> 6-13 wks	> 13-21 wks	> 21-26 wks	> 26-36 wks	> 36 weeks
Number of patients waiting	15	19	30	20	45	12

Source: Belfast HSC Trust

Residential Care Homes

Mr T Gallagher asked the Minister of Health, Social Services and Public Safety to list the residential care homes in the Belfast Health and Social Care Trust area where catering is supplied by Belfast Trust Hotel Services and (i) clients are currently provided with chilled meals; and (ii) chilled meals are planned to commence for clients; and the planned commencement date.

(AQW 1527/11)

Minister of Health, Social Services and Public Safety: The following statutory residential care homes in the Belfast Health and Social Care Trust receive chilled meals from Knockbracken Foods, an integral part of the Trust: Killynure House; Fairholme; Pinelodge; Brae Valley; Ballyowen House (partial provision); and Orchardville House.

The following homes already receive a meals service and the Trust is currently in consultation regarding the provision of chilled meals, with a target date of mid January 2011, in the following homes: Grovetree House; Shankill House; Ballyowen House; Bruce House; and Chestnut Grove.

Royal Victoria Hospital

Mr W Irwin asked the Minister of Health, Social Services and Public Safety how many days a week the MRI scanner in the Royal Victoria Hospital is available for use; and what is the current average patient waiting time for a scan.

(AQW 1573/11)

Minister of Health, Social Services and Public Safety: A MRI scanner is available for use in the Royal Victoria Hospital seven days each week.

My Department collects waiting times for MRI scans by time band. It is therefore not possible to calculate the average (arithmetic mean) waiting time for a MRI scan at the Royal Victoria Hospital. It is however possible to identify the median or mid point waiting time band, i.e. the timeband that contains the median waiting time.

The most recently available official statistics relate to the waiting time position at 30th June 2010, when the median waiting time band for an MRI scan at the Royal Victoria Hospital was '0 to 6 weeks'.

Department of Justice

Women's Aid

Mr M Storey asked the Minister of Justice for his assessment of the contribution made by Women's Aid in dealing with domestic violence.

(AQW 803/11)

Minister of Justice (Mr D Ford): Women's Aid deliver a vast range of much needed services to victims of domestic violence commencing when those victims most need support and continuing throughout the period of delivering justice against this heinous crime.

The 'Tackling Violence at Home' strategy for addressing domestic violence and abuse in Northern Ireland was launched in October 2005 by the Northern Ireland Office and the Department of Health, Social Services and Public Safety. Women's Aid play a key role in the delivery of the Strategy and are actively involved in the Domestic Violence Regional Strategy Group and the supporting sub groups which have been established to take forward the four strands of the strategy and associated action plans.

Women's Aid continues to work closely with Government to progress key initiatives to assist and support victims of domestic violence and I welcome this opportunity to acknowledge and commend their commitment and tireless work for victims of domestic violence.

Surplus Land and Property

Dr A McDonnell asked the Minister of Justice to detail any (i) land; and (ii) property owned by his Department which is currently deemed surplus to requirements, including the location of the land or property and any plans for its disposal.

(AQW 833/11)

Minister of Justice: The Department of Justice and the Agencies of the Department own the following land and/or property that have been identified as surplus;

Property Detail	Property Location	Disposal Plan
Mount Eden.	Belfast	The Department is considering a disposal strategy to achieve best value for money.
Whitefield House, Office Space.	Belfast	The property was placed for sale on the open market in January 2010. An offer to purchase the property has been accepted and it is hoped that contracts will be exchanged during October 2010
Domestic Dwelling.	Bangor	The property is currently for sale on the open market.
Courthouse.	Clogher	The property is currently for sale on the open market.
Prison Training College.	Millisle	Outline Planning permission for 177 dwellings was granted in December 2009. It is proposed to link the sale of the site to the future relocation of training to Desertcreat.
Maghaberry Quarry.	Maghaberry	Sold on open market. Purchaser has paid a deposit. The purchaser has asked to buy additional land which is being assessed with legal and valuation advice.
Surplus Agricultural Land.	Hydebank	Surplus land was identified on the extremities of the site. It was reviewed by a Planning Consultant but the land lies outside the 'development limit' and cannot presently be developed. Its current value is only as Agricultural land. It is planned to make a case to redesignate the development limit at the time of the next BMAP review after 2015.

Property Detail	Property Location	Disposal Plan
Police Station.	Forkhill	All listed assets are surplus to PSNI requirements, approval for disposal has been given by the Policing Board, and the disposal process, under agreed procedures, will proceed.
Police Station.	Gilford	
Police Station.	Middletown	
Police Station.	Dromara	
Police Station.	Toomebridge	
Police Station.	Loughgall	
Police Station.	Belcoo	
Police Station.	Belleek	
Police Station.	Coagh	
Police Station.	Fivemiletown	
Police Station.	Newtownbutler	
Police Station.	Stewartstown	
Police Station.	Bellaghy	
Police Station.	Donemana	
Police Station.	Newtownstewart	
Police Station.	Kilrea	
Police Station.	Templepatrick	
Police Station.	Kesh	
Police Station.	Kells	
Police Station.	Bessbrook	
Police Station.	Mountpottinger	
Police Station.	Portadown	
Police Station.	Greyabbey	
Police Station.	Markethill	
Police Station.	Pomeroy	
Police Station.	Claudy	
Police Station.	Portstewart	
Police Station.	Rathfriland	

Anti-Social Behaviour Orders

Mr T Clarke asked the Minister of Justice how many Anti-Social Behaviour Orders have been issued in each local council area in each of the last five years.

(AQW 875/11)

Minister of Justice: The Department of Justice has been notified by the relevant authorities of the following number of Anti-Social Behaviour Orders in each local council area in each of the last five years;

ASBOS BY DISTRICT COUNCIL 2005 - 2009

District Council	2009	2008	2007	2006	2005	Total
Antrim	2		1	1		4
Ards						0
Armagh	1		1			2
Ballymena	5	17	4	9		35
Ballymoney						0
Banbridge						0
Belfast	5	2	11	5	1	24
Carrickfergus	1					1
Castlereagh	1			1		2
Coleraine	4	1			3	8
Cookstown			1			1
Craigavon	3			1		4
Derry				3		3
Down		1	2			3
Dungannon & South Tyrone				3	1	4
Fermanagh			1	1	2	4
Larne		2			1	3
Limavady						0
Lisburn		1				1
Magherafelt					1	1
Moyle						0
Newry & Mourne	1	4	1	2		8
Newtownabbey	1	3	2	3		9
North Down	1			3		4
Omagh						0
Strabane		1				1
Total	25	32	24	32	9	122

Notes: The Anti-social Behaviour (NI) Order 2004 defines relevant authority as district councils, PSNI or Northern Ireland Housing Executive.

Roe House in Maghaberry Prison

Mr P Givan asked the Minister of Justice how much was spent on cleaning costs in Roe House in Maghaberry Prison following the recent protest by prisoners.

(AQW 1247/11)

Minister of Justice: Approximately £45,000 was spent on cleaning of Roe House following the protest by prisoners.

Maghaberry Prison

Mr P Givan asked the Minister of Justice to detail (i) how much has been spent on the separated section of Maghaberry Prison since the agreement was reached ending the recent protest by republican prisoners; and (ii) what capital works have been carried out, to date, or are planned, as part of the agreement.

(AQW 1248/11)

Minister of Justice: Since the agreement on that date, the delivery of the regime for separated prisoners in Bush and Roe Houses has resulted in additional staff costs of approximately £75,000.00

In line with the agreement, a programme of work was put in place to restore Roe House to full operational condition, and to deliver a number of infrastructural changes for Roe and Bush Houses which include:

- a new search facility for Bush and Roe Houses;
- alterations to provide alternative secure access to both Bush and Roe exercise yards;
- a secure link from each exercise yard to the adjacent Astro turf pitch; and
- additional security for the Bush and Roe Astro turf pitches.

In addition NIPS has undertaken refurbishment work, including painting and floor covering of staff and prisoner areas and replacement of all in cell sanitary ware and cell doors damaged during the protest.

Non-payment of Fines

Mr P Givan asked the Minister of Justice how many people have been committed to prison for non-payment of fines in each of the last three years, broken down by (i) the type of fine; and (ii) the associated length of time served.

(AQW 1250/11)

Minister of Justice: Details of the number of prison receptions on fine warrants in the last three years are shown in the table below.

Financial Year	2007-2008	2008-2009	2009-2010
Total prison receptions for non payment of fines.	1678	1724	1778

The Prisoner Record Information System (PRISM) does not break down fine warrants according to the nature of the offence for which the fine was imposed; consequently this information is not available without conducting a manual search, which could only be done at disproportionate cost to the public purse.

Similarly, it is not currently possible to disaggregate the time served exclusively for fine default for individual offences without conducting a manual search at disproportionate cost.

Overpayments to Contractors

Mr T Burns asked the Minister of Justice (i) whether his Department has made any overpayments to contractors in each of the last five years; and if so to detail (ii) the goods or services which were overpaid; (iii) the projects to which the overpayments related; (iv) the value of the overpayments; and (v) whether the overpayments were successfully reclaimed from the companies or individuals overpaid.

(AQW 1349/11)

Minister of Justice: The Department of Justice came into existence on 12th April 2010. Details of overpayments to contractors before that date are a matter for the previous department.

Prisons

Miss M McIlveen asked the Minister of Justice to list all items currently available for purchase and hire to prisoners in each prison.

(AQW 1364/11)

Minister of Justice: Each individual prison establishment has a range of items available for sale to prisoners through ‘tuck shops’. Copies of the tuck shop price lists which detail the items for sale at each establishment have already been deposited in the Assembly Library. (AQW 882/11 refers). Prisoners are able to hire televisions and may take out a weekly subscription to hire Sky Television.

Table A shows the total amount paid by prisoners, for the purchase and hire of items in each establishment for the last three years.

Table A	Total Purchase/Hire Amount		
	£S		
Financial Year	Hydebank Wood	Maghaberry	Magilligan
07 – 08	207,881.30	753,699.68	339,298.31
08 – 09	213,191.85	741,887.63	386,954.73
09 – 10	216,904.55	760,684.11	376,854.04

Table B shows the total cost to each prison establishment for the provision of these items for the last three years.

Table B	Total Cost To Prisons		
	£S		
Financial Year	Hydebank Wood	Maghaberry	Magilligan
07 – 08	194,016.66	673,279.28	296,679.03
08 – 09	200,092.23	669,464.04	347,365.89
09 – 10	193,767.32	695,594.13	326,715.95

Prisons

Miss M McIlveen asked the Minister of Justice to detail (i) the total amount paid by prisoners for the purchase or hire of items available in prison, in each of the last three years, broken down by prison; and (ii) the total cost to each prison of providing these items.

(AQW 1367/11)

Minister of Justice: Each individual prison establishment has a range of items available for sale to prisoners through ‘tuck shops’. Copies of the tuck shop price lists which detail the items for sale at each establishment have already been deposited in the Assembly Library. (AQW 882/11 refers). Prisoners are able to hire televisions and may take out a weekly subscription to hire Sky Television.

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Table B shows the total cost to each prison establishment for the provision of these items for the last three years.

Table B	Total Cost To Prisons £S		
	Hydebank Wood	Maghaberry	Magilligan
07 – 08	194,016.66	673,279.28	296,679.03
08 – 09	200,092.23	669,464.04	347,365.89
09 – 10	193,767.32	695,594.13	326,715.95

Forensic Evidence

Lord Morrow asked the Minister of Justice how many cases are currently outstanding because of delays in the processing of forensic evidence due to budget reasons, broken down by policing district. **(AQW 1370/11)**

Minister of Justice: The number of cases currently outstanding because of delays in the processing of forensic evidence due to budget reasons 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.

Sale of Goods Produced by Prisoners

Mr T Burns asked the Minister of Justice how much money has been generated by the sale of goods produced by prisoners in each of the last five years, broken down by the type of goods produced in each prison. **(AQW 1435/11)**

Minister of Justice: The table below sets out how much money has been generated by the sale of goods produced by prisoners in each establishment over the last five years.

Money generated by the sales of goods produced by prisoners

	Hydebank Wood	Maghaberry	Magilligan
2009/10	£10623	£9277	£27710
2008/09	£28814	£10814	£40901
2007/08	£3543	£6948	£8743
2006/07	£6687	£7463	£12530
2005/06	No records available	£8067	£16342

Further details could only be supplied at disproportionate cost to the public purse.

The income from sales is used to offset the cost of the materials. A percentage of the profits goes to the Governor's Fund and to charity.

Speeding Tickets

Mr J Craig asked the Minister of Justice how many speeding tickets have been issued in each of the last five years; and how much revenue this has generated.

(AQW 1445/11)

Minister of Justice: I would refer the Member to the reply I gave on 14 July 2010 to AQW 8099/10.

Unfixed Speed Camera Vehicles

Mr J Craig asked the Minister of Justice how many drivers of unfixed speed camera vehicles have been convicted of speeding in each of the last five years.

(AQW 1462/11)

Minister of Justice: The number of people in the police who have been convicted of speeding 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.

Director General for the Northern Ireland Prison Service

Mr P Givan asked the Minister of Justice what progress is being made to recruit a new Director General for the Northern Ireland Prison Service.

(AQW 1468/11)

Minister of Justice: The post is currently being advertised, in the regional and national press, with a closing date for applications of 5 November 2010.

The post will also be advertised on www.niprisonservice.gov.uk, www.nijobs.com and www.jobsnation.co.uk.

Governor's Position at Maghaberry Prison

Mr P Givan asked the Minister of Justice when an announcement will be made on the Governor's position at Maghaberry Prison.

(AQW 1469/11)

Minister of Justice: The Prison Service announced on 4 June plans for filling the Governor in Charge post at Maghaberry Prison, consistent with the Pearson Review Team audit report published in March this year.

Accordingly, an open competition was held. The appointment panel for the posts of Governor in Charge at Maghaberry and Magilligan interviewed candidates on 29 and 30 September. Unfortunately, the panel concluded that it was not possible to make a substantive appointment to either post, through those competitions, at this time.

While I am most appreciative of the commitment of the current acting Governors, it remains the Prison Service's intention to seek to make substantive appointments through further selection exercises.

My Department will shortly initiate discussions with the Department of Finance & Personnel about a range of practical issues in connection with the process for fulfilling the post at Maghaberry.

Fireworks

Mr P Weir asked the Minister of Justice what plans his Department has to review the regulations on the availability and use of fireworks.

(AQW 1515/11)

Minister of Justice: I have no plans at present to review the Regulations on the availability and use of fireworks.

Grants to Assist Community-based Groups

Mr P Weir asked the Minister of Justice what grants are available through his Department or its arms-length bodies to assist community-based groups with capital builds for new premises.

(AQW 1516/11)

Minister of Justice: No grants are available through The Department of Justice or its arms length bodies to assist community-based groups with capital builds for new premises.

Policy Screening Process

Ms S Ramsey asked the Minister of Justice to detail, for the period from April 2010 to date, (i) the number of policies his Department and its associated bodies have (a) "screened out" as having no Equality Impact; and (b) "screened in" as having an Equality Impact; (ii) the number of staff involved in the screening process; and (iii) the cost of the screening process.

(AQW 1594/11)

Minister of Justice: I view the need to conduct equality screenings during the development of new policy, whether internal or external, or the amendment of existing policy as an important part of good policy development and I am committed to ensuring that the obligations are fully met.

The Department has recently put in place new procedures to support the screening process and ensure it is robust. This reflects the revised guidance on Section 75 published by the Equality Commission.

Since 12 April 2010 the Department of Justice, and associated bodies, have completed 137 screenings, of which 135 were 'screened out' and 2 were 'screened in'. The screenings include both internal and external policies. It is worth noting that 20 of the screenings relate to the Justice Bill where an Equality Impact Assessment has been undertaken.

As with other Departments, screening represents a percentage of the work carried out by staff in the Department, and its associated bodies, and it is therefore not possible to record the numbers involved.

Equality screening is an integral part of the work on developing policy. Therefore, separate costs associated with screening are not recorded.

Department for Regional Development

Residents' Parking Schemes in Derry City

Mr M Durkan asked the Minister for Regional Development for an update on the provision of residents parking schemes in Derry City.

(AQW 1198/11)

Minister for Regional Development (Mr C Murphy): My Department's Roads Service has advised that the proposed Residents' Parking Scheme for the Bogside area of Derry is currently being taken through the legislative process. It is hoped that, subject to further public consultation, the scheme can be fully implemented by mid-2011.

Proposals for a second scheme encompassing the Bishop Street, Fountain and Abercorn Road areas of Derry are under consideration.

Apprentices

Mr P Weir asked the Minister for Regional Development how many apprentices have a placement within his Department or any of its arms-length bodies for 2010/11.

(AQW 1224/11)

Minister for Regional Development: Within Translink 16 apprentices are currently employed in a range of trades and within NIW 5 apprentices are being recruited within the mechanical and engineering field.

The Department currently has no apprentices. We are however working on a commitment for 2010/11 with the Programme-Led Apprenticeship Scheme to place 4 apprentices within general administration roles and a further 10 in Roads Service.

Cycling Facilities in Belfast

Ms M Ritchie asked the Minister for Regional Development to outline any proposed initiatives to improve facilities for cyclists in Belfast, in particular the provision of more cycle lanes.

(AQW 1245/11)

Minister for Regional Development: My Department's Roads Service has advised that its cycling proposals are in accordance with Chapters 4 and 8 of the Belfast Metropolitan Transport Plan 2015, and is currently working towards the completion of a number of schemes aimed at providing cost effective additions to the cycling network in Belfast.

In addition to the capital investment in cycling measures by Roads Service, my Department promotes the use of sustainable modes of transport, including cycling, through its Travelwise initiative, as part of its work with schools, employers and the general public. Travelwise is funding a Sustrans Bike It project for 12 schools in the greater Belfast area in the current school year. I have also established an advisory Active Travel Forum to bring forward recommendations to me for an Active Travel Strategy and this will include proposals to encourage and increase cycling. I expect proposals for a high level Active Travel Strategy by the end of 2010.

I would remind the Member that information on the completed and proposed roads schemes can be found in Roads Service's Spring and Autumn Reports to Councils. These reports can be accessed from the Roads Service internet site at the following web address:

http://www.roadsni.gov.uk/index/publications/publications-council_reports.htm

Roads Service is currently compiling its Autumn Reports to Councils.

Traffic Calming Budget in Belfast

Mr D Kinahan asked the Minister for Regional Development for his assessment of the impact that the reduction in the traffic calming budget in Belfast, from 2.1 million to £300,000, will have on traffic control within the city; and what plans will not go ahead as a result of this reduction.

(AQW 1257/11)

Minister for Regional Development: My Department's Roads Service has advised that the figures stated by the Member relate to Roads Service's overall traffic calming budget and do not relate solely to Belfast.

For the past number of years, my Department's Roads Service has been implementing traffic calming schemes in the Greater Belfast area. These are an important element of local road safety strategies and are designed to control the speed of traffic in residential areas. The reduction in the overall budget and budget for Eastern Division (which includes Belfast) will not have any impact on existing schemes,

but there will be a reduction in the number of schemes to be implemented this year. It is considered that this will have a minimal impact on traffic control within Belfast city, as a whole.

Roads Service is proactive when developing a programme of traffic calming schemes and, as the consultation and legislative process can sometimes be protracted, will usually have numerous schemes in various states of readiness. It is therefore anticipated that the other proposed schemes will go ahead on a prioritised basis, subject to the availability of finance.

Given the current financial climate, my Department is faced with the extremely difficult task of having to allocate finite resources to its numerous competing demands. Unfortunately, in the prevailing circumstances, it is not possible to continue to fund all of Roads Service's functions at the same levels as in previous years.

Cycling Budget

Mr D Kinahan asked the Minister for Regional Development (i) why his Department's cycling budget for the Greater Belfast area has been cut from £450,000 to £8,000; and (ii) for his assessment of the impact that this reduction may have on the future provision of cycling facilities across the city.

(AQW 1258/11)

Minister for Regional Development: My Department's Roads Service is committed to providing safer roads for vulnerable road users, including cyclists and pedestrians, by utilising a range of measures, such as road safety engineering, traffic calming and enhancement of the pedestrian and cycling network.

However, given the realities of the current financial climate, Roads Service is faced with the extremely difficult task of having to allocate finite resources to its numerous competing demands. Unfortunately, in the prevailing circumstances, it is not always possible to continue to fund all of Roads Service's functions at the same levels as in previous years.

In overall terms, although there has been a reduction in the 2010/11 budget allocation for cycling measures, the published Roads Service Targets do not reflect the same level of reduction. For example, in 2009/10, Roads Service's overall budget was £981,000, with an associated target to provide 20km of cycle lanes. However, this year, with a £108,000 allocation, which is an 89% reduction; the target is to provide 12km of cycle lane, which equates to a 40% reduction.

With regard to the impact of a reduced allocation on the future of cycling facilities in the Greater Belfast area, this area has benefited from several years of investment and the cycling infrastructure is well established. However, it remains Roads Service intention to continue to implement, in so far as available resources permit, the cycling infrastructure as set out in the Belfast Metropolitan Transport Plan, which will complement the existing National Cycle Network in the North.

In addition to the capital investment in cycling measures by Roads Service, my Department promotes the use of sustainable modes of transport, including cycling, through its Travelwise initiative, as part of its work with schools, employers and the general public. Travelwise is funding a Sustrans Bike It project for 12 schools in the greater Belfast area in the current school year. I have also established an advisory Active Travel Forum to bring forward recommendations to me for an Active Travel Strategy and this will include proposals to encourage and increase cycling. I expect proposals for a high level Active Travel Strategy by the end of 2010.

NI Water: Chief Executive

Mr P McGlone asked the Minister for Regional Development, pursuant to AQW 619/11, whether a file note, a record of conversation, an email or any other correspondence exists of the conversation between the Chief Executive of NI Water and John Mills from his Department on 18 January 2010; and if so to detail the contents.

(AQW 1328/11)

Minister for Regional Development: I understand that, in response to your Freedom of Information request dated 9 July 2010, you were provided with a number of e-mails, correspondence and

information which contained a record of a telephone conversation on 18 January 2010 relating to the Chief Executive's resignation.

Your AQW 619/11 referred to any conversations "regarding the withdrawal of the Chief Executive's resignation". I would refer you back to my answer to AQW 619/11.

Coleraine Town Bus Service

Mr A McQuillan asked the Minister for Regional Development whether he plans to carry out a review of the Coleraine town bus service to include the Somerset Park and Somerset Crescent areas.

(AQW 1374/11)

Minister for Regional Development: I have no plans to carry out a review of the Coleraine town bus service. Translink, which has operational responsibility for the service, has advised me that it would be happy to consider a request from residents of Somerset Park and Somerset Crescent areas to extend the current services. However, any change could only be considered in the current financial climate if supporting evidence of a reasonable level of demand is available.

Penalty Charged Notices

Mrs D Kelly asked the Minister for Regional Development how much revenue NCP has generated since issuing Penalty Charged Notices in (i) Lurgan; (ii) Portadown; and (iii) Banbridge.

(AQW 1405/11)

Minister for Regional Development: My Department's Roads Service has advised that figures for revenue from Penalty Charge Notices (PCNs) are not compiled on a town-by-town basis. However, using percentage figures for the number of PCNs issued for the three towns in question, and based on an assumption that payment rates in these towns are similar to elsewhere, estimated figures since the commencement of the current enforcement contract are set out in the table below:

	Total PCN Revenue	PCNs Issued in Lurgan (%)	Estimated Revenue Lurgan	PCNs Issued in Portadown (%)	Estimated Revenue Portadown	PCNs Issued in Banbridge (%)	Estimated Revenue Banbridge
Nov 06– Mar 07	£1.3M	1626 (2.8%)	£35,600	2191 (3.7%)	£47,000	900 (1.5%)	£19,100
Apr 07– Mar 08	£4.4M	2691 (1.7%)	£75,300	4022 (2.5%)	£110,700	1688 (1.1%)	£48,700
Apr 08– Mar 09	£4.1M	1597 (1.1%)	£45,200	3265 (2.3%)	£94,600	1280 (0.9%)	£37,000
Apr 09– Mar 10	£3.7M	1767 (1.4%)	£52,100	3954 (3.0%)	£111,700	847 (0.7%)	£26,100
Apr 10– Sep 10	£1.9M	760 (1.2%)	£22,700	1032 (1.7%)	£32,200	362 (0.6%)	£11,400

Note: The figures above relate to PCNs issued on-street and in Roads Service car-parks.

I can further advise that PCN payments are made to Roads Service. All revenue generated by the payment of PCNs is used, along with income from car-parking and other charges, to supplement the overall financing of Roads Service by Central Government. The cost of enforcing on-street parking restrictions and managing off-street car parks exceeds the total revenue received.

Cycling Budget

Ms A Lo asked the Minister for Regional Development, in light of recent budget cuts announcements, why the cycling budget in Belfast has been reduced by 98%, while spending on strategic roads increased by 51%.

(AQW 1485/11)

Minister for Regional Development: My Department's Roads Service is committed to providing safer roads for vulnerable road users, including cyclists and pedestrians, by utilising a range of measures, such as road safety engineering, traffic calming and enhancement of the pedestrian and cycling network.

However, given the current financial climate, my Department is faced with the difficult task of having to allocate finite resources to its numerous competing demands. Unfortunately, in the prevailing circumstances, it is not possible to continue to fund all of Roads Service's functions at the same levels as in previous years.

In overall terms, although there has been a reduction in the 2010/11 budget allocation for cycling measures, the published Roads Service Targets do not reflect the same level of reduction. For example, in 2009/10, Roads Service's overall budget was £981,000, with an associated target to provide 20km of cycle lanes. However, this year, with a £108,000 allocation, which is an 89% reduction; the target is to provide 12km of cycle lane, which equates to a 40% reduction.

With regard to the reduced allocation on the cycling budget in the Greater Belfast area, this area has benefited from several years of investment and the cycling infrastructure is well established. However, it remains Roads Service's intention to continue to implement, in so far as available resources permit, the cycling infrastructure as set out in the Belfast Metropolitan Transport Plan, which will complement the existing National Cycle Network in the North.

In addition to the capital investment in cycling measures by Roads Service, my Department promotes the use of sustainable modes of transport, including cycling, through its Travelwise initiative, as part of its work with schools, employers and the general public. Travelwise is funding a Sustrans 'Bike It' project for 12 schools in the greater Belfast area in the current school year. I have also established an advisory Active Travel Forum to bring forward recommendations to me for an Active Travel Strategy and this will include proposals to encourage and increase cycling. I expect to receive proposals for a high level Active Travel Strategy by the end of 2010.

With regard to spending on strategic roads, this increase reflects planned final payments following the successful implementation of a number of significant improvements to the strategic road network (e.g. A1, A4). It should be noted that new footways and provision for cyclists have been provided in conjunction with these works.

Water Table in the Ards Peninsula

Mr K McCarthy asked the Minister for Regional Development for his Department's assessment of the rise in the water table in the Ards Peninsula as a result of the closure of the Lough Cowey and Portavoe reservoirs.

(AQW 1491/11)

Minister for Regional Development: I have been advised by Northern Ireland Water that, in its assessment, there was no impact on the level of the water table in the Ards Peninsula when the abstraction of raw water ceased at reservoirs at Lough Cowey in 2008 and Portavoe during the 1980s.

Spending Profile

Dr S Farry asked the Minister for Regional Development what benchmarking exercises his Department conducts to assess its spending profile relative to comparable service delivery in other jurisdictions.

(AQW 1507/11)

Minister for Regional Development: My Department's Roads Service is a member of the Association for Public Service Excellence (APSE), which is a local government body working with over 300 councils throughout Britain, promoting excellence in public services. APSE publishes a range of performance indicator reports including those for highways, winter maintenance and street lighting, which help to inform the associated work activities in Roads Service.

Roads Service is also a founding member of the Celtic Highways Benchmarking Club, which includes highway authorities from Scotland, and The Isle of Man, with the aim of improving our service delivery through comparison and the sharing of best practice.

I can also advise that Roads Service benchmarks the performance of its own internal business areas across a range of work activities, as part of their performance management system.

In relation to public transport, the Department is in the process of finalising a review of the Outline Business Case for public transport reform. Among other things, this examines the cost effectiveness and cost efficiency of Translink's operations against comparator operators in broadly similar settings in Britain.

Legal Services

Mr P McGlone asked the Minister for Regional Development how much his Department and its agencies paid for legal services in each of the last five years; and to detail the firms engaged.

(AQW 1509/11)

Minister for Regional Development: The amounts paid by the Department for Regional Development and its agencies for legal services in each of the last five years are as follows:

2005/06	2006/07	2007/08	2008/09	2009/10
£1,848,695	£1,687,135	£1,705,862	£1,265,655	£1,441,986

The firms engaged over the last five years are as follows:

- Agnew Andress Higgins Solicitors
- Allianz Direct
- Anderson Agnew & Co Solicitors
- Andrew T Armstrong & Co
- Anne Kelly Solicitors
- Anthony A McCormick
- Archer Heaney & Magee Solicitors
- Arthur Cox N.I.
- Arthur J Downey & Co
- Babington & Croasdaile
- Barr & Co
- Barry Brady Solicitors
- Barry Fox Solicitors
- Basil Glass & Co
- Bernadette Mulholland Solicitors
- Bernard Campbell & Co
- Bogue & McNulty Solicitors
- Boyce Timothy Mr
- Boyd Rice & Co
- Breen Rankin Lenzi
- Brendan Kearney & Co
- Brennan Paul S
- Breslin McCormick & Co
- Brian Kelly Solicitors
- Broolly Jameson Solicitors
- Brown, McConnell, Clark, Mckee
- Burnside & Logue
- C & H Jefferson Solicitors
- C & J Black Solicitors
- C Murnion & Co
- Campbell & Caher Solicitors
- Campbell & Co Solicitors
- Campbell & Haughey Solicitors
- Campbell Bates & Co Solicitors
- Campbell Fitzpatrick Solicitors
- Campbell Stafford Solicitors
- Canopus Managing Agents
- Carmel O'meara & Co Solicitors
- Carnson Morrow Graham
- Casey & Casey Solicitors
- Casrson Mcdowell Solicitors
- Ch Mcelhenny Solicitor
- Christopher Millinson
- Ciaran J Mccaffrey & Co
- Ciaran Rafferty
- Cleaver Fulton Rankin Solicitors

- Cmg Solicitors
- Colmer Adrian Wg Mr
- Comerton & Hill Solicitors
- Con Lavery & Co Solicitors
- Con O'hagan LlB
- Conn & Fenton Melvyn T Doherty Solicitors
- Connolly Paul
- Connolly Rosemary
- Conor Downey & Co Solicitors
- Conway Todd & Co Solicitors
- Cousins & Gilmore Solicitors
- Cp Steele Solicitor
- Crawford Scally & Co
- Creighton & Co
- Ct Mcalpine & Son Solicitor
- D & E Fisher
- Da Mckenna & Co
- David A Martin
- David G Bell Solicitors
- David Robinson Associates
- Deery Mcguinness & Co Solicitors
- Delaney & Co
- Denis D Humphrey Solicitors
- Denton Heather Ms
- Denton Wilde & Sapte
- Dermott Walker Madden & Co
- Desmond J Doherty Solicitors
- Dg Mccormick & Co Solicitors
- Diamond Herons Solicitors
- Dickson & McNulty Solicitors
- Dillon & Co Solicitors
- Djw Consulting (Ni) Ltd
- Dm Kane & Co
- Dominic Mcinerney Solicitors
- Donaghy Carey Solicitors
- Donaldson Mcconnell & Co
- Donard King & Co
- Donnelly & Kinder Solicitors
- Donnelly & Wall
- Donnelly Neary & Donnelly
- Doran Mccoy Steele Solicitors
- Doris & Macmahon
- Dundas & Wilson
- E & L Kennedy Solicitors
- Eamonn Mcevoy & Co
- Edward Dougan & Co Solicitors
- Edwards & Co Solicitors
- Ej Lavery & Co
- Elaine Early & Co
- Emmet J Kelly & Co Solicitors
- Fahy Corrigan
- Falls & Hanna
- Faloon & Co
- Faloon & Toal Solicitors
- Ferguson & Co Solicitors
- Ferguson Solicitors
- Fitzsimmons Kinney & Mallon
- Fj Madden Solicitors
- Flynn & Mcgettrick
- Fox & Associates
- Francis Curley
- Francis Hanna & Co Solicitors
- Gah Lockhart Solicitors
- Gallery & Campbell Solicitors
- Gaston Graham & Co Solicitors
- Gerald P Henvey
- Gerard P Mooney Solicitor
- Gibson & Quigley Solicitors
- Gillan Barr & Co Solicitors
- Gillen & Co Solicitors
- Gordon Bell & Son Solicitors
- Gordon Fw Mcilwrath & Co
- Gordon Wallace & Co
- Gr Ingram & Co
- Gray Magee Solicitors
- Greer Hamilton & Gailey Solicitors
- Gus Campbell Solicitors
- Hagan & Mcconville Solicitors
- Hamilton & Thompson Solicitors
- Hanna Francis & Co Solicitors
- Harrison's Solicitors
- Harry Mcpartland & Sons
- Hart & Co
- Harte Coyle Collins
- Hastings & Co Solicitors
- Haughey & Co Solicitors
- Hb Marley Solicitors
- Hegarty & Mcfeely Solicitors
- Higgins Holywood Deasley
- Hilary Carmichael Solicitor
- Holmes & Moffitt Solicitors
- Humphrey D Denis
- Hunt & Co Solicitors
- Ian Mallon Solicitors
- Irwin Mcgrath Solicitors
- Jack Mccann & Son Solicitors
- James Ballentine & Son
- James Boston & Sullivan Solicitors
- James Dornan & Co

- James F Fitzpatrick
- James G Rice & Co
- James H Rodgers & Co
- James J Macaulay Solicitors
- James McNulty & Co Solicitors
- James Murland & Co
- James O'Brien & Co Solicitors
- James T Johnston & Co Solicitors
- Jb & Rh Twigg
- Jb Stelfox & Co
- Jg Haughey & Co
- Jg O'hare & Co Solicitors
- Jj Haughey Solicitors
- Jj McNally & Co Solicitors
- John F Gibbons & Co Solicitors
- John F Mcevoy & Co
- John Fahy & Co Solicitors
- John Gh Wilson & Co
- John J Rice & Co Solicitors
- John J Roche Solicitors
- John Mcatamney & Co
- John Mccaffrey & Company
- John Mcevoy & Co Solicitors
- John Mcgale Kelly & Co
- John Mcgrane & Co Solicitors
- John P Slevin
- John Reavey Solicitors
- John Ross & Son Solicitors
- John W Pinkerton & Son
- Johnsons Solicitors
- Jonathon Mckeown Solicitors
- Jones Co Solicitors
- Joseph F Mccollum & Co
- Joseph Lockhart & Co
- Jp Hagan & Co
- Jw Mcninch & Son
- Karen Fox Solicitors
- Keenan Solicitors
- Kennedy Hughes & Co
- Kenneth Mckee Solicitors
- Keown Solicitors
- Kevin R Winters Solicitors
- King & Boyd Solicitors
- King & Gowdy Solicitors
- Kj Morgan Solicitors
- L Donnelly & Co Solicitors
- Lavery & Reid
- Law Quinn Solicitors
- Leeson & Co Solicitors
- Liam Vallely & Co Solicitors
- Lk Bannon & Co Solicitors
- Logan & Corry Solicitors
- Lundy & Co
- M Diane M Coulter
- M Ferguson Solicitors
- Macallister Keenan & Co
- Macaulay & Ritchie Solicitors
- Macauley Wray Solicitors
- Macdermott & McGurk Solicitors
- Macelhatton & Co Solicitors
- Mackenzie & Dorman Solicitors
- Madden & Finucane Solicitors
- Magennis & Creighton Solicitors
- Maguinness Andrew
- Maguire & Corrigan Solicitors
- Maguire Paul
- Malpas & Greene Solicitors
- Mark McNulty & Co Solicitors
- Martin King French & Ingram
- Maurice Mcivor & Co Solicitors
- Mccallion Keown Solicitors
- Mccallum O'kane Solicitors
- Mccann & Mccann Solicitors
- Mccartan Turkington Breen Co
- Mccartney & Casey
- Mccloskey Bernard Qc
- Mccloskey Solicitors
- Mccollum & Co Solicitors
- Mcconnell & Fyffe
- Mcconnell Kelly & Co
- Mccoubrey Hinds Solicitors
- Mccullough & Co
- Mcelhinney Mcdaid & Hegarty
- Mcelhone & Co Solicitor
- Mcevoy Sheridan Solicitors
- Mcfadden Perry Solicitors
- Mcfarland Graham Mccombe
- Mcgrady Collins
- Mcgrady Scullion Solicitors
- Mcgrigor Donald Solicitors
- Mcguigan Solicitors
- Mcguinness & Canavan
- Mchugh Lynam Solicitors
- Mcintosh Solicitors
- Mcivor Farrell Solicitors
- Mcivor Maurice & Co Solicitors
- Mckee Solicitors
- Mckenna & Boyd
- Mckenna Sweeney Mckeown Solicitors
- Mckervill Neilly
- Mckinty & Wright Solicitors
- Mcknight & Co Solicitors

- Mcmillan & Ervine
- Mcqueenie Boyle Solicitors
- Mcshane & Co Solicitors
- Md Loughrey Solicitors
- Messrs Ferguson & Logue
- Messrs Fisher & Fisher Solicitors
- Messrs Fj Orr & Co Solicitors
- Messrs John P Hagan Solicitors
- Messrs Mccanny & Keohane Solicitors
- Messrs Patrick Fahy & Co Solicitors
- Meyler Mcguigan
- Michael Flanigan Solicitor
- Michael Gillen Solicitors
- Mildred Breakey Solicitors
- Millar Mccall & Wylie
- Millar Shearer & Black
- Millinson Chris
- Minnis & Braden Solicitors
- MI White Solicitor
- Morgan & Murphy Solicitors
- Morris & Co Solicitors
- Morrison & Broderick
- Mr Ad Mcclay & Co
- Mr Aidan Quinn
- Mr Brett Lockhart
- Mr D Brewster
- Mr D Walker & Co Solicitors
- Mr George Farrell Lib
- Mr Ij Maccorkell Solicitors
- Mr Martin Wolfe
- Mr Mcmanus
- Mr Oliver M Loughran
- Mr Philip Aldworth
- Ms Sandhu & Company Solicitors
- Msm Solicitors
- Murnaghan & Fee Solicitors
- Murnaghan Colton
- Murnaghan Neasa
- Murphy & Mcmanus
- Murphy & O'rawe Solicitors
- Murray Mccourt Kelly
- Murtagh Breen & Co
- Napier & Sons
- Neal Mcallister Solicitor
- Nelson-Singleton Solicitors
- Nixon & Co Solicitors
- Noel Wilson & Co
- Norman Shannon & Co
- Nugent Majella
- O'connor & Moriarty
- O'hara John Mr
- O'hare Solicitors
- Oliver Roche & Co Solicitors
- O'reilly Stewart Solicitors
- O'rouke Mcdonald&Tweed Solicitors
- P Haughey & Co Solicitors
- Pa Duffy & Co Solicitors
- Paschal J O'hare Solicitors
- Patrick Diamond & Co Solicitors
- Patrick J Cole Solicitors
- Patrick Laverty & Co
- Patrick Mcmahon Solicitors
- Patrick Park Solicitors
- Patterson Donnelly Solicitors
- Patterson Taylor & Co Solicitors
- Paul Connolly Solicitors
- Paul Ferris Solicitor
- Paul K Nolan & Co Solicitors
- Paul Mcmullan Solicitors
- Paul Nolan & Co Solicitors
- Peter Dornan & Co Solicitors
- Philip Crossey
- Philip Gallen & Co
- Philip J Smith & Co
- Pj Mcgrory & Co Solicitors
- Porter & Mccanny
- Potter Michael
- Pr Hanna Solicitors
- Rh O'connor & Co
- Rm Cullen & Son Solicitors
- Rafferty & Boyle Solicitors
- Rafferty & Co Solicitors
- Rafferty & Donaghy
- Reavey & Co Solicitors
- Reid & Co Solicitors
- Reid Black & Co Solicitors
- Rg Connell & Son Solicitors
- Richard Barbour & Co
- Richard Monteith Solicitor
- Robert G Sinclair & Co Solicitors
- Robert Kennedy Solicitors
- Robert R Murtagh & Co
- Royal & Sun Alliance
- Rp Crawford & Co Solicitors
- Russell & Co Solicitors
- Sacker & Partner
- Sands Aidan
- Sc Connolly & Co Solicitors
- Sg Murphy & Co
- Shanks Mike Mr
- Sharon Keeley Solicitor
- Sheldon & Stewart
- Sheridan & Co Solicitors
- Sheridan & Leonard
- Skelton & Co
- Small & Marken Solicitors
- Sompo Japan Insurance Co

- | | | |
|-----------------------------------|--------------------------------|-------------------------------|
| ■ Stelfox Solicitors | ■ Thomas T Montague Solicitors | ■ Tully & Co Solicitors |
| ■ Stephen Begley & Co | ■ Thompson Crook | ■ Vallely & Co Liam |
| ■ Stephen Perrott & Co | ■ Thompson McClure | ■ Wg Maginess & Son |
| ■ Stephen Scott & Co | ■ Thompson Mitchell | ■ Walker McDonald Solicitors |
| ■ Stephen Tumelty | ■ Thompsons Solicitors | ■ Ward Joseph |
| ■ Stewarts Solicitors | ■ Tiernans Solicitors | ■ Wb Thompson & Co |
| ■ Tara Walsh | ■ TI Solicitors | ■ William J Hasson Solicitors |
| ■ Terence Mccourt | ■ Tony Bergin | ■ Wilson Nesbitt Solicitors |
| ■ The Elliott Trainor Partnership | ■ Trevor Smyth & Co | ■ Wolfe Martin |
| ■ Thomas Doherty & Co Solicitors | ■ Ts Mcallister & Son | ■ Worthington Solicitors |
| | ■ Tughans Solicitors | ■ Zurich |

Amounts paid to the Departmental Solicitors Office and the Crown Solicitors Office are not included in the analysis above.

Engineering Staff: Translink Depots

Mr P Maskey asked the Minister for Regional Development to provide a religious breakdown of the engineering staff currently employed across all Translink depots.

(AQW 1517/11)

Minister for Regional Development: Translink have advised that the perceived religious affiliation of Engineering Staff across Translink depots is currently 67% Protestant and 33% Catholic.

Coleraine Harbour

Mr J Dallat asked the Minister for Regional Development what progress has been made to date in re-designating Coleraine Harbour as a municipal port.

(AQW 1523/11)

Minister for Regional Development: The draft Harbour Order required to transfer the ownership of Coleraine Harbour from the Coleraine Harbour Commissioners to Coleraine Borough Council is currently out to public consultation. The consultation closes on Thursday 2 December 2010.

NI Water

Mr G Savage asked the Minister for Regional Development whether the aspiration for NI Water, to be the number one utility company in the UK by 2014, is still in place; and what action it is taking to reinforce this message to the general public.

(AQW 1536/11)

Minister for Regional Development: I have been advised by Northern Ireland Water that this aspiration forms part of the Company's current strategy. The overall strategy will be reviewed as part of the forthcoming periodic business planning process. The Company certainly aspires to continue to improve its service to the people of the North; to this end it is delivering both the best quality drinking water and the most compliant wastewater treatment in its history.

Irish Language Destination Boards for Buses

Mr M Storey asked the Minister for Regional Development to outline the (i) details; and (ii) cost of his Department's request to the Northern Ireland Transport Holding Company to draft a plan to deliver Irish language destination boards for buses on the Metro Service 10 route.

(AQW 1539/11)

Minister for Regional Development: I have asked the Northern Ireland Transport Holding Company to investigate the possibility of introducing dual language destination screens on buses operating Metro 10 services. Currently there is no agreed or costed plan in place to provide these screens.

NI Water's Tender Contract C 398

Mr G Savage asked the Minister for Regional Development, pursuant to AQW 648/11, for his assessment of the specification requirements contained in NI Water's tender contract C 398, particularly in relation to the practising of religious beliefs.

(AQW 1542/11)

Minister for Regional Development: I have been advised by Northern Ireland Water that the specification for tender C398 makes no reference to the practising of religious beliefs.

Head of Mechanical and Engineering Services within NI Water

Mr G Savage asked the Minister for Regional Development (i) when the current Head of Mechanical and Engineering Services within NI Water was appointed; (ii) when the post was first advertised; and (iii) how many applicants applied for the post.

(AQW 1543/11)

Minister for Regional Development: I have been advised by Northern Ireland Water that the current Head of Mechanical and Electrical Maintenance was appointed on 30 June 2008. The post was first advertised on 14 March 2008 and a total of 16 candidates applied.

NI Water Tender CO 71

Mr G Savage asked the Minister for Regional Development whether NI Water and the current supplier of the NI Water tender CO 71 are subject to the legalities of the Freedom of Information Act 2000.

(AQW 1545/11)

Minister for Regional Development: I have been advised by Northern Ireland Water (NIW) that it is considered a "public authority" in its own right and is therefore subject to the legislative requirements of the Freedom of Information Act. Information in relation to work undertaken on its behalf by a third party, such as the supplier of NIW tender CO 71, is also captured under the Act.

Water and Sewerage Infrastructure in the Strangford Constituency

Miss M McIlveen asked the Minister for Regional Development to detail how much NI Water spent on water and sewerage infrastructure in the Strangford constituency since May 2007; and the planned spend for 2010/11.

(AQW 1551/11)

Minister for Regional Development: I have been advised by Northern Ireland Water that approximately £41.5 million was invested in the water and wastewater infrastructure in the Strangford constituency from May 2007 to the end of March 2010. Planned investment during the financial year 2010/11 is £7 million.

Revenue-generating Assets

Miss M McIlveen asked the Minister for Regional Development what plans he has to sell revenue-generating assets to off set any capital shortfalls.

(AQW 1552/11)

Minister for Regional Development: My Department currently has no plans to sell any revenue-generating assets to off-set capital shortfalls.

NI Water Tender C071

Mr G Savage asked the Minister for Regional Development how NI Water monitors and ensures that embedded contract staff, engaged under NI Water tender C071, are treated with dignity in the workplace.

(AQW 1606/11)

Minister for Regional Development: I have been advised by Northern Ireland Water that 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.

Northern Ireland Railways

Mr T Burns asked the Minister for Regional Development for an update on the procurement of new rolling stock for Northern Ireland Railways.

(AQW 1628/11)

Minister for Regional Development: Translink have informed me that 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 (up to 20) will continue through 2011 and the first quarter of 2012. It is planned that the first unit will enter passenger service in the latter half of 2011 with all units in passenger service by 2013. The project continues to progress within budget.

Contracts

Mr P McGlone asked the Minister for Regional Development, pursuant to AQW 416/11, AQW 417/11, AQW 910/11 and AQW 911/11, what strategy he will put in place to deal with these issues.

(AQW 1643/11)

Minister for Regional Development: The Departmental Permanent Secretary has stressed the importance of following best practice procurement guidance with Roads Service and the NI Transport Holding Company (NITHC) Board and Accounting Officer.

NITHC/TRANSLINK

In the case of NITHC/Translink the following approach has been adopted:

- DRD officials requested assurance, that appropriate guidance regarding procurement was understood and being complied with, from the NITHC Board and its Accounting Officer at the quarterly meeting on 13 October 2010 ;
- DRD officials will continue to monitor NITHC/Translink implementation of internal audit report recommendations on procurement and specifically an Action Plan put in place to affect improvement in procurement practices;
- DRD officials will take advice from the DFP Central Procurement Directorate as necessary; and
- Further measures will be implemented if considered necessary.

In respect of Single Tender Actions the NITHC/Translink Board and Accounting Officer have been reminded of the relevant Central Procurement Directorate guidance and EU regulations. I am aware that NITHC/Translink have initiated discussions with Central Procurement Directorate on this aspect.

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.

In respect of Contract Extensions NITHC/Translink has informed DRD that:

- a procurement process for pensions advisers commenced in early July 2010 with anticipated completion in the second quarter of 2011;
- the practice regarding ad-hoc legal services will be discontinued and new services will immediately be procured under the guidance and direction of the NITHC Head of Legal Services;
- the Head of Legal Services commenced a review of arrangements for legal services for the entire group. Arising from this it is anticipated that new Group legal arrangements will be put in place at the soonest possible opportunity. This will include Claims and Liability legal services.

Roads Service

Roads Service has advised that with regard to the contract extension in 2007/2008, which was for legal advice on adjudication of contractual disputes, this contract was completed in February 2010 and has not been renewed.

Two contracts - Measured Term Contract for the Maintenance and Improvement of Street Lighting and Term Contract for Maintenance and Improvement of Structures - were extended in 2009/10 due to legal contractual issues which were preventing the award of new contracts.

Following Counsel advice from Departmental Solicitor's Office, it was decided to rerun both competitions. The new contract for the Measured Term Contract for the Maintenance and Improvement of Street Lighting was awarded in September 2010 and the new Term Contract for Maintenance and Improvement of Structures is due to be awarded shortly.

In addition, in an effort to avoid the need to extend contracts beyond their full term, consideration is being given to the following measures to deal with the increasing risk of delays in the award of new contracts due to legal challenges:-

- advancing the procurement programme for future term contracts, to allow time for challenges to be resolved before existing contracts end; and
- amending the conditions of contract for future Term Contracts, to allow their term to be extended by up to 6 months, in the event of receipt of legal challenges to the award of replacement contracts.

In respect of the Single Tender Actions, Roads Service has advised that each award was carried out in accordance with the Departmental procedures that were applicable at that time.

The Member will also be aware that Roads Service is still reviewing its contract for specialised IT Systems.

Economic Appraisals

Ms M Ritchie asked the Minister for Regional Development to detail the money spent on economic appraisals, in each of the last four years, on projects costing under (i) £1,000; (ii) £5,000; and (iii) £10,000.

(AQW 1663/11)

Minister for Regional Development: Over the past four years, there has been no money spent by the Department on economic appraisals for projects costing under £10,000 as this work is undertaken internally.

Department for Social Development

Pensioners' Bungalows on Ballyree Drive

Mr A Easton asked the Minister for Social Development whether he plans to visit Bloomfield Estate in Bangor to see the living conditions of pensioners in the bungalows on Ballyree Drive.

(AQW 1205/11)

Minister for Social Development (Mr A Attwood): I currently have no plans to visit the Bloomfield Estate but I will intend to do so when next in Bangor. I am aware that my predecessor, Margaret Ritchie, did visit the area in July last year to see the bungalows on Ballyree Drive.

Capital Assets

Mr A Easton asked the Minister for Social Development what capital assets his Department holds that are deemed surplus to requirements.

(AQW 1263/11)

Minister for Social Development: My Department currently holds 1100 acres of land originally vested for the development of the new towns of Antrim, Ballymena and Craigavon which are now deemed surplus and included within a disposal Programme to ensure their disposal without undue delay. There is also a property, Richmond Chambers, The Diamond, Derry. Land and Property Services within the Department of Finance and Personnel have been asked to advise on the disposal of the property.

Housing Executive

Mr P Weir asked the Minister for Social Development whether any of the reviews into the Housing Executive will consider how contractors, working for the Housing Executive, fulfill their TUPE obligations.

(AQW 1268/11)

Minister for Social Development: I announced on 7 October that I had ordered a team of specialists with audit, management, personnel and fraud expertise to go in to give the Northern Ireland Housing Executive an immediate governance audit. I then announced in the Assembly on 11 October 2010 that I had initiated a review of the Housing Executive as the time is now right for a major fundamental review to ensure that it is fit to discharge its housing and other responsibilities into the 21st century. The Review will examine the housing and other functions of the Housing Executive in detail, providing a comprehensive assessment of their contribution to housing and other Departmental and Government policy objectives.

I am aware of the issue in relation to the contractors and TUPE obligations. This issue is under consideration. Subject to the advice I receive and the view taken I will decide if this matter can be taken further.

Community Faiths Forum

Mr S Anderson asked the Minister for Social Development, pursuant to AQW 547/11, to detail the instructions given to the Churches Community Work Alliance regarding appointments to the pilot Faith Forum; and whether these included a requirement for community balance.

(AQW 1293/11)

Minister for Social Development: Officials in the Voluntary and Community Unit of my Department met with representatives of the Churches Community Work Alliance (Northern Ireland) (CCWA (NI)) to consider invitations to the new pilot Community Faiths' Forum. Working closely together, my officials and CCWA (NI) were seeking to identify a pool of individuals with a proven track record of involvement in projects of specific relevance to the work of my Department. This meant that consideration was given primarily to individuals who had previous experience in working with either DSD policy led initiatives, with CCWA (NI) or with a background in addressing social need in the faith sector.

Officials and CCWA (NI) worked together to agree a suitable list for invitations to go out from CCWA (NI) working on behalf of my Department, mindful of the breadth and disparate nature of the faith sector.

I am content that the current membership of the Community Faiths' Forum represents a reasonable start and I have asked my officials to communicate my desire that the forum proceeds quickly with its work, to include the widest possible engagement with as many churches and faith based groups as possible. Furthermore I am confident that where officials and CCWA (NI) become aware of other faith groups active in community action, steps will be taken to ensure the pilot forum benefits from their contribution and experience.

Community Faiths Forum

Mr S Anderson asked the Minister for Social Development, pursuant to AQW 547/11, to detail the text of the invitation issued to each member of the pilot Faith Forum.

(AQW 1295/11)

Minister for Social Development: Churches Community Work Alliance (Northern Ireland) (CCWA (NI)) invited members to join the pilot Community Faiths' Forum. Following one-to-one telephone conversations to explain the principles of the pilot forum, prospective members were asked to consider serving on this body over the next 2 years. Each telephone conversation was followed up with a 'briefing' document that was agreed between my officials and CCWA (NI) as a way of providing further detail on the proposed work of the pilot faith forum, outlining the objectives and areas of work it might engage in. On receipt of this document, prospective members were contacted again to confirm their willingness to join the pilot forum and advised of its first meeting on 25 May 2010.

A copy of the Briefing Statement will be placed in the Assembly library.

Community Faiths Forum

Mr S Anderson asked the Minister for Social Development, pursuant to AQW 547/11, when he met with the Caleb Foundation; and if, as a result of this meeting, he is satisfied that the appointments to the pilot Faith Forum require no adjustment.

(AQW 1298/11)

Minister for Social Development: I met with representatives from the CALEB Foundation, including two MLAs, on Wednesday 15 September. The meeting was very constructive and most useful in providing me and my officials with details of the work of the CALEB Foundation and the family of evangelical churches it draws its members from. At the meeting I explained something of the process my officials deployed to identify members for the pilot forum and how CALEB was identified as a body that might provide a possible member, but that officials were unsuccessful in making contact with CALEB. However, recognising the desire of CALEB to contribute to the work of the DSD Pilot Community Faiths' Forum, I was pleased to invite the CALEB representatives to identify a suitable individual from their family of churches to join the pilot forum.

As I explained to those attending that meeting, the pilot faith forum is designed to be an inclusive body that encourages and supports dialogue between members drawn from all faith communities committed to serving the needs of our most needy and disadvantaged communities. In this respect I have asked my officials to work with the Churches Community Work Alliance (Northern Ireland), the body who administer the pilot forum, to ensure that steps are taken to engage with all churches and faith-based organisations that have experience and interest in this sort of work. I am content that these arrangements will ensure widest possible involvement of all interested faith groups. Regarding the future membership of the pilot forum, I can assure you that membership will be regularly reviewed. If it becomes clear that changes or additions to membership will contribute to the success of the pilot forum, then further adjustments can be made.

Temporary Promotion

Mr T Clarke asked the Minister for Social Development, pursuant to AQW 19/11, how much it costs per day to temporarily promote a member of staff, broken down by grade.

(AQW 1316/11)

Minister for Social Development: It is not possible to give a precise answer to this question since the cost of any temporary promotion will depend on a member of staff's position on the pay scale for their substantive grade. However, indicative daily costs, based in each case on a member of staff who is temporarily promoted being at the mid point of their substantive pay scale, are provided in the table below. The figures given include employer's national insurance contribution and superannuation costs.

Temporary Promotion	Daily Cost
Administrative Assistant to Administrative Officer	£ 6.19
Administrative Officer to Executive Officer II	£ 6.86
Executive Officer II to Executive Officer I	£ 7.66
Executive Officer I to Staff Officer	£ 8.69
Staff Officer to Deputy Principal	£10.39
Deputy Principal to Grade 7	£18.76
Grade 7 to Grade 6	£16.65
Grade 6 to Grade 5	£20.22

Temporary Promotion

Mr T Clarke asked the Minister for Social Development, pursuant to AQW 19/11, to explain the business reasons why each member of staff was temporarily promoted.

(AQW 1317/11)

Minister for Social Development: Temporary promotion arrangements in the Department are governed by the Northern Ireland Civil Service (NICS) policy on these matters. The business reasons necessitating and justifying the use of temporary promotion arrangements include the filling of vacant posts which are under review or where the post is expected to be of a short duration; the filling of temporary vacancies caused by the absence of staff, for example, on maternity leave or long-term sickness; as backfill for staff on secondment; and where staff are engaged on special exercises or projects which are by their nature time-limited.

Temporary Promotion

Mr T Clarke asked the Minister for Social Development, pursuant to AQW 19/11, given that 205 staff have been temporarily promoted for a period in excess of one year, why these positions have not been filled on a permanent basis, particularly those at higher grades.

(AQW 1318/11)

Minister for Social Development: My Department operates its temporary promotion arrangements to meet particular business needs that arise from, for example, time bound projects, staff absences such as maternity and posts under review. Temporary promotions can therefore extend to over a year where there is a business reason not to fill the post substantively. There is no difference between higher or lower grades in the consideration of temporary promotions.

In the current financial circumstances it is more important than ever for departments to manage their staffing as tightly as possible and, particularly in a context where staff reduction is a realistic possibility, to take steps to ensure that, where at all possible, vacancies are filled by staff at the substantive grade rather than on temporary promotion.

With this in mind officials have introduced a new level of objective scrutiny to test the business cases for bids for temporary promotion and to test the potential for substantive staff to be placed in vacancies, even those likely to be temporary in nature. In addition enhanced monitoring arrangements have been put in place, which include regular reporting to the senior staff team in the Department.

Redeployment Strategy

Mr T Clarke asked the Minister for Social Development for an update on the Redeployment Strategy. (AQW 1320/11)

Minister for Social Development: My Department continues to work on its workforce plans. At this point, given uncertainties over budgets, it is not possible to be definitive on my Department's staffing requirement going forward. However, given the pressures on public spending announced last week, the indications are that my Department will mirror the wider Northern Ireland Civil Service in being required to absorb funding reductions and this is likely to include the need for staff reductions

My 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

Economic Regeneration Projects in the Upper Bann Constituency

Mrs D Kelly asked the Minister for Social Development to detail the economic regeneration projects funded in the Upper Bann constituency in each of the last three years, broken down by Neighbourhood Renewal area.

(AQW 1334/11)

Minister for Social Development: The information is as follows:

Project	Neighbourhood Renewal Area	2008-2009	2009-2010	2010-2011
Brownlow Ltd - Bluestone Business Park extension	Brownlow	£829,000.00		
Craigavon Borough Council - Watersports Centre – Outdoor Pursuits Instructor Training	Brownlow	£59,100.00		
Craigavon Industrial Development Organisation (CIDO) – Exploring Enterprise	Lurgan		£5,241.66	
Southern Regional College -Steering to Success	Brownlow, Lurgan, NW Portadown			£135,150.75
Southern Regional College - Success to Employment in the Health Trust	Brownlow, Lurgan, NW Portadown			£59,043.00

Grants for Community-based Groups

Mr P Weir asked the Minister for Social Development what grants are currently available from his Department, or any of its arms-length bodies, to community-based groups for capital build for premises. (AQW 1412/11)

Minister for Social Development: Neither the Department for Social Development, nor any of its arms length bodies, currently have any capital grant programmes open for application to community based groups. The outcome of the Comprehensive Spending Review will inform future plans.

Community Faiths Forum

Mr S Anderson asked the Minister for Social Development whether he has identified any (i) geographical; (ii) gender; or (iii) religious under-representation within the pilot Community Faiths Forum. **(AQW 1427/11)**

Minister for Social Development: In my answer to AQW 1291/11 on the subject of membership of the pilot Community Faiths' Forum I indicated that the current membership contained too few women and was also light in terms of members from a rural community background. However, as I previously sought to indicate, it was considered more important to securing the involvement of individuals from faith-based initiatives with a proven track record in delivering social action projects. For this reason the choice of possible members was limited to a relatively small pool of known individuals. I would wish to point out that individual members on the forum do not formally represent any particular church or faith group. They are invited to participate on the basis of their individual experience and interest in areas of work that are seen as relevant to the policies and priorities of my Department.

I believe it was more important to approve the establishment of the pilot forum to allow it to commence its work quickly rather than delay it further. I have asked officials to monitor the work of the pilot forum and to work with the Churches Community Work Alliance (N.Ireland), our project administrators, to ensure arrangements are in place to receive input from any faith group that is making a significant contribution to meeting social need in areas of greatest deprivation. For this reason, following my meeting with representatives from the CALEB Foundation, I was pleased to agree to receive a nominee from the Reformed Protestant Evangelical family to join the pilot forum.

Housing Executive

Mr P Weir asked the Minister for Social Development the number of days, in each of the last five years, on which Housing Executive offices have been closed to facilitate away days. **(AQW 1429/11)**

Minister for Social Development: The Housing Executive does not close offices to facilitate away days. Staff are deployed from other Housing Executive offices to ensure services remain available to their customers.

Housing Executive: Research Duties

Mr P Weir asked the Minister for Social Development how many people currently employed by the Housing Executive are carrying out research duties. **(AQW 1430/11)**

Minister for Social Development: There are currently 18 staff employed within the Housing Executive's Research Department.

Private Sector Grant Applications

Mr A McQuillan asked the Minister for Social Development how many private sector grant applications were approved in the East Londonderry constituency in the 2009/10 financial year. **(AQW 1439/11)**

Minister for Social Development: The information is not available in the format requested because the Housing Executive does not collate information by Parliamentary Constituency.

However, I can advise that in the 2009/10 financial year in the Limavady and Coleraine Council areas there were 54 and 41 approved private sector grant applications respectively.

Housing Executive Office in Abbey Street, Coleraine

Mr A McQuillan asked the Minister for Social Development how many people visited the Housing Executive office in Abbey Street, Coleraine in the 2009/10 financial year.

(AQW 1441/11)

Minister for Social Development: The total number of visits recorded to the Housing Executive office in Abbey Street, Coleraine in the 2009/10 financial year was 4,435.

Housing Executive in the Foyle Area

Ms M Anderson asked the Minister for Social Development to detail the current average waiting time for a building contractor to be paid after completing grant-aid work for the Housing Executive in the Foyle area; and what measures are in place to ensure the prompt payment of contractors.

(AQW 1497/11)

Minister for Social Development: The Housing Executive generally makes payments to the applicant and cannot pay contractors unless the applicant has assigned the payments directly to the contractor. The Housing Executive is not able to disaggregate payment performance to applicants and to contractors. However, during the first half of this financial year, the Housing Executive processed 103 grant payments for the Derry City Council area and the average length of time between inspection and payment was 27 calendar days.

The Housing Executive aims to make 90% of all Grants payments within 6 weeks of a request. Housing Executive staff will inspect the completed work before payment of any grant is made, normally when the major stages of work have been completed. The aim is to inspect works within two weeks of a request. Interim and final payment will be made when the work is deemed to be satisfactorily completed. The Housing Executive aims to make payments within four weeks of inspection provided that all relevant invoices, guarantees and certificates have been received.

Town Centre and Urban Regeneration in Coleraine

Mr J Dallat asked the Minister for Social Development how much grant aid funding was designated for town centre and urban regeneration in Coleraine in each of the last three years; and how much of this money was drawn down by developers in each of these years.

(AQW 1522/11)

Minister for Social Development: The amount of Grant Aid funding provided by my Department for town centre and urban regeneration in Coleraine in each of the last three years is as follows –

- 2008/09 - £1,232,302
- 2009/10 – Nil
- 2010/11 - Nil

The grant aid spent in 2008/09 was on a public realm improvement scheme in Church Street, Kingsgate Street and New Row. This grant aid was paid to Coleraine Borough Council. None was drawn down by Developers.

Red Sky Contractors

Mr P Maskey asked the Minister for Social Development whether the Housing Executive instigated legal proceedings in relation to its contract with Red Sky Contractors for housing repairs in West Belfast; and if so, what was the outcome of these proceedings.

(AQW 1567/11)

Minister for Social Development: No legal proceedings have been instigated by the Housing Executive in relation to its contract with Red Sky Contractors for housing repairs in West Belfast.

Public Realm Scheme: Armagh

Mr D Kennedy asked the Minister for Social Development for his assessment of the outcome of the Armagh Public Realm Scheme.

(AQO 344/11)

Minister for Social Development: The Armagh Public Realm Scheme was completed in November 2009. The impacts of large public realm projects such as this may not be fully visible until a number of years after they are completed. For this reason, my Department carries out an interim evaluation 18 months after a project is completed and a full evaluation between 3 and 5 years after project completion.

In the case of the Armagh Public Realm Scheme, the interim evaluation will be carried out in the first half of 2011 and the full evaluation will be carried out in 2013. Although I do not have the benefit of an evaluation of the scheme at present, I have visited Armagh since taking up my Ministerial post and have been able to see the positive impact of the scheme at first hand. There is also index evidence gathered by Armagh City and District Council which suggests that the scheme has played a valuable role in helping the city through the current economic recession. It is interesting to note that an evaluation of Newcastle Public Realm is suggesting a 300% increase in footfall in the Main Street associated with Public Realm works.

Housing Executive: Governance Audit

Mr K Robinson asked the Minister for Social Development when he expects to receive a report from the audit team's investigation into the Housing Executive's governance systems.

(AQO 345/11)

Minister for Social Development: I know that members are aware of media coverage of a number of matters relating to Housing Executive business which are the subject of internal and police investigations. In order to discharge his responsibilities to me, the Department's Accounting Officer needs to be satisfied and I need to be satisfied that the Housing Executive Board's governance systems are working effectively and its staff's operational systems are applied consistently. I therefore decided that the Permanent Secretary should ask his Internal Auditor to lead a team to examine and report on whether:

- The information and structure is available to the Board to ensure that it does and can: effectively identify and manage risk; prevent and detect fraud and error; hold senior managers to account; and ensure that the organisation operates and will operate at the highest standards of Corporate Governance;
- There are adequate controls used to manage risk, the prevention and detection of fraud and error, performance, procurement and asset disposal, including in relation to land and property, the procurement of repairs, maintenance, miscellaneous works and adaptations;
- The organisation has, or can have access to, appropriately skilled and trained staff to allow it to operate in its current form while preparing for and implementing both organisational and cultural change;
- The seven principles of public life – selflessness, integrity, objectivity, accountability, openness, honesty and leadership – are being effectively implemented throughout the organisation

The team has a number of members from a range of government departments and will be supplemented by external expertise. Moreover, an oversight panel, cleared by the Permanent Secretary and including a further independent person shall be reported to by the audit team. The Permanent Secretary shall report to me. The aim will be to work through these issues with the Board to ensure that they are being addressed. I have asked for the group to report by the end of November.

Neighbourhood Renewal

Rev Dr R Coulter asked the Minister for Social Development to outline his medium-term plans for the neighbourhood renewal programme.

(AQO 346/11)

Minister for Social Development: Neighbourhood Renewal is the Executive's flagship programme for tackling the underlying causes of poverty in our most deprived communities. My Department takes the lead in implementing the strategy but other government departments have and should work with DSD in advancing the programme.

I, for one, am committed to this programme. It is my clear intention to continue funding the Neighbourhood Renewal programme after 2011. I made substantial Budget Bids to do so.

I am committed to improving the lives of the 280,000 people who live in Neighbourhood Renewal Areas and I am committed to supporting the community and voluntary sector to deliver much needed services in these areas. I will also work to ensure that what my Department funds under Neighbourhood Renewal produces value for money and produces results. In this we will reflect the lessons of the mid-term review as to what interventions make the most difference. I will also be encouraging those organisations which my Department funds to be working more creatively and cooperatively.

However, everyone should consider with caution the renewal fund, being developed over the heads of government departments with knowledge and expertise on renewal and, in great part, over the heads of the community and groups also with expertise and knowledge. The caution is required because it is not a good process and may therefore not produce maximum benefits for areas and people in need.

Public Realm Schemes

Mr W Humphrey asked the Minister for Social Development what steps his Department intends to take to ensure a more joined-up approach with the Department for Regional Development in relation to Public Realm Schemes in North Belfast.

(AQO 347/11)

Minister for Social Development: My Department consults with the Department for Regional Development's Roads Service at an early stage when developing proposals for public realm and environmental improvement schemes for areas across Belfast. I am aware that in a number of recent schemes in north Belfast this consultation has led to adjustments to the original scheme design, with the Roads Service placing restrictions on the use of certain high quality materials including natural stone. In my view, the omission of natural stone and other premium materials in these schemes has greatly reduced their visual impact, particularly when compared to the high quality finish achieved with these materials in other parts of the city.

I raised my concern about the lack of a consistent Roads Service policy with my Ministerial colleague Conor Murphy MLA. The Minister for Regional Development has responded that he understands my concerns and he has made his officials available to discuss the issue further. I have asked my officials to report back to me following their discussions and I will write to the Member with an update in due course.

Social Housing

Mr A Maskey asked the Minister for Social Development if and when he intends to introduce a developer contribution as an option to acquire additional social housing.

(AQO 348/11)

Minister for Social Development: It is disappointing that, to date, it has not been possible to introduce a system of developer contributions, which I believe is necessary to supplement the delivery of social and affordable housing here. Considering the constraints faced by public sector budgets, it is necessary to have a scheme in place as soon as possible.

This cross-cutting issue is being taken forward jointly with the Department of Environment, due to need for a Planning Policy Statement and consequent planning agreements.

I am keen to publish the relevant housing and planning policy documents which have been prepared for consultation. However, Minister Poots indicated on 1 July his wish to consult with party Ministerial colleagues before agreeing to take the matter forward. I did not at that time receive a note or have written reminders.

I hope to advance the issue as quickly as possible and believe it is important, necessary and should not be held up.

Urban Regeneration: Shared Space

Dr S Farry asked the Minister for Social Development how shared space is promoted within urban regeneration projects.

(AQO 349/11)

Minister for Social Development: The creation of shared space permeates the work of my Department and contributes to the Shared Future agenda and is one to which I am fully committed and one central to my portfolio since my appointment as Minister for Social Development in May this year.

Within urban regeneration, this takes the form of creating animated spaces: opportunities for events and celebrations that bring people together and promote social interaction and inclusion. In the context of Northern Ireland's recent turbulent history, this is seen by many as an issue pertaining predominantly to the Unionist and Nationalist communities. However, with our society becoming increasingly multicultural, this is now an issue that is much further reaching, and we need to ensure that all communities here, whatever their background or Section 75 group, are attracted to use the shared spaces my Department creates for people to live, work and relax in.

The creation of a shared space and opportunities is important, especially in deprived areas which are the focus of my Department's Neighbourhood Renewal programme. These areas, as a starting point need to be safer and more welcoming for all before moving forward and tackling disadvantage. In an attempt to address the needs of these communities, my Department meets and engages with community groups throughout Northern Ireland and provides funding via various initiatives including community capacity building programmes.

The provision of high quality and affordable housing is an area that can have a huge impact on the creation of a Shared Future. My Department's Shared Neighbourhood Programme is developing neighbourhoods where people choose to live with others regardless of their religion or race, in an environment that is safe and welcoming to all. I hope to make new and further advance in the near future on the issue of housing.

These matters sit at the very core of Government and the Office of the First Minister and deputy First Minister, which takes the lead on community relations issues must work in partnership with other central government Departments and agencies, including my own – if this is to be properly addressed. My Department already works with our partners in local government and the voluntary and community sector, to progress the community development and physical regeneration work which are key contributors to this task. Although I do not have primary responsibility for community relations, I am aware of the issues around interfaces, both in Neighbourhood Renewal areas and in town and city centres and DSD will do what we can to defuse them.

Moving forward, in a shared way, is an objective of all government and its departments. In doing so, the strategy must be based on reconciliation, create mechanisms that add to this outcome, not diminish it, and acknowledge each identity and how we can develop our sense of identity. The FMDFM CSI strategies should be critically judged accordingly.

Housing Executive Tenants: Coleraine

Mr A McQuillan asked the Minister for Social Development how many Housing Executive tenants in the Coleraine Borough Council area are currently awaiting Housing Executive approval to buy their homes. (AQO 350/11)

Minister for Social Development: There are currently 14 live house sales applications in Coleraine district being processed. Of these 9 are awaiting valuation, 4 have had offers accepted and are with solicitors to complete and 1 has a contract awaiting completion.

There are no offers outstanding of more than 10 weeks, which is the Housing Executive's performance standard for house sales.

Neighbourhood Renewal

Mr B McElduff asked the Minister for Social Development what steps he has taken to ensure the continuation of neighbourhood renewal programmes after March 2011. (AQO 351/11)

Minister for Social Development: Neighbourhood Renewal is the Executive's flagship programme for tackling the underlying causes of poverty in our most deprived communities. My Department takes the lead in implementing the strategy but other government departments have and should work with DSD in advancing the programme.

I, for one, am committed to this programme. It is my clear intention to continue funding the Neighbourhood Renewal programme after 2011. I made substantial Budget Bids to do so.

I am committed to improving the lives of the 280,000 people who live in Neighbourhood Renewal Areas and I am committed to supporting the community and voluntary sector to deliver much needed services in these areas. I will also work to ensure that what my Department funds under Neighbourhood Renewal produces value for money and produces results. In this we will reflect the lessons of the mid-term review as to what interventions make the most difference. I will also be encouraging those organisations which my Department funds to be working more creatively and cooperatively.

However, everyone should consider with caution the renewal fund, being developed over the heads of government departments with knowledge and expertise on renewal and, in great part, over the heads of the community and groups also with expertise and knowledge. The caution is required because it is not a good process and may therefore not produce maximum benefits for areas and people in need.

Household Condition Survey

Mr S Hamilton asked the Minister for Social Development when an up to date Household Condition Survey will be published. (AQW 1587/11)

Minister for Social Development: The key statistics of the House Condition Survey are currently being prepared for imminent publication on the Housing Executive website. The formal publication will be available in early 2011.

Northern Ireland Assembly Commission

North/South Parliamentary Conference

Mr I McCrea asked the Assembly Commission to detail the (i) total cost; and (ii) the cost to the Commission of the North/South Parliamentary Conference in the Slieve Donard Hotel on 7 and 8 October 2010. (AQW 1287/11)

The Representative of the Assembly Commission (Mr P Weir): To date, the requested costs of the North South Parliamentary Conference are as follows:

- i. Total cost: £35,517.57
- ii. Cost to the Commission: £17,758.79

Northern Ireland Assembly

Friday 5 November 2010

Written Answers to Questions

Office of the First Minister and deputy First Minister

The Byron Review

Mr C McDevitt asked the First Minister and deputy First Minister to outline how the recommendations of the Byron Review are being implemented across Executive Departments.

(AQW 1300/11)

First Minister and deputy First Minister (Mr P Robinson and Mr M McGuinness): Relevant Executive Departments are members of Working Groups established by the UK Council for Child Internet Safety (UKCCIS) to support implementation of the Byron Review. Representatives from NI Departments work with UK counterparts to take forward recommendations which are appropriate to their area of responsibility.

The Department of Health, Social Services and Public Safety (DHSSPS) is represented on the Media Awareness Group and in February 2010, in conjunction with UKCCIS, launched a NI Public Awareness Campaign highlighting the development of a 'One Stop Shop' for child internet safety where parents and children can seek advice or report any concerns.

In addition, a cross-departmental sub-group of the Ministerial Sub-Committee on Children and Young People, chaired by the Junior Ministers, considers other general issues in relation to child internet safety. The action plan developed by this group included the commitment to strengthen online safeguarding arrangements through cross-departmental working, taking account of the recommendations of the Byron review. As safeguarding is the responsibility of DHSSPS, that department leads the group.

The UK Coalition Government is currently considering how it intends to proceed in the area of internet safety.

Budget 2010-11: Block Grant

Mr D Bradley asked the First Minister and deputy First Minister to define what is meant by a 'flexible approach' in relation to their discussions with the Chancellor about proposed cuts in the Northern Ireland block grant.

(AQO 247/11)

First Minister and deputy First Minister: When we met with the Chancellor of the Exchequer on 28 September, we made it very clear what issues we want him to address.

The need to re-visit the scale and timing of the cuts; the need to reduce the proposed capital reductions; the need to honour the guarantees of the previous Labour Government; the improved use of End Year Flexibility to name a few.

The use of the term "flexible approach" was to emphasise the need to the Chancellor to re-visit all of these issues in light of the additional information we were able to provide in our meeting with him.

Commissioner for Older People

Mr T Gallagher asked the First Minister and deputy First Minister whether they can provide an assurance that funding for a Commissioner for Older People will be protected given comments from the First Minister regarding several commissioners sharing resources.

(AQO 250/11)

First Minister and deputy First Minister: 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 by Christmas and a Commissioner appointed as soon as possible thereafter.

We are determined to proceed with the appointment of the Commissioner and provide her or him with the necessary resources to promote and safeguard the interests and rights of older people. However, given the financial constraints that the Executive will operate within the Budget 2010 period, we must ensure that all public services are being delivered as efficiently and effectively as possible. We are critically examining all aspects of our Department's expenditure, including the funding for sponsored public bodies and the potential to reduce costs through the sharing of resources among sponsored bodies.

We believe that in the current economic climate it is more important than ever that the Commissioner not only adds value to the experiences of older people but that the Commissioner's office demonstrates maximum benefits within the resources available to it.

Grants for Community-based Groups

Mr P Weir asked the First Minister and deputy First Minister what grants are currently available from their Department, or any of its arms-length bodies, to community-based groups for capital build for premises.

(AQW 1413/11)

First Minister and deputy First Minister: OMFDFM provides funding for a range of programmes to all of the district councils, the Community Relations Council and a limited number of specific groups and bodies including contract holder organisations. However, there are currently no grants available to community-based groups for the purposes of capital build projects from either our Department or its arms-length bodies.

Policy Screening Process

Ms S Ramsey asked the First Minister and deputy First Minister to detail, for the period from May 2007 to date, (i) the number of policies their Department and its associated bodies have (a) "screened out" as having no Equality Impact; and (b) "screened in" as having an Equality Impact; (ii) the number of staff involved in the screening process; and (iii) the cost of the screening process.

(AQW 1563/11)

First Minister and deputy First Minister: Since 2007, our core department has 'screened out' a total of 10 policies and 'screened in' 3. Over the same period, our Department's Arms Length Bodies have 'screened out' a total of 58 policies and 'screened in' 17.

Typically the screening process is assigned to a person within the relevant business area. He/she would in turn involve relevant policy people, statisticians and economists as appropriate to develop and finalise the screening process. It is therefore impossible to give a precise figure for the cost of the screening process but it is estimated to be minimal.

Comparable Service Delivery

Dr S Farry asked the First Minister and deputy First Minister what benchmarking exercises their Department conducts to assess its spending profile relative to comparable service delivery in other jurisdictions.

(AQW 1574/11)

First Minister and deputy First Minister: The Department has not undertaken formal benchmarking exercises to assess its spending relative to comparable service delivery in other jurisdictions. Many aspects of OFMDFM functions and role are unique to the Northern Ireland Executive context, and meaningful service delivery comparators are not available in other jurisdictions.

However, we are fully committed to the effective and efficient operation of the Department. A major review of OFMDFM functions and structures was completed in 2009/10, which delivered a reduction of 51 posts in the Department, and will deliver annualised savings in the region of £2 million.

Comprehensive Spending Review

Ms D Purvis asked the First Minister and deputy First Minister if they will make a statement to the Assembly on the implications of the Comprehensive Spending Review for children and young people. **(AQW 1613/11)**

First Minister and deputy First Minister: The implications of the Comprehensive Spending Review settlement will be very challenging for all concerned. We will be doing everything we can to minimise its impact on vulnerable groups.

As part of the outworkings of the budget process, departments will be paying due regard to their equality responsibilities to determine the potential for differential impact on vulnerable groups.

Our department has paid close attention to the interests of children and young people and we will maintain this throughout our consideration of the Spending Review options and when making final budget decisions.

Quangos

Mr A Easton asked the First Minister and deputy First Minister how many quangos are currently funded by Executive Departments; and what is the annual cost to the Executive of maintaining these quangos. **(AQW 1646/11)**

First Minister and deputy First Minister: Information on the number of Non-Departmental Public Bodies sponsored by Northern Ireland departments, including the amount of government funding received by each, is contained in the annual Public Bodies Report. A copy of the latest Report, for the financial year ending 31 March 2009, is held in the Assembly Library, or is available at: http://www.dfni.gov.uk/public_bodies_2009__2_-8.pdf.

Planning Appeals

Mr D O'Loan asked the First Minister and deputy First Minister what percentage of planning appeals against refusal were upheld in 2009-10, broken down by Planning Service division and District Council area.

(AQW 1654/11)

First Minister and deputy First Minister: The Planning Appeals Commission is an independent tribunal Non-Departmental Public Body. Given its independent tribunal status, its Chief Commissioner has been asked to provide a response directly to you, and we understand that she has written to you in the following terms:

"I have been asked to provide you with information requested in the above Assembly Question.

In the following tables I have set out the percentage of appeals against refusal which were upheld in 2009/10 by Planning Service Division, Sub-Division and by District Council Area.

STATISTICS ON APPEALS RECEIVED BY PLANNING SERVICE DIVISION & SUB-DIVISION

Planning Service Division	Number Allowed	Number Dismissed	Total	% Upheld
Ballymena	86	114	200	57
Belfast	37	79	116	68
Craigavon	104	130	234	56
Downpatrick	47	48	95	51
Londonderry	15	38	53	72
Omagh	131	238	369	64
Sub-Divisions				
Coleraine	28	44	72	61
Enniskillen	67	97	164	59
	515	788	1303	

STATISTICS ON APPEALS RECEIVED BY DISTRICT COUNCIL AREA

District Council	Number Allowed	Number Dismissed	Total	% Upheld
Antrim	9	17	26	65
Ards	12	7	19	37
Armagh	26	35	61	57
Ballymena	42	45	87	52
Ballymoney	5	7	12	58
Banbridge	23	24	47	51
Belfast	27	53	80	66
Carrickfergus	3	10	13	77
Castlereagh	6	15	21	71
Coleraine	18	28	46	61
Cookstown	29	54	83	65
Craigavon	8	9	17	53
Derry	10	28	38	74
Down	20	19	39	49
Dungannon	36	65	101	64
Fermanagh	67	97	164	59
Larne	0	8	8	100
Limavady	5	10	15	67
Lisburn	8	16	24	67

District Council	Number Allowed	Number Dismissed	Total	% Upheld
Magherafelt	32	34	66	52
Moyle	5	9	14	64
Newry & Mourne	47	62	109	57
Newtownabbey	4	11	15	73
North Down	7	6	13	46
Omagh	44	69	113	61
Strabane	22	50	72	69
	515	788	1303	

I would be happy to provide any further information you require arising out of this response or to meet with you to discuss the matter if that would be more suitable.”

Comprehensive Spending Review

Mr D McNarry asked the First Minister and deputy First Minister what steps he has taken, as part of the Department's response to the Comprehensive Spending Review, to identify Government property and other assets for possible sale.

(AQO 461/11)

First Minister and deputy First Minister: The Strategic Investment Board (SIB) is working with departments to construct an asset management database which will help to identify potential efficiency or realisation opportunities.

As part of the Budget 2010 process, the Department of Finance and Personnel (DFP) has asked departments to identify anticipated receipts over the budget period.

All this information will be taken into account by the Executive when formulating the draft budget.

Regeneration Sites

Mr K Robinson asked the First Minister and deputy First Minister for an update on the regeneration sites.
(AQO 374/11)

First Minister and deputy First Minister: The 2003 Strategic Investment and Regeneration of Sites Order made provision to gift a number of former military sites to the Executive.

The Malone Road site in Belfast was sold on for private housing development in 2003, and the Magherafelt site was sold earlier this year to the North Eastern Education and Library Board who intends to build a new school campus on the site.

On 14 September the Assembly approved a motion to establish a development corporation to regenerate the strategically placed Maze/Long Kesh site. It is intended that the Corporation will be operational by April 2011 and it will take forward the regeneration of this regionally significant site as a major investment and development opportunity.

The former Ebrington Barracks site in Derry/Londonderry is at the heart of new plans by the local regeneration company Ilex for the transformation of the city as the hub of the North West sub region. Ilex is owned jointly by OFMDFM along with the Department for Social Development. The deputy First Minister and the Minister for Social Development last month launched the draft regeneration plan for consultation, and Ebrington is set to play a key role in both the regeneration plan and as a central location within the city of culture in 2013.

Much work has been done to prepare Ebrington so that it can play its part in making the city more prosperous for all of its people and contribute to the wider economy. A significant demolition project was completed in 2008 and a number of initial conservation projects are underway along with the redesign of the large parade ground, scheduled to be completed in the summer of 2011 to coincide with the opening of the iconic Peace Bridge funding by the European Community PEACE III Programme.

Finally, the former Belfast Prison on the Crumlin Road is potentially a key asset for North Belfast and one which could make a significant contribution to one of our poorest electoral wards. A very large amount of work has been done to remove high security features from this famous Belfast landmark and important listed building, and to restore the architecture to its high quality early Victorian condition. Refurbishment of the Gatehouse and Governor's Wing of Crumlin Road Gaol is currently underway, as is a substantial contract to replace roofing, and the target is to re-open the Gaol to the public in late 2011. The Gaol is very popular with the North Belfast community and some 27,000 visitors toured the building last year.

The regeneration of these key sites will be a real driver for our economy. Initially the construction industry will benefit but these initiatives will go on to make a real and positive impact on many other sectors of the economy here and further afield, and the very firm intention is that the outcomes will contribute to the prosperity of the whole community, including through the provision of jobs.

Department of Agriculture and Rural Development

Farm Modernisation Programme

Mr P Givan asked the Minister of Agriculture and Rural Development how many farmers in the Lagan Valley area have benefited to date from the Farm Modernisation programme.

(AQW 1392/11)

Minister of Agriculture and Rural Development (Ms M Gildernew): To date, Letters of Offer with a total value of £183,663 have been issued to 45 farm businesses in the Lagan Valley Parliamentary constituency under the Farm Modernisation Programme (FMP). 10 farm businesses received Letters of Offer with a total value of £94,490 under the Manure Efficiency Technology Sub Programme (METS).

Grants for Community-based Groups

Mr P Weir asked the Minister of Agriculture and Rural Development what grants are currently available from her Department, or any of its arms-length bodies, to community-based groups for capital build for premises.

(AQW 1410/11)

Minister of Agriculture and Rural Development: Under the six Axis 3 measures of the 2007-13 NI Rural Development Programme £100m is available to rural communities to improve the economy and quality of life in their areas.

Subject to scheme rules community based organisations are eligible to apply for capital building funding under five of the six measures.

In your area the Rural Development measures are being delivered on DARD's behalf by Lagan Rural Partnership (LRP). The Group will support projects which are compatible with the priorities in the local rural development strategy, and which have been subject to robust economic appraisal and have been successful in a competitive assessment.

LRP can be contacted on 028 9250 9489.

Stray Dogs

Mr T Burns asked the Minister of Agriculture and Rural Development to detail (i) the number of stray dogs impounded by each local council in each of the last five years; and of these, (ii) the number successfully re-homed; and (iii) the number destroyed.

(AQW 1440/11)

Minister of Agriculture and Rural Development: Local councils are responsible for enforcing all aspects of the Dogs Order 1983 and are required to provide statistical information to my Department relating to the operation of the Order.

Councils do not provide statistical information specifically regarding the number of stray dogs successfully re-homed, but the information we do hold in relation to stray dogs for the last five years is provided at Table 1.

This includes the number of dogs impounded, sold, reclaimed, and unclaimed/destroyed.

TABLE 1

2005	Stray Dogs Impounded	Sold	Reclaimed	Unclaimed/Destroyed	Other *
Antrim	295	10	85	78	122
Ards	246	89	122	32	3
Armagh	607	256	161	177	13
Ballymena	278	33	134	91	20
Ballymoney	117	36	42	21	18
Banbridge	141	37	41	47	16
Belfast	885	410	327	131	17
Carrickfergus	183	30	122	23	8
Castlereagh	176	57	97	22	0
Coleraine	290	127	91	57	15
Cookstown	148	78	22	48	0
Craigavon	852	332	159	206	155
Derry	376	26	63	287	0
Down	751	366	125	260	0
Dungannon	291	37	20	231	3
Fermanagh	234	23	35	167	9
Larne	160	25	89	38	8
Limavady	115	11	33	71	0
Lisburn	468	99	203	70	96
Magherafelt	121	59	22	40	0
Moyle	111	25	37	43	6
Newry	786	345	101	336	4
Newtownabbey	328	88	192	35	13

2005	Stray Dogs Impounded	Sold	Reclaimed	Unclaimed/ Destroyed	Other *
North Down	119	85	13	21	0
Omagh	604	54	53	497	0
Strabane	221	61	35	125	0
Total	8903	2799	2424	3154	526

2006	Stray Dogs Impounded	Sold	Reclaimed	Unclaimed/ Destroyed	Other *
Antrim	320	22	115	79	104
Ards	276	100	143	33	0
Armagh	704	261	125	169	149
Ballymena	206	46	91	67	2
Ballymoney	112	41	40	19	12
Banbridge	179	31	52	53	43
Belfast	1026	464	385	163	14
Carrickfergus	195	60	126	8	1
Castlereagh	208	80	107	21	0
Coleraine	232	68	99	59	6
Cookstown	163	100	32	31	0
Craigavon	881	445	136	66	234
Derry	450	34	85	331	0
Down	748	469	105	171	3
Dungannon	292	72	42	87	91
Fermanagh	205	18	40	142	5
Larne	141	22	84	20	15
Limavady	112	11	32	69	0
Lisburn	419	76	187	80	76
Magherafelt	139	54	16	35	34
Moyle	84	16	21	28	19
Newry	705	253	91	358	3
Newtownabbey	393	98	233	39	23
North Down	105	79	10	15	1
Omagh	243	29	27	187	0
Strabane	219	38	52	129	0

2006	Stray Dogs Impounded	Sold	Reclaimed	Unclaimed/ Destroyed	Other *
Total	8757	2987	2476	2459	835

2007	Stray Dogs Impounded	Sold	Reclaimed	Unclaimed/ Destroyed	Other *
Antrim	244	37	88	52	67
Ards	315	80	187	48	0
Armagh	670	267	122	142	139
Ballymena	199	20	81	85	13
Ballymoney	95	43	27	9	16
Banbridge	188	55	52	43	38
Belfast	1037	377	404	251	5
Carrickfergus	163	37	116	8	2
Castlereagh	214	73	105	36	0
Coleraine	209	59	90	58	2
Cookstown	136	71	30	33	2
Craigavon	756	360	139	129	128
Derry	444	44	74	303	23
Down	726	363	133	229	1
Dungannon	447	292	37	75	43
Fermanagh	183	17	34	128	4
Larne	176	32	91	41	12
Limavady	101	9	30	62	0
Lisburn	466	69	215	90	92
Magherafelt	143	86	16	41	0
Moyle	71	5	39	15	12
Newry	724	277	114	290	43
Newtownabbey	374	73	233	32	36
North Down	101	58	8	35	0
Omagh	379	42	34	269	34
Strabane	174	36	45	91	2
Total	8735	2882	2544	2595	714

2008	Stray Dogs Impounded	Sold	Reclaimed	Unclaimed/ Destroyed	Other *
Antrim	241	30	81	33	97

2008	Stray Dogs Impounded	Sold	Reclaimed	Unclaimed/ Destroyed	Other *
Ards	263	35	183	35	10
Armagh	603	224	118	78	183
Ballymena	181	19	70	73	19
Ballymoney	105	39	41	14	11
Banbridge	190	44	53	71	22
Belfast	939	377	393	167	2
Carrickfergus	162	33	108	13	8
Castlereagh	197	85	88	24	0
Coleraine	215	66	103	44	2
Cookstown	164	94	30	40	0
Craigavon	789	325	147	249	68
Derry	404	43	85	273	3
Down	686	312	138	192	44
Dungannon	515	415	42	56	2
Fermanagh	221	31	55	115	20
Larne	146	41	75	16	14
Limavady	110	20	25	65	0
Lisburn	380	39	179	73	89
Magherafelt	142	91	24	27	0
Moyle	50	0	23	13	14
Newry	506	172	104	199	31
Newtownabbey	299	56	195	17	31
North Down	96	57	16	23	0
Omagh	159	17	47	62	33
Strabane	167	46	33	88	0
Total	7930	2711	2456	2060	703

2009	Stray Dogs Impounded	Sold	Reclaimed	Unclaimed/ Destroyed	Other *
Antrim	244	36	70	13	125
Ards	234	80	124	29	1
Armagh	436	158	100	43	135
Ballymena	173	16	84	43	30
Ballymoney	97	36	33	9	19

2009	Stray Dogs Impounded	Sold	Reclaimed	Unclaimed/ Destroyed	Other *
Banbridge	113	21	39	17	36
Belfast	668	265	251	146	6
Carrickfergus	158	38	115	1	4
Castlereagh	215	79	120	16	0
Coleraine	201	74	93	33	1
Cookstown	144	102	31	9	2
Craigavon	654	257	129	125	143
Derry	327	40	84	97	106
Down	622	315	135	107	65
Dungannon	502	371	53	59	19
Fermanagh	149	37	24	88	0
Larne	108	35	52	9	12
Limavady	80	15	25	17	23
Lisburn	309	36	124	46	103
Magherafelt	126	79	30	17	0
Moyle	56	0	21	13	22
Newry	380	10	62	209	99
Newtownabbey	311	60	187	20	44
North Down	112	67	28	17	0
Omagh	166	17	17	90	42
Strabane	160	44	43	73	0
Total	6745	2288	2074	1346	1037

* Other – includes dogs transferred to and accommodated by animal welfare organisations and animal sanctuaries.

Comparable Service Delivery

Dr S Farry asked the Minister of Agriculture and Rural Development what benchmarking exercises her Department conducts to assess its spending profile relative to comparable service delivery in other jurisdictions.

(AQW 1454/11)

Minister of Agriculture and Rural Development: The table below lists recent one –off and routine benchmarking exercises carried out to assess costs of various service delivery activities.

Service Assessed	Bench Marking Exercise	Jurisdiction the service is benchmarked against
Meat Hygiene Controls	Cost of delivery, carried out by DARD for Food Standards Agency –(NI).	Great Britain (GB)
Brucella blood sampling	Cost of a sample collected by DARD staff with cost of a sample by private sector in the South	Republic of Ireland (ROI)
Seed Potato inspection fees	Fees compared with other UK regions and ROI when fees are under consideration	GB counterparts in the Food and Environment Research Agency (FERA), Science and Advice for Scottish Agriculture (SASA) and Dept of Agriculture, Fisheries and Food (DAFF) (ROI)
Fees for approval of Animal Feed businesses	Fees compared when fees are under consideration	Veterinary Medicines Directorate, DEFRA
Identification, Registration and Movement (IRM) of Cattle	Benchmarked IRM administration	DAFF in ROI and DEFRA in GB
Frontline customer service delivery	Liverpool City Council and DAFF	Liverpool City Council in GB and DAFF Roscommon in ROI
All axes under the Northern Ireland Rural Development Plan, in particular Axis 2 (Less Favoured Area Compensatory Allowances and the suite of agri-environment schemes) and also Single Farm Payment which comes under the European Agriculture Guidance Fund (EAGF).	Two cost of control exercises have been carried out in this area. The first in 2009 covered the 2005 FEOGA year and the second in February of this year covered the 2008 FEOGA year. (FEOGA is the French equivalent of EAGF)	The other UK Paying Agencies

Legal Services

Mr P McGlone asked the Minister of Agriculture and Rural Development how much her Department and its agencies paid for legal services in each of the last five years; and to detail the firms engaged.

(AQW 1456/11)

Minister of Agriculture and Rural Development: The total costs to my Department and its Agencies in respect of legal services in each of the last 3 years were as follows:

2009/10	2008/09	2007/08
£498,805.28	£725,552.51	£498,805.28

I have not been able to provide figures for 2005/06 and 2006/07 due to the disproportionate cost of extracting this information. The costs include outlay for Counsel's fees; Barristers' fees; Departmental Solicitor's Office (DSO) professional costs and notional costs for both the DSO and employment litigation.

I have attached at Appendix 1 a list of the firms engaged in the provision of these legal services.

Appendix 1 - Firms engaged

- Philip Aldworth
- Paul S Brennan
- Michael Burke
- James W Calderwood
- Peter Coll BL
- Jill Comerton
- Niall P Cosgrove
- Barry F Craig
- Peter Cush
- Data Dispatch
- DLF Services
- Craig Dunford
- David Dunlop BL
- Brian Fee
- Ferguson Bell
- Stephen Ham BL
- Nicolas Hanna QC
- Dr Karen Harkin
- Dr S Hedderwick
- Dr Daj Keegan
- Patricia A Kerr
- Paul Lewis
- Geoffrey Mack
- P Maguire
- Eamon McArdle BL
- Philip McAteer BL
- B McCloskey
- Dr G McDonald
- McGleenan BL
- Paul C McLaughlin
- Michael McLoughlin
- Dr Clifford McMillan
- David McMillen BL
- R Millar
- Chris Millinson
- Mollan Medical Ltd
- Turlough Montague
- Neasa Murnaghan
- Old Mill Saddlery
- Mark Orr QC
- Fintan Quinn
- David A Scoffield BL
- G Simpson QC
- GV Walker
- Richard Wallace FRCS
- Martin Wolfe BL
- HA Yeates

Plans to Plant More Trees

Mr A Easton asked the Minister of Agriculture and Rural Development for an update on plans to plant more trees.

(AQW 1487/11)

Minister of Agriculture and Rural Development: The Forestry Strategy identified a long term aim of doubling the existing area of woodland from 6% to 12% of the land area over the next 50 years, largely through the transfer of privately owned agricultural land to woodland, using funds made available under the Rural Development Programme woodland grant schemes.

The Programme for Government (PfG) set a target of 1,650 hectare of new woodland creation by March 2011. 667 hectares of new woodland have been created by farmers and landowners under the schemes up to the end of September 2010. This is less than was planned and in order to encourage more farmers and landowners to create their own woodland, increases in grant rates of up to 30 per cent were announced in November 2009. Since then, there has been an increase in applications for the woodland grant schemes, however we acknowledge that it will be difficult to achieve our PfG target by March 2011.

Participants in agri-environment schemes may avail of funding for planting small areas (up to 0.2 hectares) of native trees on farmland and managing existing woodland. These schemes include the Countryside Management Scheme and Environmentally Sensitive Areas Scheme. Currently scheme participants are managing approximately 600 hectares of native trees which have been planted as part of their agri-environment scheme agreement.

European Commission Fine

Mr K McCarthy asked the Minister of Agriculture and Rural Development why her Department did not mount a legal challenge against the European Commission fine in relation to the Single Farm Payment scheme.

(AQW 1537/11)

Minister of Agriculture and Rural Development: In my Statement to the Assembly on 27 September 2010 I confirmed that my Department has taken the necessary steps to take a case to the European Court of Justice and that it has the support of the Executive in this matter.

Policy Screening Process

Ms S Ramsey asked the Minister of Agriculture and Rural Development to detail, for the period from May 2007 to date, (i) the number of policies his Department and its associated bodies have (a) "screened out" as having no Equality Impact; and (b) "screened in" as having an Equality Impact; (ii) the number of staff involved in the screening process; and (iii) the cost of the screening process.

(AQW 1544/11)

Minister of Agriculture and Rural Development:

	May 2007 – 31 March 2008	1 April 2008 – 31 March 2009	1 April 2009 – 31 March 2010
Number of policies screened out	29	36	27
Number of policies screened in	2	3	5

Information in the form requested in parts (ii) and (iii) of this question is not readily available and could only be obtained at disproportionate cost.

Carecall Report

Mr P J Bradley asked the Minister of Agriculture and Rural Development if she will make a statement on the Carecall report in relation to the DARD Direct office in Newry.

(AQW 1554/11)

Minister of Agriculture and Rural Development: It would not be appropriate for me to comment on the detail of the Carecall report whilst efforts are being made to secure a satisfactory resolution to these matters.

However, I can confirm that my officials have given careful consideration to the report and are currently in consultation with Trade Union Side with a view to reaching a decision on the best way forward.

Rural Development Programme.

Mr D O'Loan asked the Minister of Agriculture and Rural Development if she will ensure that Credit Unions can benefit from grants under the Rural Development Programme.

(AQW 1559/11)

Minister of Agriculture and Rural Development: The purpose of the rural development Programme is to bring economic and quality of life benefits to rural dwellers. Therefore the priority and the focus of the programme is on benefiting rural dwellers rather than organisations.

However, if a rural Credit Union works up a project which is eligible under one of the six measures within Axis 3 and is assessed as providing the specific outcomes for rural dwellers which the Programme seeks, then it can submit an application to the relevant Local Action Group.

Northern Ireland Agricultural Wages Board

Mr R Beggs asked the Minister of Agriculture and Rural Development whether she will review the position of the Northern Ireland Agricultural Wages Board in light of the decision to dissolve its equivalent body in Wales and England.

(AQW 1566/11)

Minister of Agriculture and Rural Development: I intend to review the Agricultural Wages Board in early 2011. The review will report on whether the functions of AWB are still required and, as part of the review process, I intend that my officials will launch a consultation with interested parties on the issue. I will announce details in the near future.

Woodland Areas

Mr P Weir asked the Minister of Agriculture and Rural Development what action is being taken by her Department to meet the targets to increase woodland areas.

(AQW 1601/11)

Minister of Agriculture and Rural Development: To encourage more farmers and landowners to create their own woodland, increases in grant rates of up to 30 per cent were announced in November 2009. Since then, there has been an increase in applications for the woodland grant schemes.

In addition to increasing grant rates, woodland creation has been encouraged through:

- Implementing beneficial changes to the Single Farm Payment (SFP) Scheme allowing farmers to continue to receive SFP, as well as forestry grant payments, on land converted to woodland;
- Engaging with a wide range of landowning bodies, such as local councils, and other central Government Departments, encouraging them to consider woodland as a viable economic alternative to their current land use;
- Engaging with afforestation stakeholders to identify barriers to woodland creation and possible solutions;
- Extending the funding of the Short Rotation Coppice Scheme until the end of the current Rural Development Programme in 2013;
- Publicising the Woodland Grant Scheme through Balmoral and other shows, talks with interested groups, press articles and open days and targeted mail drops.

Participants in agri-environment schemes may avail of funding for planting small areas (up to 0.2 hectares) of native trees on farmland and managing existing woodland. These schemes include the Countryside Management Scheme and Environmentally Sensitive Areas Scheme.

Apprentices

Mr P Weir asked the Minister of Agriculture and Rural Development how many apprentices have a placement within her Department or any of its arms-length bodies for 2010/11.

(AQW 1602/11)

Minister of Agriculture and Rural Development: There are no placements on an apprenticeship basis either within DARD or any of its arms-length bodies for 2010/11.

I would further advise that despite the offer of placements by DARD and AFBI under the Programme-Led Apprenticeship programme, there has been no up-take by prospective participants for this period.

Department of Culture, Arts and Leisure

Illegal Netting

Mr D Kinahan asked the Minister of Culture, Arts and Leisure, pursuant to AQW 635/11, to detail (i) the dates, locations and amounts of netting discovered in 2009; and (ii) how much illegal netting has been discovered to date in 2010.

(AQW 1407/11)

Minister of Culture, Arts and Leisure (Mr N McCausland): The tables below provide the dates, locations and number of nets discovered by DCAL Fisheries Protection staff in Lough Neagh in 2009 and 2010.

(I) 2009:

Date	Location	No. of Nets
14/01	Ardboe	1
01/02	54.35.18N 006.28.57W	1
02/03	mid lough	1
10/03	mid lough	1
02/04	54.41.65N 006.29.05W	1
28/04	Grove Flat	1
09/08	34.31.95N 006.30.92W	1
05/10	54.33.06N 006.25.47W	1
07/10	Maghery	2
26/10	54.41.04N 006.21.85W	1
28/10	54.37.57N 006.29.25W	1
28/10	54.34.73N 006.30.50W	1

(II) 2010 TO DATE:

Date	Location	No. of Nets
24/01	54.35.35N 006.30.92W	1
06/02	54.33.78N 006.27.41W	1
08/03	54.39.24N 006.24.46W	1
10/03	.Currans Quay	5
11/03	54.38.86N 006.24.86W	1
01/05	54.33.25N 006.22.80W	1
16/05	54.33.25N 006.25.15W	1
17/06	54.37.07N 006.26.37W	1
29/06	54.37.48N 006.29.20W	1

Lisburn Library

Mr P Givan asked the Minister of Culture, Arts and Leisure how many people have (i) visited; and (ii) joined Lisburn library since the opening of the new building; and (ii) what assessment has been made by his Department of the services provided to the public.

(AQW 1449/11)

Minister of Culture, Arts and Leisure: Since the opening of Lisburn City library on 30 November 2005 there have been 1,287,208 visitors and 19,024 new members.

A specific assessment of Lisburn City libraries' services has not been made by my Department. However performance information supplied by Libraries NI demonstrate that Lisburn City library provides a wide and varied range of outreach programmes aimed at exploiting book, audio and visual resources for all ages, as well as enrichment programmes in Culture, Information, Heritage and Learning to enhance the library experience, increase participation, develop a love of reading and build cultural, social and economic capital.

As such these programmes assist in the delivery of Libraries NI's strategic themes and the Department's key objectives with regard to addressing social exclusion and building community identity.

It is also worth noting that in its first full operational year 2006/07, Lisburn City Library recorded the highest issues of any library in Northern Ireland at 243,099. In addition from the period 30 November 2005 to 31 March 2010 there were 39,097 Active Members, 970,674 Book and Non Book issues and 372,316 Computer Sessions.

Legal Services

Mr P McGlone asked the Minister of Culture, Arts and Leisure how much his Department and its agencies paid for legal services in each of the last five years; and to detail the firms engaged.

(AQW 1458/11)

Minister of Culture, Arts and Leisure: In the past five financial years, the Department and its agencies incurred the following expenditure in respect of the provision of legal services:

2005-06	2006-07	2007-08	2008-09	2009-10
£15,916	£20,867	£26,856	£7,172	£62,358

The table below details the firms and organisations engaged in each financial year.

Year	Supplier/Firm Engaged
2005-06	Conn & Fenton Mt Doherty Solicitors
	L'estrange & Brett Solicitors
	Mccartan Turkington & Breen Solicitors
	Murgitroyd & Company
	Department of Finance & Personnel
	Department of Agriculture & Rural Development
2006-07	Aidan Sands BI
	L'estrange & Brett Solicitors
	Crown Solicitors Office
	Department of Finance & Personnel

Year	Supplier/Firm Engaged
2006-07	Department Of Agriculture & Rural Development
2007-08	Adrian Wg Colmer
	L'estrage & Brett Solicitors
	Mr R Buchanan
	Murgitroyd & Company
	Patrick Diamond & Co
	Land Registers of Northern Ireland
	Department of Finance & Personnel
2008-09	Hsb Haughton
	Marine Coastguard Agency
	Northern Ireland Office
	Land Registers of Northern Ireland
	Department of Finance & Personnel
2009-10	Agnew Andress Higgins Solicitors
	Mr T Carroll
	Mr P Coll
	James Ballentine & Son
	John Mckee & Son
	Km Walsh Ltd
	Macauley Wray Solicitors
	Mr Gv Walker
	Muraghan & Fee Solicitors
	Richard Buchanan Consulting Ltd
	Sc Connolly & Co
	Department Of Finance & Personnel

Arts Funding

Ms A Lo asked the Minister of Culture, Arts and Leisure, given the historic lower level of arts funding in Northern Ireland compared to other parts of the UK and the Republic of Ireland, whether he will give special consideration to maintaining arts funding.

(AQW 1464/11)

Minister of Culture, Arts and Leisure: In conjunction with all government Departments, the Department of Culture, Arts and Leisure faces a significant reduction in its budget and this inevitably puts all areas of spend under pressure.

Faced with this major challenge, I am currently working with my officials, the Arts Council and other stakeholders in an effort to ensure that the impact of cuts is minimised.

Once the Northern Ireland Executive has announced the final allocations for all the Northern Ireland Departments, I will give due consideration to the allocations of funding to all spending areas falling within my Department's remit.

Apprentices

Mr P Weir asked the Minister of Culture, Arts and Leisure how many apprentices have a placement within his Department or any of its arms-length bodies for 2010/11.

(AQW 1504/11)

Minister of Culture, Arts and Leisure: There are currently no apprentices on placement within my Department or any of its associated arms length bodies.

Safer Stadia Programme

Mr C Lyttle asked the Minister of Culture, Arts and Leisure whether funding will be made available in the short term through SportNI for the Safer Stadia Programme to enable Irish League Soccer clubs to upgrade stadia.

(AQW 1603/11)

Minister of Culture, Arts and Leisure: In July 2010, Sport Northern Ireland launched a small grants programme aimed at assisting the owners of football, rugby and GAA grounds to ensure the safety and comfort of spectators attending fixtures at their venues. The Stadia Safety Programme - Urgent Works consists of two strands and provides assistance towards infrastructure improvements and the purchase of safety equipment. A maximum of £30,000 is available under each strand. I understand that 15 football clubs were eligible to apply to this programme and that 14 applications were received under the infrastructure strand and 15 applications under the safety equipment strand. These are currently under consideration by Sport NI.

Terracing at Sports Grounds

Mr K Robinson asked the Minister of Culture, Arts and Leisure to outline the structural and safety considerations that were taken into account for terracing at sports grounds which resulted in a significant reduction of terraced capacity at the Oval football ground in Belfast compared to the terraced capacity reductions at Ravenhill and Casement Park.

(AQW 1614/11)

Minister of Culture, Arts and Leisure: Responsibility for assessing the structural and safety arrangements for terracing at individual sports grounds is not a matter for me but is the responsibility of district councils in Northern Ireland. Consequently, the structural and safety considerations that were taken into account in determining the safe capacity of terraces at the Oval football ground, Ravenhill and Casement Park, are a matter for Belfast City Council. I can, however, confirm that all district councils, including Belfast City Council, are required to assess structural and safety arrangements at sports grounds in relation to their compliance with The Northern Ireland Guide to Safety at Sports Grounds (commonly known as the "Red Guide"). This Guide sets out a range of standards in terms of physical arrangements (ie the design and condition of spectator facilities including terraces) and safety management arrangements (ie safety policies and procedures). Broadly, decisions on the numbers of spectators any district council will allow into a ground or onto terraces is dependent on how closely the venue's existing physical and safety management arrangements align with the Red Guide.

Safety of Sports Grounds (NI) Order 2008

Mr K Robinson asked the Minister of Culture, Arts and Leisure whether occasional concert venues such as the Botanic Gardens, Ward Park or the Giant's Park are subject to the same assessments as sports ground under the Safety of Sports Grounds (NI) Order 2008; and to outline the reasons for any difference in approach.

(AQW 1615/11)

Minister of Culture, Arts and Leisure: Occasional concert venues like Botanic Gardens, Ward Park or the Giant's Park do not fall within the terms of the Safety of Sports Grounds (Northern Ireland) Order 2006. Consequently, they are not subject to the same assessment criteria now established specifically for sports grounds under the Safety of Sports Grounds Order.

However, during the development of the Safety of Sports Grounds Order, consideration was given to bringing non-sporting venues and events, including parks and occasional concerts held there, within its provisions. It was, however, determined that this lay outside the Department of Culture, Arts and Leisure's (DCAL) immediate statutory remit and control. It was also concluded that, unlike sports grounds, occasional concert venues, such as parks, could be subjected to appropriate assessment via existing entertainment licensing and related local government legislation.

Despite this, DCAL decided that it was still necessary, and lay within the Department's immediate statutory remit, to ensure that occasional concerts held at designated sports grounds came within the terms of the Safety of Sports Grounds Order. The relevant provision which now therefore applies to such events is set out at Article 4 (5) of the Order. This provision is intended to ensure that occasional concerts staged at designated sports grounds will be subject to assessments that are appropriate to the nature of the venue in which they take place.

Gaeltacht Quarter

Mr G Adams asked the Minister of Culture, Arts and Leisure what action his Department has taken to implement the recommendations of the Dutton Report on An Ceathrú Gaeltachta / the Gaeltacht Quarter.

(AQO 384/11)

Minister of Culture, Arts and Leisure: The Department of Culture, Arts and Leisure facilitated Integrated Development Funding of approximately £1million towards meeting Dutton recommendations.

The Gaeltacht Quarter Development Company (An Cheathrú Gaeltachta Teo), a supporting steering group and secretariat were established and operated from July 2007 to July 2010 when DCAL funding ceased.

Consultants completed a Baseline Study and produced a Development Plan, Marketing Plan and Strategic and Business Plans for the area.

The Department along with the Department of Social Development, is also part funding a capital project involving the refurbishment and extension of the Irish Cultural Centre (Cultúrlann McAdam Ó Fiaich) on the Falls Road. Work started on this on 27 September 2010 and it is due for completion in July 2011.

As the Gaeltacht Quarter is primarily a regeneration project to be sustainable it will need to attract alternative sources of funding to take forward its plans.

Euro 2012 Qualifier in Serbia

Mr P Weir asked the Minister of Culture, Arts and Leisure whether his Department will be making representations to the International Federation of Association Football (FIFA) over Northern Ireland football fans being banned from attending the Euro 2012 qualifier in Serbia in September 2011.

(AQW 1704/11)

Minister of Culture, Arts and Leisure: I am aware that, as a result of a disciplinary hearing following crowd trouble in a match against Italy, the Union of European Football Associations (UEFA) has ordered Serbia to play its next two home matches behind closed doors (with one match suspended). I understand that this ruling is expected to apply to the Northern Ireland team's game against Serbia in March 2011. I understand the Irish Football Association (IFA) is already in ongoing discussion with UEFA regarding the impact of its decision on both the IFA and the Northern Ireland football fans. I have written to the IFA outlining my support for them in these negotiations and indicated that I am happy for them to inform UEFA of this support.

Cross-border Bodies

Mr S Anderson asked the Minister of Culture, Arts and Leisure for his assessment of whether the cross border bodies under his Department's remit provide an efficient and effective service to the community and deliver value for money.

(AQO 389/11)

Minister of Culture, Arts and Leisure: As part of my Ministerial remit, I am responsible along with Minister Carey from the Department of Community, Equality and Gaeltacht Affairs (DCEGA) in Éire through the North/South Ministerial Council for two North/South Implementation Bodies, Waterways Ireland and the North/South Language Body (NSMC).

In relation to Waterways Ireland there may be a need to introduce a Board and I have asked officials to monitor the position within the organisation for efficiency and value for money.

The North/South Language Body comprises two Agencies, the Ulster-Scots Agency and Foras na Gaeilge (the Irish Language Agency).

The Ulster-Scots Agency's statutory remit is the promotion of Ulster-Scots culture, heritage and language. It meets its statutory remit through funding organisations and overseeing programmes and projects.

Foras na Gaeilge's statutory remit is the promotion of the Irish language. The Agency is currently reviewing its funding framework for the Irish language sector with a view to achieving significant benefits in relation to value for money and the effective delivery of Foras na Gaeilge's statutory obligations.

I met with Minister Carey recently to discuss my concerns about the effectiveness of North-South Bodies. I have asked officials to work-up short-term and long-term options to address my concerns as a matter of urgency in order to provide public confidence about value for money.

Sports Facilities: Disabled People

Mr K Robinson asked the Minister of Culture, Arts and Leisure what improvements his Department has made to disabled access at sports facilities in the last three years.

(AQO 390/11)

Minister of Culture, Arts and Leisure: Responsibility for making improvements to disabled access at sports facilities rests, in the first instance, with the owners and operators of those facilities. All schemes that have received funding from Sport Northern Ireland over the last three years have been assessed for compliance with all relevant and current legislation including relevant disability discrimination legislation applying to owners and operators of sports facilities.

Furthermore in 2007, and as part of the implementation of the Safety of Sports Grounds (Northern Ireland) Order 2006, my Department published a "Northern Ireland Guide to Safety at Sports Grounds" which provides detailed technical information on safety standards at sports grounds. Chapter 13 of this guide sets out specific requirements for the provision of safe and accessible facilities for people with a disability.

In addition, in 2009 Sport Northern Ireland developed and published a 3-year Disability Action Plan, the aim of which is, in part, to promote the provision of adequate access to sports facilities for people with disabilities. As part of the delivery of this action plan, Sport Northern Ireland, in association with Disability Sport Northern Ireland, recently carried out an assessment of all best practice disabled legislation and together have produced a bespoke Northern Ireland accessible Design and Management Guidance document entitled 'Access to Sports Facilities for People with Disabilities, 2010'. This document exceeds all minimum standards and is applicable to all capital projects funded through Sport Northern Ireland.

Boucher Road Playing Fields

Mr C Lyttle asked the Minister of Culture, Arts and Leisure whether Boucher Road playing fields were considered as a site for a shared sports stadium.

(AQO 391/11)

Minister of Culture, Arts and Leisure: The Governing Bodies of Football, Rugby and Gaelic games were asked to provide their options on stadium provision to meet their long-term strategic needs. The recently completed Outline Business Case includes a detailed and rigorous analysis of not only the stadium options put forward by the Governing Bodies but also a range of variations on the options including the potential for a two sport stadium.

As the draft Outline Business Case on regional stadium provision for football, rugby and Gaelic games is currently under consideration by DFP and has yet to go to the Executive, it would be inappropriate to comment on the level of detail you have requested.

Sports Stadia

Mr P Maskey asked the Minister of Culture, Arts and Leisure when work is due to commence on the developments at Casement Park, Ravenhill and Windsor Park.

(AQO 392/11)

Minister of Culture, Arts and Leisure: Construction commencement dates cannot be determined at this point. Initially, this will depend on how soon the recommendations arising from the Outline Business Case can be considered by the NI Executive. Subsequently, and assuming Executive approval to proceed with the process, the next steps will include the Governing Bodies commissioning full design work, securing planning permission and procurement.

Furthermore, because of the varying nature of the stadiums it is likely that the individual sports will work to differing construction commencement dates.

Young Farmers' Clubs of Ulster

Mr S Moutray asked the Minister of Culture, Arts and Leisure how his Department and its arms-length bodies have assisted the Young Farmers Clubs of Ulster in recent years.

(AQO 393/11)

Minister of Culture, Arts and Leisure: I commend the work of the Young Farmers Clubs of Ulster and the positive impact this organisation makes on our local community. Its aims, objectives and the diversity of its membership are consistent with my aspiration and commitment to a shared and better future for our society.

The Association has a strong arts and culture portfolio designed to encourage the development of our young people. The size of its membership, approximately 2,500, makes this one of the largest arts organisations in Northern Ireland.

On coming into Office I recognised the range and quality of the activities undertaken by the Association and called a meeting with its President to explore how my Department could potentially assist with this work. I would encourage the Association to explore and avail of potential funding opportunities available to it through Arms Length Bodies associated with my Department, and indeed opportunities across Government, to deliver the maximum for the thousands of young members across Northern Ireland.

I am pleased that the Association has recently met with Arts Council of Northern Ireland representatives and that the Director of Language and Education at the Ulster-Scots Agency has met with individual Clubs to explore potential funding opportunities. I would encourage further engagement.

Funding: East Antrim

Mr R Beggs asked the Minister of Culture, Arts and Leisure for his assessment of the proportion of culture, arts and leisure funding allocated by his Department to the East Antrim constituency since May 2007. **(AQO 394/11)**

Minister of Culture, Arts and Leisure: I should first of all point out that my Department does not allocate funding directly to constituencies. Instead it meets its objectives by funding a number of Arms Length Bodies which provide frontline services through a variety of projects and programmes across Northern Ireland.

The table below illustrates the amount of funding spent in the East Antrim constituency:

Funding Allocated to East Antrim	2007/08 £'s	2008/09 £'s	2009/10 £'s	2010/11 £'s	Total £'s
Total funding in East Antrim	2,901,319	612,462	2,508,299	1,354,409	7,376,489
Total Closing Budget	145,398,000	154,349,000	175,373,000	161,638,000	475,120,000
	2%	0.4%	1.4%	0.84%	1.55%

Note that in the case of Libraries in 2007/08 and 2008/09 no information has been available as the sponsor Department at that time was the Department of Education.

Boxing: Sectarianism

Mr M Storey asked the Minister of Culture, Arts and Leisure what steps he has taken to address issues within the Ulster Branch of the Irish Amateur Boxing Association where clubs and competitors from a perceived Unionist background have been subjected to sectarian harassment over a prolonged period of time.

(AQO 395/11)

Minister of Culture, Arts and Leisure: I have already had a meeting with representatives of Sport Northern Ireland (SNI) and one boxing club from a perceived Unionist background which had raised issues with me over apparent sectarian harassment experienced by its membership over a prolonged period of time. During my meeting I expressed my grave concerns about the matter, especially in view of my commitment to a shared future, and emphasised that there is no place in sport for behaviour of this nature. As a result, SNI agreed to take the matter up with the governing body for boxing, the Ulster Provincial Boxing Council (UPBC). I understand SNI is currently in discussion with the club in question and in contact with the UPBC with a view to finding a resolution to the issues raised as a matter of urgency.

Since then, I have received correspondence on behalf of a second boxing club, again from a perceived Unionist background, which also claims to have experienced problems. I have forwarded this to SNI. Furthermore, within the past few days, another issue relating to amateur boxing has been raised with me and I will be writing to SNI, passing on the relevant information and asking them to add these to their investigation of the issues, again as a matter of urgency.

Budget

Mr J O'Dowd asked the Minister of Culture, Arts and Leisure how he intends to maximise the provision of front-line services and reduce management and administration costs within his Department's arms-length bodies in the current financial climate.

(AQO 396/11)

Minister of Culture, Arts and Leisure: The outcome of the UK Spending Review has left Northern Ireland with cuts to both its current and capital expenditure budgets. My Executive colleagues and I will now need to agree on how this allocation will be shared among departments.

I am, of course, fully conscious of the need to protect front line services and to reduce management and administration costs where this is possible. The planning scenarios my Department is developing reflect this.

The challenge for my Department and its Arms Length Bodies will be to try to deliver and maintain frontline services by working together in more collaborative ways, sharing services and assets and generating additional income where possible.

I have requested that my officials undertake a review of all Arms Length Bodies funded by my department. The necessary mechanisms will be put in place to deliver any changes needed and to ensure that, wherever possible, front line services will be protected in the current difficult financial climate.

I must though emphasise that the level of savings required are such that front line services will inevitably be affected.

Department of Education

Strategic Review of the Education Workforce

Mr D Bradley asked the Minister of Education to detail the work carried out to date on the Strategic Review of the Education Workforce.

(AQW 1091/11)

Minister of Education (Ms C Ruane): Tá mé fós lántiomanta don Athbhreithniú Straitéiseach ar an Lucht Oibre Scoile, agus féadaim a dhearbhu go gcuirfead tús leis an athbhreithniú i mí na Nollag 2010.

I remain fully committed to the Strategic Review of the School Workforce and can confirm that the review will commence in December 2010.

An initial set of draft Terms of Reference were developed in 2008 however further progress has been affected by my Department's internal transformation process, which resulted in the creation of a dedicated Education Workforce Development Directorate, tasked with taking forward this work and the delay in the establishment of the Education and Skills Authority.

Budget 2010 has also changed the context within which this review will be undertaken and the updated draft Terms of Reference will need to reflect this new challenging environment.

Going forward I am establishing a Strategic Forum, the membership of which includes the recognised trade unions which will broaden the scope of involvement in the decision making process. It is my intention to provide these key stakeholders with an opportunity to shape and influence the revised Terms of Reference at the inaugural meeting in December 2010.

Defending Litigation Cases

Mr P Weir asked the Minister of Education what the legal costs were to her Department of defending litigation cases in each of the last three years.

(AQW 1138/11)

Minister of Education: Is soláthraithe sa tábla thíos atá mionsonraí ar chaiteachas a bhaineann le costais dlí i ngach ceann de na trí bliana seo a chuaigh thart ó 2007-08 go 2009-10.

Details of expenditure coded to legal costs in each of the last three years from 2007-08 to 2009-10 are provided in the table below.

	2007-08	2008-09	2009-10
£	1,016,824.72	2,155,542.99	39,761.29

The Department's accounting system does not differentiate between legal costs relating to defending litigation cases and legal costs relating to other matters. To disaggregate the costs relating to defending litigation cases and those relating to other matters would result in disproportionate costs.

Legal claims against the Department cover a range of issues and include legal challenges such as judicial reviews, employment issues and personal injury claims.

School Admissions

Mr T Lunn asked the Minister of Education how many (i) Irish-Medium schools; and (ii) Integrated schools failed to meet the minimum number of admissions required to receive funding in first year of opening, in each of the last five years.

(AQW 1161/11)

Minister of Education: Sna 5 bliana seo a chuaigh thart, de na scoileanna siúd a faomhadh trí phróiseas an Togra Forbartha, ní raibh ach cúig cinn ar theip orthu an figiúr tosaigh iontógála atá riachtanach a chomhlíonadh, agus ba iad na scoileanna siúd ná:

In the past 5 years, of those schools approved through the Development Proposal process, there have been only five that have failed to meet the requisite initial intake figure on opening and these are:

2007

- Gaelscoil na Daroige, Derry – subsequently republished a DP and satisfied criteria for recurrent grant-aid with effect from September 2009.
- Clogher Valley Integrated Primary School

2010

- Gaelscoil Choin Ri Uladh, Ballymena
- Gaelscoil na mBeann, Kilkeel
- Gaelscoil Leim an Mhadaidh, Limavady

School Maintenance

Mr P Givan asked the Minister of Education how much has been spent on the maintenance of schools in the Lagan Valley area in each of the last three years; and to detail the current backlog.

(AQW 1398/11)

Minister of Education: Tá an caiteachas ar chothabháil scoileanna i limistéar Ghleann an Lagáin mionsonraithe sa tábla thíos:

The spend on maintenance of schools in the Lagan Valley area is detailed in the table below:

2007/08	2008/09	2009/10
£1,634,156	£968,897	£1,026,723

The current backlog of maintenance of schools in the Lagan Valley area is £6,424,466.00.

Figures for voluntary grammar and grant maintained integrated schools are not readily available.

Schools from Different Sectors

Mr D McKay asked the Minister of Education to outline how schools from different sectors, in particular the controlled and maintained sectors, are working together and co-operating for mutual benefit.

(AQW 1421/11)

Minister of Education: Cothaíonn cuid mhór de pholasaithe mo Roinne go gníomhach comhroinnt agus comhoibriú idir scoileanna ar mhaithe le comhthairbhe. Ní amháin go bhfuil comhoibriú éifeachtúil ó thaobh costais de, ach soláthraíonn sé deiseanna, fosta, chun gníomhaíocht bhríoch idir páistí agus daoine óga ónar bpobal a chothú.

Many of my department's policies actively promote sharing and collaboration between schools for mutual benefit. Collaboration is not only cost-effective, but also provides opportunities for promoting meaningful interaction between children and young people from our communities.

In particular, the Extended Schools programme operates across all school sectors. To promote the practice of clustering DE provides an additional financial incentive to those schools that choose to work together as part of an Extended Schools clustering arrangement. In the 2009/10 year, out of almost 80 clusters operating across all 5 Education and Library Board areas, 40 involved partnership working between schools from both the controlled and maintained sectors.

Also, the Entitlement Framework (EF) all post-primary schools, including those from the controlled and maintained sectors, are already working together through Area Learning Communities (ALCs) to ensure that young people can have access to a much broader, better balanced and more economically relevant range of courses. That joint working provides opportunities for pupils and teachers to share experiences with, and learn from, one another. In a difficult resource context it also helps schools avoid situations where duplicate courses are offered to very small numbers of pupils, thereby ensuring better value for money.

Additionally, as Area Learning Communities provide a mechanism for schools to pool their resources and to plan provision at an area level in a coherent way, they create considerable potential to release resources for investment elsewhere within education.

Single Education System

Mr M Storey asked the Minister of Education if her Department has made an assessment of whether educating children in a single education system would (i) assist; or (ii) hinder the delivery of its responsibility to promote good community relations.

(AQW 1465/11)

Minister of Education: Ó ceapadh mar Aire Oideachais mé, méadaíodh líon na bpáistí a fhreastalaíonn ar scoileanna imeasctha ó 17,600 go chóir a bheith 19,400 agus sholáthair mo Roinn beagnach £166m de chistiú athfhillteach tarmhligthe agus de chistiú athfhillteach neamhtharmhligthe d'Earnáil na Scoileanna Imeasctha sa dá bhliain airgeadais 2007/08 agus 2008/09. Níl oideachas comhtháithe ach ina ghné amháin de chomhoideachas, áfach.

Since I became Minister for Education the number of children attending integrated schools has increased from 17,600 to almost 19,400 and my department has provided nearly £166m in total in delegated and non-delegated recurrent funding to the Integrated Schools Sector for the two financial years 2007/08 and 2008/09. Integrated education is, however, only one aspect of shared education.

I am committed to encompassing a wide approach to improving relations between our communities through educating children and young people to develop self-respect and respect for others, and to ensuring that equality and inclusion are the cornerstones of an education system which enables every learner to fulfil his or her potential.

Key issues and actions within the draft Community Relations, Equality and Diversity policy, which is currently at the public consultation stage, include promoting sharing and collaboration and encouraging meaningful interaction between children and young people.

Shared education and improved community relations are not mutually exclusive objectives, but are complementary approaches, underpinned by the same core values and ethos. Many of my department's policies already seek to promote sharing and collaboration between schools for the benefit of our communities. For example, the Entitlement Framework sits very clearly within my overall education reform programme and my department has established Area Learning Communities (ALCs) to provide the mechanism to enable schools to pool resources and plan provision at an area level.

However, until such issues as parental choice, breakaway entrance tests, community readiness and political will have been sufficiently addressed, there will be limitations as to how quickly the benefits of shared education can be realised within our communities.

Single Education System

Mr M Storey asked the Minister of Education if her Department has made an assessment of whether educating children in a single education system would (i) assist; or (ii) hinder the delivery of its community relations policy to 'encourage cross-community interaction and co-operation; to support and develop respect for each other's beliefs and backgrounds; and to encourage mutual understanding, recognition and respect for cultural diversity'.

(AQW 1466/11)

Minister of Education: Ó ceapadh mar Aire Oideachais mé, méadaíodh líon na bpáistí a fhreastalaíonn ar scoileanna imeasctha ó 17,600 go chóir a bheith 19,400 agus sholáthair mo Roinn beagnach £166m de chistiú athfhillteach tarmligthe agus de chistiú athfhillteach neamhtharmligthe d'Earnáil na Scoileanna Imeasctha sa dá bhliain airgeadais 2007/08 agus 2008/09. Níl oideachas comhtháithe ach ina ghné amháin de chomhoideachas, áfach.

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However, until such issues as parental choice, breakaway entrance tests, community readiness and political will have been sufficiently addressed, there will be limitations as to how quickly the benefits of shared education can be realised within our communities.

Middletown Autism Centre

Mr T Elliott asked the Minister of Education what discussions she has had with the Comptroller and Auditor General, before and subsequent to his 2009 report on the Middletown Centre for Autism; and for her assessment of paragraph 6.3.23 of the report.

(AQW 1607/11)

Minister of Education: Roimh fhoilsiú thuairisc 2009 an Ard-Reachtair Cuntais agus Ciste, chomhfhreagair feidhmeannaigh ón Roinn Oideachais agus ón Oifig Iniúcháireachta maidir le soláthar eolais ar Ionad Choillidh Chanannáin d'Uathachas agus maidir le litir ón Ard-Reachtair Cuntais agus Ciste inar lorgaigh sé tuairimí ar chothroime agus ar chruinneas fforasach na dréacht-tuairisce.

In advance of the publication of the Comptroller and Auditor General's 2009 report Department of Education and Audit Office officials corresponded in relation to provision of information on the Middletown Centre for Autism and in response to a letter from the Comptroller and Auditor General seeking views on the fairness and factual accuracy of the draft report.

No correspondence or discussions have taken place with the Northern Ireland Audit Office since the publication of the report.

I accept that paragraph 6.3.23 of Financial Auditing & Reporting: General Report by the Comptroller and Auditor General for Northern Ireland – 2009 is a fair and accurate assessment of the situation in respect of the Middletown Centre for Autism when the audit was undertaken. I am pleased to note the views expressed by the Comptroller and Auditor General in his overall findings that appropriate corporate governance arrangements are in place at the Centre.

The Middletown Centre for Autism is a joint project by the Department of Education and the Department of Education and Skills in the south. The development of the two key services that have yet to be fully implemented, the Educational Assessment Service and the Learning Support Service, will be considered when drafting the updated, phased multi-annual plan for the future development of the Centre taking account of international best practice and the development of autism services on the island of Ireland since the Centre was established.

To date, the Centre has delivered a broad range of training interventions to over 5,000 professionals and parents across the island. Feedback received on this training has been extremely positive and interest in the forthcoming training events remaining high.

The Research and Information Service continues to progress two island-wide research projects in relation to sensory issues and working memory for those on the autism spectrum. A new research bulletin was also published recently in relation to educational assessment

Middletown Autism Centre

Mr T Elliott asked the Minister of Education to detail (i) the capital; and (ii) revenue costs for the Middletown Autism Centre in each year since it opened; and for a breakdown of the contributions made to the centre by (a) Northern Ireland Departments; and (b) the Republic of Ireland in each year since September 2004.

(AQW 1608/11)

Minister of Education: Maoiníonn an Roinn Oideachais agus an Roinn Oideachais agus Scileanna sa deisceart Ionad Choillidh Chanannáin d'Uathachas ar bhonn 50/50, agus ní ranníocann aon roinn eile rialtais sa tuaisceart cistiú.

The Middletown Centre for Autism is funded jointly on a 50/50 basis by the Department of Education and the Department for Education and Skills in the south with no other government department in the north contributing funding.

The overall project to establish the Centre has incurred costs by my Department as detailed in the table below. The figures are given for financial years since 2004 and includes all revenue and capital funding incurred by DE since that date. The south of Ireland has contributed an equivalent amount. The

DE Project administration funding associated with the Centre since that date has also been included. The Centre started operating in March 2007.

Year	Type	Amount
2004/05	Revenue	£176,273
	Capital - Purchase	£1,500,000
	Other	£52,922
	Total	£1,729,195
2005/06	Revenue	£56,304
	Capital	£0.00
	Other	£47,659
	Total	£103,963
2006/07	Revenue	£84,277
	Capital	£0.00
	Other	£54,946
	Total	£139,223
2007/08	Revenue	£376,117
	Capital	£130,842
	Other	£57,743
	Total	£564,702
2008/09	Revenue	£531,554
	Capital	£61,725
	Other	£44,548
	Total	£637,827
2009/10	Revenue	£621,622
	Capital	£54,388
	Other	£61,850
	Total	£737,860
2010/11*	Revenue	£304,598
	Capital	£4,590
	Other	£34,137
	Total	£343,325

*Up to 30 Sept 2010

This table excludes costs incurred prior to April 2004.

Middletown Autism Centre

Mr T Elliott asked the Minister of Education if she will help to co-ordinate an opportunity for representatives of the Middletown Autism Centre to give evidence at a meeting of the Assembly's Education Committee.

(AQW 1611/11)

Minister of Education: Láithrigh ionadaithe ó Ionad Choillidh Chanannáin d'Uathachas os comhair an Choiste Oideachais i mí na Samhna 2008. Tá mé cinnte go bhfreagróidh Bord Bainistíochta an Ionaid go dearfach dá dtabharfadh an Coiste cuireadh eile dó.

Representatives from the Middletown Centre for Autism appeared before the Education Committee in November 2008. I am sure the Management Board of the Centre will respond positively should another invitation be extended by the Committee.

Child Protection Training

Mr P Weir asked the Minister of Education for how long child protection training provided to school governors remains valid.

(AQW 1636/11)

Minister of Education: Ba cheart go soláthrófaí oiliúint um Chosaint Leanaí do ghobharnóirí scoile ar a laghad uair amháin gach ceithre bliana. Cé go spreagtar gach gobharnóir chun oiliúint a sholáthraíonn na Boird Oideachais agus Leabharlann a dhéanamh, níl sí éigeantach. Ba cheart go dtabharfaí oiliúint um Chosaint Leanaí agus um Earcú agus Roghnú, ar a laghad, do ghobharnóirí scoile amháin a fhóinann ar phainéal agallaimh nó ar choiste a bunaíodh le haghaidh earcú nó roghnú na foirne atá le ceapadh i scoil, áfach.

Child Protection training for school governors should be provided at least once every four years. While all governors are encouraged to take up training provided by the Education and Library Boards, it is not compulsory. However at least one school governor serving on an interview panel or committee established for the purpose of recruiting or selecting staff for appointment to a school should be trained in Child Protection and Recruitment and Selection.

Rights Respecting Schools Awards

Mr P Weir asked the Minister of Education to list the schools which are currently participating in the Rights Respecting Schools Awards.

(AQW 1637/11)

Minister of Education: Ní choinníonn an Roinn Oideachas eolas ar scoileanna atá ag glacadh páirte sna Duaiseanna Scoileanna um Urramú Ceart.

The Department of Education does not hold information on schools participating in the Rights Respecting Schools Awards.

It is matter for individual schools to decide which resources, programmes or services they consider appropriate to support their curricular provision, including whether to take part in the Rights Respecting Schools Awards.

Child Protection Training: Stage 3

Mr P Weir asked the Minister of Education which Education Boards currently offer Stage 3 child protection training for school governors.

(AQW 1638/11)

Minister of Education: Sholáthair gach ceann de na 5 Bhord Oideachais agus Leabharlann an oiliúint a bhí riachtanach i roghnú agus in earcú na foirne, rud a dtugtar Snáithe 3 um Chosaint Leanaí air, i dtaca leis na baill siúd de Bhord Gobharnóirí agus a shuíonn ar phainéil roghnaithe.

All 5 Education and Library Boards provide the required training in the selection and recruitment of staff, known as Strand 3 Child Protection, for those members of a Board of Governors who sit on selection panels.

Running in the Playground

Mr J Craig asked the Minister of Education how many schools have a policy which forbids pupils from running in the playground.

(AQW 1651/11)

Minister of Education: Ní choinníonn an Roinn Oideachais an t-eolas seo.

The Department of Education does not hold this information.

Rules and policies on pupil behaviour are matters for schools to determine. All grant-aided schools are required, by law, to have measures in place to promote good pupil behaviour as part of their discipline policy. The Department has issued guidance to schools on this; however, it is for each school to decide, taking account of its own ethos and circumstances, what behaviours and situations will be covered by its discipline policy.

When developing a policy, a school community will decide on its position in respect of pupil behaviour in the playground. The school's position should be clearly set out in the discipline policy and the entire school community, including pupils, parents and staff, should be fully aware of it and its implications.

Budget 2010

Mr W Humphrey asked the Minister of Education what discussions she has had with school principals or their representatives in preparation for Budget 2010.

(AQO 400/11)

Minister of Education: Mar is eol don chomhalta, buailim le príomhoidí ar bhonn rialta agus pléimid tosaíochtaí d'oideachas. Chomh déanach leis an Luan seo a chuaigh thart, chaith mé maidin an-táirgiúil le 600 múinteoir ó Phobal Foghlama Ceantair Bhéal Feirste Thuaidh agus ó gach scoil sa cheantar atá ag obair le chéile chun soláthar curaclaim do dhaoine óga a chinneadh.

As the member knows, I meet with principals on a regular basis and discuss priorities for education. Just as recently as Monday I spent a very productive morning with 600 teachers from the North Belfast Area Learning Community and from every school in the area, working together to determine curricular provision for young people.

The First Minister and deputy First Minister have requested a meeting with the British Prime Minister. Following those negotiations it is then up to the Executive to agree a Programme for Government and a draft Budget setting departmental spending plans which will issue for consultation. School principals, and indeed all education stakeholders, will be able to participate.

Consultants

Mr C Boylan asked the Minister of Education what action she is taking to reduce the use of consultants by her Department.

(AQO 403/11)

Minister of Education: Ní bhaineann mo Roinn úsáid as sainchomhairleoirí seachtracha ach amháin má bhíonn sé go hiomlán riachtanach agus bunaithe ar chás iontaofa gnó a chinntíonn luach ar airgead.

External consultants are only engaged by my Department when absolutely necessary and on the basis of a sound business case which ensures value for money. I have made clear the need to have rigorous and transparent processes in place. As a result, expenditure on the use of external consultants in my Department has fallen from £1,067,705 in 2007-08 to £180,484 in 2009-10.

Any such expenditure within the Department requires my approval and I would suggest that this practice of bearing down on the use of consultants should be extended to all Departments.

Shared Education

Mr K McCarthy asked the Minister of Education whether her Department plans to encourage shared education, which would result in financial savings.

(AQO 404/11)

Minister of Education: Tá a fhios ag an chomhalta ó thoghcheantar Loch Cuan go bhfuil cúrsaí airgeadais ar cheann amháin de na tosca a bhaineann le comhoideachas a leathnú – is iad na tosca eile a bheadh i gceist le haon chinneadh ná rogha na dtuismitheoirí, toilteanas an phobail agus tacaíocht pholaitíochta.

The member from Strangford will know that financial issues are only one factor in moving to shared education – parental choice, community readiness and political impetus are key factors in any such decision.

Equality of access to all types of school and the provision that they offer is vital if we are to truly achieve a shared education. That is something which has been lacking in our post-primary system because of academic selection, which creates and sustains injustice and inequality. It has no place in a modern, progressive and enlightened. I am determined to continue reforming our education system, ending academic selection and the resultant rejection of many of our children, and putting equality at the core of my department's policies.

I am fully committed to encouraging schools from all sectors to work together to ensure the best use of available resources in light of tight public finances. Indeed plans to establish the Education and Skills Authority would have seen financial savings, and in the absence of any agreement by this Assembly to progress this, I have implemented convergence plans to secure financial savings by reducing administration and releasing funding to frontline services.

My department has provided nearly £166m in delegated and non-delegated recurrent funding to the Integrated Schools Sector in total for the two financial years 2007/08 and 2008/09.

Many of my department's policies seek to secure savings through sharing and collaboration. For example, the Entitlement Framework sits very clearly within my overall education reform programme. Collaboration is a cost-effective means of delivering the aims of the Entitlement Framework and my department has established Area Learning Communities to provide the mechanism for schools to pool resources and to plan provision at an area level in a coherent way, with huge potential to release resources for investment elsewhere in education.

Key issues and actions within the draft Community Relations, Equality and Diversity policy, which has been issued for public consultation, include promoting sharing and collaboration and encouraging meaningful interaction between children and young people.

The International Fund for Ireland's Sharing in Education Programme supports the strategic objectives of the Fund by providing support for projects that enable young people to participate in shared educational experiences. As managing agent for the programme, my department is well placed to evaluate the benefits of shared education at first hand and to take account of identified benefits for future policy development.

However, until the issues of parental choice, community readiness and political impetus have been addressed, there are limits to how quickly any benefits from shared education can be realised.

Education and Training Inspectorate Report

Mr D McKay asked the Minister of Education for her assessment of the recent biennial report from the Chief Inspector of the Education and Training Inspectorate,

(AQO 405/11)

Minister of Education: Cuirim fáilte roimh an tuairisc chuimsitheach seo ón Phríomhchigire agus gabhaim buíochas leis agus lena chomhghleacaithe as an ról tábhachtach atá acu maidir le caighdeáin a ardú inár scoileanna. Bhuail mé leis an bPríomhchigire chun an tuairisc thábhachtach seo a phlé agus bhí áthas orm bheith leis ag an lainséil ar 13ú Deireadh Fómhair.

I welcome this comprehensive report from the Chief Inspector and thank him and his colleagues for the important contribution they make to raising standards in our schools. I have met with the Chief Inspector to discuss this important report and was pleased to join him at the launch on 13th October.

The Chief Inspector has reported improvements in overall education provision in pre-school, primary school and post-primary settings and the impetus my school improvement policy has given to raising standards. I welcome these improvements and I pay tribute to the work of those in daily contact with our children and young people.

I also welcome the good progress made by schools in implementing the revised curriculum. The report confirms what teachers have frequently told me, that the revised curriculum gives them much greater professional freedom to teach in a way that promotes pupils' enjoyment and engagement in learning. In addition, because of the new post-primary Transfer arrangements the primary curriculum is no longer distorted.

However, the Chief Inspector has again highlighted the need to raise standards further, especially in literacy and numeracy. I am committed to delivering further advances in literacy and numeracy and to closing the gap between those achieving at the highest levels and those who, perhaps because of disadvantage, disability or other barriers to learning, are not achieving in line with their full potential.

That is the focus of the range of policies I have been working to put in place since I became Minister – policies such as my school improvement policy, ending academic selection/rejection, the revised curriculum and entitlement framework, the literacy and numeracy strategy, the Way Forward for Special Educational Needs and Inclusion, the Extended Schools programme, the Achieving Belfast & Derry programmes, the pupil health and well-being programme, support for Newcomer and Traveller children, ensuring effective and coherent support for teachers and school leaders, and the establishment of ESA.

Education and Skills Authority: Funding

Mr P Givan asked the Minister of Education what financial resources have been allocated to the Education and Skills Authority to meet the cost of convergence and how much funding has been released to facilitate shared services between existing Education and Library Boards.

(AQO 406/11)

Minister of Education: Tá iontas orm nach eol don Chomhalta nach ann don Údarás um Oideachas agus Scileanna go fóill. Idir an dá linn, tá obair á déanamh ar choinbhéirseacht seirbhísí chun coigiltí a dhéanamh.

I am surprised that the Member is unaware that regrettably, the Education and Skills Authority does not yet exist. In the meantime work is being taken forward on convergence of services with the objective of making savings. I am ready to implement the Education and Skills Authority and I look forward to your Party's co-operation in making it happen. Given the political will, the Education and Skills Authority can be brought into being in line with the Executive's commitment. The case for this happening is now irrefutable. We need to shrink bureaucracy, reduce the number of Public Bodies, drive up standards and to create a modern professional structure to drive forward the strategic changes we now more than need ever to see.

Programme for Sharing, Cohesion and Integration

Mr J McCallister asked the Minister of Education to outline any discussions she had with the First Minister and deputy First Minister about the Programme for Cohesion, Sharing and Integration, prior to its publication for consultation.

(AQO 407/11)

Minister of Education: Rinneadh plé ar an Chlár um Chomhtháthú, Chomhroinnt agus Imeascadh ag an chruinniú den Choiste Feidhmiúcháin ar 22 Iúil agus bhí deis ag na hAirí go léir an dréachtchlár a phlé sular foilsíodh le haghaidh comhairliúcháin é.

The Programme for Cohesion, Sharing and Integration was discussed at the Executive meeting on 22 July when all Ministers had an opportunity to discuss the draft prior to publication for consultation.

Additionally, prior to the publication of the draft CSI Programme, my department provided OFMDFM with details of DE policies and programmes which contribute to achieving equality and positive good relation outcomes including recent changes to the curriculum addressing citizenship, cultural awareness, community relations, equality, diversity and inclusion; my policies for Travellers and newcomers; and my department's new Community Relations, Equality and Diversity in Education Policy, which is also currently subject to a public consultation.

Information on work which is being taken forward on a cross cutting basis with other departments and which contributes to the Programme for Cohesion, Sharing and Integration was also provided.

Nursery Schools: South Belfast

Ms A Lo asked the Minister of Education what steps she is taking to ensure there will be adequate nursery provision in the South Belfast area for the 2011/12 academic year.

(AQO 408/11)

Minister of Education: Tá mé tiomanta a chinntiú go mbíonn deis ag gach páiste áit chistithe réamhscoile d'ardchaighdeán a fháil. Is é is aidhm leis an Chlár um Leathnú Oideachais Réamhscoile (PSEEP) ná bliain amháin de sholáthar réamhscoile d'ardchaighdeán a chur ar fáil, sa bhliain roimh oideachas éigeantach, do gach páiste ar mian lena dtuismitheoirí é. Soláthraítear an Clár trí chur chuige comhpháirtíochta idir an earnáil reachtúil naíscoile, (naíscoileanna agus aonaid naíscoile atá ceangailte le bunscoileanna) agus áiteanna cistithe réamhscoile san earnáil dheonach agus san earnáil phríobháideach.

I am committed to ensuring that every child has the opportunity to avail of a quality funded pre-school place. The aim of the Pre-School Education Expansion Programme (PSEEP) is to provide one year of quality pre-school provision, in the year before compulsory education, for every child whose parents want it. The Programme is delivered through a partnership approach between the statutory nursery sector, (nursery schools and nursery units attached to primary schools) and funded pre-school places in the voluntary and private sector.

As soon as I became aware of the shortfall in places across the north of Ireland at the end of April, I made available up to £1.3m of additional funding to increase the number of funded pre-school places in order to assist in meeting the demand for those children who had not been placed.

Responsibility for the implementation of the PSEEP at local level, rests with each Education and Library Board's (ELB) Pre-School Education Advisory Group (PEAG). My Department is working closely with the Education and Library Boards to ensure the maximum uptake of places by children in their final pre-school year in 2011/12 and will continue to seek to address any areas of shortfall.

Public Expenditure: Young People

Mr G Savage asked the Minister of Education what action she is taking to ensure that any spending reductions do not disproportionately affect the most disadvantaged and vulnerable young people.

(AQO 409/11)

Minister of Education: D'iarr an Chéad-Aire agus an leasChéad-Aire cruinniú le Príomh-Aire na Breataine. Tar éis na gcaibidlí sin, ba faoin Choiste Feidhmiúcháin aontú ar Chlár um Rialtas agus ar dhréachtBhuiséad a leagann amach pleananna caiteachais ranna. Go dtí go dtarlaíonn sé sin, ní bheidh mé in ann mionchinntí ar chistiú do sheirbhísí oideachais san am atá le teacht. Déanfaidh mé mo dhícheall, áfach, chun a chinntiú go gcosnaítear na daoine is leochailí inár sochaí agus seirbhísí túslíne agus go sainaithnítear iad ar bhonn riachtanais agus go gcloíonn muid lenár ndualgais um chomhionannas.

The First Minister and deputy First Minister have requested a meeting with the British Prime Minister. Following those negotiations it is then up to the Executive to agree a Programme for Government and a draft Budget setting departmental spending plans. Until that happens, I will not be in a position to make detailed decisions on future funding for education services. I will however do everything in my power to ensure that the most vulnerable in our society and front line services are protected and targeted on the basis of need and that we adhere to our equality duties.

In addition, I will continue to put the needs of children with barriers to learning, whether they be identified learning difficulties or social, emotional or environmental impacts, at the heart of my Department's policies so that every pupil can have the opportunity to reach his or her full potential.

Education and Skills Authority

Ms C Ní Chuilín asked the Minister of Education whether it is possible to establish the Education and Skills Authority during the current mandate.

(AQO 410/11)

Minister of Education: Is féidir an tÚdarás um Oideachas agus Scileanna a bhunú go fóill taobh istigh de shaolré údarais an Tionóil reatha má bhíonn comhaontú polaitiúil ann. Ach caithfear é a dhéanamh go gasta. Tá an mhoill leanúnach ag déanamh dochair don chóras oideachais agus do mheanma na foirne, ag cur bac le hathchóirithe tábhachtacha agus ag cur acmhainní amú ar riarachán nach gá.

It remains possible to establish the Education and Skills Authority within the lifetime of the current mandate of the Assembly if there is political agreement to do so. However, the window of opportunity is limited. The ongoing delay is damaging the education system, demoralising staff, obstructing key reforms and wasting scarce resources on unnecessary administration.

Quangos

Mr F Molloy asked the Minister of Education what action she has taken to reduce the number of quangos attached to her Department.

(AQO 411/11)

Minister of Education: Laghdófadh feidhmiú an Athbhreithniúcháin ar Riarachán Poiblí líon na n-eagraíochtaí reachtúla oideachais ó naoi gcinn go ceann amháin, agus shábhálfaí thart ar £20 milliún in aghaidh na bliana ar riarachán. Mar gheall ar an mbrú ar bhuiséad an Choiste Feidhmiúcháin, tá gá níos géire ná riamh leis an athchóiriú ríthábhachtach seo.

Implementation of the Review of Public Administration in education would reduce the number of statutory education organisations from nine to one, saving approximately £20 million per year on administration. The pressure on the Executive's budget means that this key reform is needed more than ever.

Department for Employment and Learning

Comparable Service Delivery

Dr S Farry asked the Minister for Employment and Learning what benchmarking exercises his Department conducts to assess their spending profile relative to comparable service delivery in other jurisdictions.

(AQW 1481/11)

Minister for Employment and Learning (Mr D Kennedy): The Department carries out benchmarking exercises in Higher Education, Further Education and in respect to workforce development, primarily to inform policy development and help assess performance.

For example, as part of the development of a Regional Strategy for Widening Participation in Higher Education, my Department conducted a review of funding for existing Widening Participation initiatives that included benchmarking our spend and performance profile against comparable programmes in England, Scotland and the Republic of Ireland. I am pleased to note that Northern Ireland compared very favourably to the other regions in terms of value for money.

In addition, the development of the “Further Education Means Business” strategy, the current strategy for Further Education in Northern Ireland, was informed by a wide ranging review of regional, national and international policies and practices. More recently, the Department has considered practice in other parts of the United Kingdom in respect of excellence models in Further Education (FE) and FE funding models, and has participated, on a four country basis, in the reform of vocational qualifications across the UK, including how those qualifications are regulated.

The Department also compares retention and achievement rates with those in the rest of the UK. Success rates compare favourably with Scotland and Wales, but are below those in England.

As part of the re-contracting process of the Department’s professional and technical training programmes for workforce development, “Training for Success” and “ApprenticeshipsNI”, fact finding exercises were carried out with the other UK regions, including an examination of funding models and funding levels for comparable provision in other parts of the UK. Whilst there are differences in how each jurisdiction structures and funds its programmes these factors were taken into account in the design of the new delivery contracts for Northern Ireland

My Department’s Pathways to Work initiative has also been benchmarked against provision in Great Britain. An evaluation in 2007 demonstrated that Pathways in Northern Ireland performed at least as well as Pathways in Great Britain, with participating clients 10% more likely to be in work after Pathways interventions compared to non-participating clients.

Legal Services

Mr P McGlone asked the Minister for Employment and Learning how much his Department and its agencies paid for legal services in each of the last five years; and to detail the firms engaged.

(AQW 1510/11)

Minister for Employment and Learning: The attached table sets out the amounts paid by the Department and its three Non-Departmental Public Bodies for legal costs during the past five years:

Year	Department for Employment and Learning	Non-Departmental Public Bodies		
		Labour Relations Agency	Construction Industry Training Board	Ulster Supported Employment Limited
		£	£	£
2005-06	13,754	16,569	48,896	-

Year	Department for Employment and Learning	Non-Departmental Public Bodies		
		Labour Relations Agency	Construction Industry Training Board	Ulster Supported Employment Limited
	£	£	£	£
2006-07	17,338	24,429	62,423	-
2007-08	17,824	59,274	107,819	-
2008-09	9,221	16,114	164,293	2,628
2009-10	540	7,628	201,773	-

The above figures represent expenditure for the year ended 31 March, except for Construction Industry Training Board where the year end is 31 August.

The Department engaged the Departmental Solicitors Office (DSO) within the Department of Finance and Personnel, the Crown Solicitors Office and Mark Sinclair Solicitors. Amounts paid to DSO relate to costs in relation to legal representation in court cases.

The firms used by the three Non-Departmental Public Bodies were as follows:

1. Labour Relations Agency
Jones Cassidy Jones
Elliott Duffy Garrett
2. Construction Industry Training Board
Babington & Croasdaile
Cleaver Fulton Rankin
3. Ulster Supported Employment Limited:
Johns Eliot & Co

Fees Generated Through Enrolment of Foreign Nationals

Miss M McIlveen asked the Minister for Employment and Learning to detail the amount of fees generated by Universities and Colleges through the enrolment of foreign nationals in each of the last five years; and what proportion this is of total fees generated.

(AQW 1553/11)

Minister for Employment and Learning: Higher Education Institutions

The higher education sector does not use the term foreign nationals. Data was therefore requested on fees generated by non UK students in the last five years and the proportion of the total fees generated that this represented.

St. Mary's University College and Stranmillis University College had no non UK students who contributed fees in this period.

Queen's University Belfast (QUB) was only able to provide separate figures for overseas students but was unable to differentiate between fees generated by UK students and by students from elsewhere in the EU.

The University of Ulster (UU) was only able to provide the information requested for the last two years.

In Table One below, column one is the overseas fee income for QUB for the last five years, column two is the total consolidated income for QUB for the last five years and column three is the overseas fees as a percentage of the total QUB income for the last five years.

TABLE ONE: QUB

Year	Overseas Tuition Fees received by QUB £m	Total Tuition Fees received by QUB £m	Overseas Percentage of total Tuition Fees (%)
2005/06	6.3	225.9	2.8
2006/07	6.4	241.0	2.7
2007/08	7.1	258.4	2.7
2008/09	7.5	288.9	2.6
2009/10	8.3	293.7	2.8

In Table Two below, column one is the EU (Non UK) student fee income for the UU for the last two years, column two is the overseas student fee income for the UU for the last two years and column three is the non UK fees as a percentage of the total UU income for the last two years.

TABLE TWO: UU

Year	EU (non UK) Tuition Fees received by UU £m	Overseas Tuition Fees Received by UU £m	Percentage of total Tuition Fees (%)
2008/09	3,373	3,112	15.4
2009/10	3,811	3,490	13.7

Further Education Institutions

The table below details the amount of fees generated by the six Further Education Colleges through the enrolment of International Students (the FE Sector does not use the term foreign nationals to categorise students) for the last five years.

TABLE THREE: FURTHER EDUCATION COLLEGES

Year	International Tuition Fees received by FECs £'000	Total Tuition Fees received by FECs £'000	Percentage of total Tuition Fees (%)
2005/06	35	6,717	0.5
2006/07	103	11,231	0.9
2007/08	62	13,113	0.5
2008/09	80	15,009	0.5
2009/10	253	15,436	1.6

Further and Higher Education in South Antrim

Mr T Clarke asked the Minister for Employment and Learning what action he is taking to promote further and higher education in South Antrim.

(AQW 1579/11)

Minister for Employment and Learning: Further Education (FE) Colleges are responsible for the promotion and marketing of their own course provision. As the main providers of community education throughout Northern Ireland, Colleges continue to encourage access to Further Education by delivering a wide and varied curriculum through their main campuses and network of community outreach centres.

While not exclusive to South Antrim, my Department developed and implemented the Learner Access and Engagement Pilot Programme. This programme, which is currently being piloted, allows FE Colleges to contract with third party organisations for the provision of learner support. This support is being directed at those 'hard to reach' adults who are economically inactive, disengaged from the labour market, with few or no qualifications, to encourage them to enrol on and complete FE courses.

Higher Education Institutions are responsible for the promotion and marketing of their own course provision and do so, to potential students, school leavers, Further Educational institutions, Careers Advisers and other relevant stakeholders, through a variety of media. These include television, radio, print media, web advertising, careers fairs, school visits, on-campus events, billboard advertising, and school and business outreach activities.

Policy Screening Process

Ms S Ramsey asked the Minister for Employment and Learning to detail, for the period from May 2007 to date, (i) the number of policies his Department and its associated bodies have (a) "screened out" as having no Equality Impact; and (b) "screened in" as having an Equality Impact; (ii) the number of staff involved in the screening process; and (iii) the cost of the screening process.

(AQW 1593/11)

Minister for Employment and Learning: (i)(a) From May 2007 to date, the Department for Employment and Learning and its associated bodies have screened out, as having no Equality Impact, 115 policy changes/ new policies.

(i)(b) From May 2007 to date, the Department for Employment and Learning and its associated bodies have screened in 2 policies as having an Equality Impact.

(ii) The number of people involved in conducting screenings is not recorded. It would typically involve the policy lead and various support / professional staff as dictated by the particular needs of the policy being considered.

(iii) The cost of carrying out equality screenings is an intrinsic part of policy development and is not identified separately.

Higher Education Funding

Mr D McClarty asked the Minister for Employment and Learning for his assessment of the significance of the Browne Report 'Securing a Sustainable Future for Higher Education'

(AQO 421/11)

Minister for Employment and Learning: Given the interest and importance reflected in questions I want to take this opportunity to address concerns raised.

In the three weeks since both Lord Browne and Joanne Stuart's reports have been published, I am sure Members have all had an opportunity to begin to digest the detail and complexity of the recommendations.

As my predecessor, and party colleague, indicated when Lord Browne's report was published – the recommendations, if implemented as proposed by Lord Browne, have the potential to fundamentally change the Higher Education system for many future generations. Of course, Lord Browne's review is not just about fees, it proposes a total remodelling of Higher Education funding in England.

As the Assembly questions tabled indicate, there are clear differences in the recommendations of the two reports. The reasons for this are quite simple.

In Northern Ireland we led the way when, at the end of 2008, my predecessor commissioned Joanne Stuart to carry out an independent review of fees. At that time our fee and funding regime was similar to that in England and Joanne was carrying out her review in a relatively settled context.

During the course of the Stuart review, Westminster tasked Lord Browne with making recommendations on the future of fees policy and financial support in England. The reviews, while focusing on some

common issues, also had very different remits – their terms of reference were different and many more issues came within the scope of Lord Browne's report.

Furthermore, the different timescales for the reviews led to differences as the operating context changed. Joanne Stuart reported to my predecessor earlier this year when the full extent of the financial pressures was not yet clear. Since then, the economic landscape has changed rapidly and, in her report, Joanne Stuart made clear that her recommendations would need to be reviewed in the context of Lord Browne's report. It is vitally important that we have an informed, mature and responsible debate so Joanne Stuart has agreed to update her report now that Lord Browne's has been published.

It is, of course, only right that the implications of the Comprehensive Spending Review announced on 20 October are factored into any proposals that are forthcoming.

As my predecessor indicated in the Assembly last month, I and my officials are studying the detail of Lord Browne's proposals, including the recommendations relating to the removal of the cap on fees and the changes to repayment arrangements, and we are considering the options and potential implications for Northern Ireland. We are also awaiting the comprehensive response by the UK Government to Lord Browne's proposals.

Officials will be engaging with the external stakeholder group within the next few weeks to discuss the range of issues before us and it is my intention to bring forward a paper for public consultation as early as possible in the new year.

Ensuring fair access to higher education is clearly a key issue and it is worth noting that the existing fees regime has not impacted adversely on our participation rates.

Of course, there will not be any change to existing arrangements without full consultation with the Executive, Assembly and other stakeholders. There is currently a legislative cap on what fees Northern Ireland universities can charge and any change in this will need Assembly approval.

Sign Language Interpreters

Mrs M O'Neill asked the Minister for Employment and Learning what plans he has to increase the number of sign language interpreters being trained.

(AQO 418/11)

Minister for Employment and Learning: I am committed to delivering the personal pledge of my predecessor to enhance course provision in sign language in Northern Ireland. Vulnerable groups need to be protected despite current financial pressures. My Department is currently in discussion with potential providers to ensure that over £1m allocated for course provision meets with the expectations of the sign language community. That community was updated on proposals at a recent meeting. As part of the proposals, my Department has committed to increase, by at least twenty, the number of registered Sign Language interpreters in Northern Ireland. The funding will also allow for a sustainable training infrastructure and an increase in the number of qualified sign language tutors.

Universities: Dropout Rates

Mr W Clarke asked the Minister for Employment and Learning what is the total number of students from disadvantaged backgrounds who have dropped out of degree courses at Queen's University, Stranmillis University College and St Mary's University College, over the last three years.

(AQO 420/11)

Minister for Employment and Learning: Data on drop outs within Higher Education are available for full-time, first degree entrants only and are available only for those who do not return in the following academic year.

According to the Higher Education Statistics Agency, the number of drop outs from disadvantaged backgrounds, that is, those from Socio-Economic Classifications 5 to 7, at Queen's University in 2005/06, 2006/07 and 2007/08 was 65, 50 and 60 respectively.

There were fewer than 5 drop outs at Stranmillis University College each year and there was a total of 5 drop outs at St. Mary's University College in each of these years.

Graduate Internship Programmes

Mr S Neeson asked the Minister for Employment and Learning whether his Department will consider mainstreaming the Graduate Internship Programme.

(AQO 424/11)

Minister for Employment and Learning: The Graduate Internship Programme was introduced earlier this year on a pilot basis as part of a package of temporary measures designed to mitigate the effects of the current economic downturn.

The Programme offered 60 paid internships for 6 months in the voluntary and community sectors. The pilot has recently ended and a full evaluation is underway. I will take the findings of the evaluation into account, together with an assessment of prevailing labour market conditions, when considering the programmes and services my Department will offer next year. You will appreciate that my ability to extend this, and other programmes, will be dependant on the resources made available through the 2010 Budget process.

Prisoners: Education and Training

Mr A Maskey asked the Minister for Employment and Learning to outline how many courses his Department has provided, in total, for prisoners in Hydebank, Maghaberry and Magilligan Prisons over the last five years and how many prisoners in total have subsequently obtained qualifications.

(AQO 425/11)

Minister for Employment and Learning: Since 31 August 2005, 357 courses have been delivered within the 3 prison establishments. Of these, 325 courses were Essential Skills, and 32 were other courses. Only the Essential Skills courses were funded by my Department.

During the same period, a total of 2,531 qualifications were achieved, 2,317 of which were in Essential Skills and 214 were in other areas.

A breakdown of courses and qualifications by FE college, by prison establishment and by course type is provided at Annex 1.

In addition, the Northern Ireland Prison Service (NIPS) funds some of its own Essential Skills provision. Information provided by NIPS indicates that between 31 August 2005 and 31 July 2010 a further 1,088 Essential Skills qualifications were achieved within the prisons.

Further and Higher Education: Salaries

Mr P Doherty asked the Minister for Employment and Learning if he has brought forward any proposals to cap the pay of senior officials in Further Education Colleges and Universities.

(AQO 426/11)

Minister for Employment and Learning: Whilst the six Further Education Colleges are funded through recurrent block grant for the delivery of further and higher education, the Department does not earmark any funding specifically for pay purposes. The current three year Further Education Senior Staff pay agreement is due to expire in August 2011. Any proposed settlement will need to be compliant with the affordability limits set under Executive pay policy, including a pay freeze, if appropriate. The Further Education Sector, through the Association of Northern Ireland Colleges, has been advised of the need for pay restraint and I will be exercising my Department's right to approve future pay settlements for all staff within Further Education Colleges, to ensure these are compliant with the Executive's pay policy.

While recognising that universities have the right and responsibility to make their own decisions on the remuneration of their employees, I understand the need for pay restraint in relation to senior officials at a time of significant pressure on public sector budgets.

My predecessor and party colleague wrote to the Chairs of the Governing Bodies of both universities earlier this year asking them, and their Remuneration Committees, to be circumspect when determining any potential increases in the salary packages paid to Vice-Chancellors and senior staff.

In acknowledging that the universities need to pay appropriate salaries to attract and retain leaders of the highest quality, my predecessor emphasised that this must be balanced against the scale of pay increases, and indeed reductions, in wider society. A view which I completely support.

Department of Enterprise, Trade and Investment

Directional Signs to Local Attractions

Mr D Kinahan asked the Minister of Enterprise, Trade and Investment what steps she is taking to amend existing regulations to ensure that white-on-brown directional signs to local attractions are more widely deployed as a marketing tool to promote and encourage tourism, particularly in relation to the Springhill and Sentry Hill attractions.

(AQW 1490/11)

Minister of Enterprise, Trade and Investment (Mrs A Foster): The purpose of tourist signs is to guide a visitor to their destination by the most appropriate route during the latter stages of their journey. The signs also aim to assist traffic management ensuring the safe operation of the road network. Tourist signs are not a marketing or advertising tool.

It is not possible or desirable for every tourist facility to obtain signs, and therefore the Northern Ireland Tourist Board (NITB) and DRD Roads Service operate a joint policy to determine eligibility for signage. Roads Service determines all other operational matters relating to the siting of signs ensuring that junctions are not cluttered with so much information that they become confusing.

It is my understanding that white on brown directional signage directs persons to both Springhill and Sentry Hill and that this is in line with the policy i.e. at the latter stages of the journey "Signing will normally be from the nearest A or B class roads (up to a maximum distance of 5 miles from the establishment.)".

I can confirm that officials from my Department and the Northern Ireland Tourist Board will meet shortly to discuss the Northern Ireland Tourism Signing Policy. Following this meeting it is our intention to request a meeting with representatives from Roads Service to carefully examine any potential developments to the current policy.

Job Promotion

Mr J Dallat asked the Minister of Enterprise, Trade and Investment to detail the amount of funding allocated by her Department for job promotion in each constituency in each of the last three years.

(AQW 1525/11)

Minister of Enterprise, Trade and Investment: Invest NI is the agency through which the Department of Enterprise Trade & Investment (DETI) provides funding to grow the private sector in Northern Ireland. Invest NI's focus is to increase business productivity, the means by which wealth can be created for the benefit of the whole community.

The primary mechanism through which Invest NI assists businesses to create new jobs and safeguard existing jobs is Selective Financial Assistance (SFA). Table 1 below provides information on the amount of SFA that Invest NI has offered in each Parliamentary Constituency Area (PCA) during the past three years. This represents the value of support which is expected to be paid during the life-time of these projects. However, it should be noted that Invest NI does not allocate budgets by geographic areas

such as PCAs. Assistance patterns are demand-led by those businesses which have come forward with projects suitable for Invest NI assistance.

TABLE 1: INVEST NI SELECTIVE FINANCIAL ASSISTANCE (EMPLOYMENT RELATED) OFFERED BY PARLIAMENTARY CONSTITUENCY AREA (2007-08 TO 2009-10)

Parliamentary Constituency	Assistance Offered (£M)			
	2007-08	2008-09	2009-10	Total
Belfast East	12.97	23.31	4.52	40.80
Belfast North	0.56	2.33	4.65	7.55
Belfast South	4.01	9.16	10.84	24.01
Belfast West	1.43	0.37	0.46	2.27
East Antrim	1.71	4.00	0.25	5.96
East Londonderry	2.91	0.50	0.41	3.82
Fermanagh and South Tyrone	7.26	3.77	1.11	12.15
Foyle	10.08	1.72	1.37	13.17
Lagan Valley	0.34	0.56	1.66	2.56
Mid Ulster	3.37	2.27	5.47	11.12
Newry and Armagh	4.87	7.01	1.33	13.21
North Antrim	3.06	1.61	0.86	5.52
North Down	1.11	7.10	0.66	8.87
South Antrim	0.57	1.47	0.97	3.02
South Down	0.55	7.09	1.52	9.16
Strangford	0.17	0.50	1.81	2.49
Upper Bann	0.97	0.72	12.41	14.11
West Tyrone	2.74	0.96	0.74	4.44
Total	58.71	74.46	51.04	184.21

Notes

1. Table totals may not add due to rounding.
2. Some of the assistance offered may not be paid if projects are not fully delivered by the client.

Invest NI and DETI also support projects that aim to promote innovation and capability development. Although not directly related to job creation, these activities will underpin business competitiveness and may lead eventually to growth and employment opportunities.

Policy Screening Process

Ms S Ramsey asked the Minister of Enterprise, Trade and Investment to detail, for the period from May 2007 to date, (i) the number of policies her Department and its associated bodies have (a) "screened

out” as having no Equality Impact; and (b) “screened in” as having an Equality Impact; (ii) the number of staff involved in the screening process; and (iii) the cost of the screening process.

(AQW 1592/11)

Minister of Enterprise, Trade and Investment: Since May 2007 DETI and its Non-departmental Public Bodies (NDPBs) have “screened out” 182 policies as having no adverse impact and “screened in” 3 policies to determine the extent of any differential impact.

Screening is mainstreamed throughout the Department and its NDPBs, therefore it is not possible to provide details of the number of staff involved in the process nor the associated cost.

Brown Road Signage

Mr P McGlone asked the Minister of Enterprise, Trade and Investment what assistance her Department can provide to tourism-related businesses in erecting brown road signage.

(AQW 1639/11)

Minister of Enterprise, Trade and Investment: The process involved in the erection of white-on-brown signage for tourism related businesses is governed by the Tourist Signing in Northern Ireland Policy. This is a policy jointly agreed and operated by Roads Service, the Executive Agency within the Department for Regional Development (DRD), and the Northern Ireland Tourist Board (NITB). The policy can be viewed in full at www.nitb.com.

Eligibility for signage under the policy does not confer automatic entitlement to tourist signs. Where a tourist destination is deemed by NITB to be eligible for tourist signing and is proposed for inclusion in a local authority tourist signing plan, the final decision will be made by Roads Service. DRD own the process and make the ultimate decision on where signs should be erected.

Whilst I am keen to see tourism related businesses grow and prosper in these difficult economic times, the primary purpose of the Tourist Signing Policy remains the management of traffic and the safe operation of the road network. It is not intended that signs be used as advertising for the tourist destination. Signing should not be permitted that will provide an advantage to one commercial premise at the expense of another.

However, I can confirm that discussions regarding the Tourist Signing Policy have taken place between officials from my Department and NITB. It is our intention to progress these discussions further with representatives from DRD and Roads Service as appropriate in order to carefully review and examine the current policy.

Department of the Environment

Public Hire Taxis

Mr A Ross asked the Minister of the Environment how legislation in relation to the safety of public hire taxis compares to that in the rest of the UK.

(AQW 1018/11)

Minister of the Environment (Mr E Poots): In Northern Ireland as in the rest of the UK specific, European derived, legislation ensures that all vehicles, (including taxis) are constructed and maintained so that they are roadworthy and safe. In Northern Ireland, public service vehicle regulations apply additional requirements to public hire taxis (and private hire taxis) to provide a minimum level of passenger safety and comfort. In the rest of the UK local licensing authorities have the power to determine the additional safety and comfort requirements and these can vary in detail from one authority to the other. However, requirements in terms of the condition of the interior and exterior of the vehicle, signage and vehicle testing are similar across the whole of the UK.

Apprentices

Mr P Weir asked the Minister of the Environment how many apprentices have a placement within his Department or any of its arms-length bodies for 2010/11.

(AQW 1514/11)

Minister of the Environment: The Department and its arms-length bodies have not had any apprentices on placement during this financial year, 2010/11.

John Lewis Planning Application at Sprucefield

Mr P Weir asked the Minister of the Environment, given the delay in the public inquiry into the John Lewis planning application at Sprucefield, whether other major public inquiries into planning decisions should be brought forward in the interim to ensure that there are no further delays in the decision making process.

(AQW 1571/11)

Minister of the Environment:

- 1 The planning application by Sprucefield Centre Ltd was designated a major application under Article 31 of the 1991 Planning Order and referred to the Planning Appeals Commission (PAC) in December 2009 with a request to hold a Public Inquiry to consider representations to the application.
- 2 The PAC had previously written to the Department indicating that, because of existing commitments and staff resources, the Commission could only deal with one Article 31 case at a time.
- 3 The PAC, at the Department's request, retained the Sprucefield Inquiry at the top of the Article 31 list, which has delayed the hearing of other Article 31 cases.
- 4 However, on 20 October 2010 the PAC wrote to the Department indicating that, in view of the current delays in the process arising from the ongoing judicial review and the likely availability of additional resources, the Commission was now moving to process the current list of validly referred Article 31 cases.
- 5 The PAC hopes to process the majority of these with Public Inquiries and Hearings in early to mid 2011.
- 6 I can advise you that the PAC has already written to the Department to advise of arrangements for the holding of two conjoined Public Inquiries into major retail proposals in Newtownards, scheduled to commence on 21 February 2011.

Legal Services

Mr P McGlone asked the Minister of the Environment how much his Department and its agencies paid for legal services in each of the last five years; and to detail the firms engaged.

(AQW 1595/11)

Minister of the Environment: The total costs to my Department and its Agencies are tabled below.

	2007/08	2008/09	2009/10
DOE	£866,461	£1,183,047	£1,235,759

These costs include both actual and notional costs incurred on behalf of the Department by the Departmental Solicitors Office.

I have not been able to provide figures for 2005/06 and 2006/07 due to the disproportionate cost of obtaining this information.

Below is a list of the firms and individuals engaged in the provision of these legal services

- Aiken J Mr
- Aldworth P Mr
- Brady J Mr Bl
- Brangam Alva Qc
- Brennan P Mr
- Carson & McDowell
- Coll P Mr Bl
- Comerton Jill
- Connolly Fionnuala Bl
- Cox A Mr
- Denton Wilde Sapte
- Departmental Solicitors Office
- Elliott Duffy Garrett – Solicitors
- Elvin D Mr Qc
- Eric Ltd
- Forsdick D Mr
- Gaia Law
- Gallagher R Mr
- Gibson H Ms
- Hamilton Jean
- Hanna N Mr Qc
- Hopley D Mr
- Hewitt & Gilpin – Solicitors
- Kerr Patricia
- Landmark Chambers
- Lewis P Mr
- Lieven N Miss Qc
- Linnegan A Mr
- Maguire P Mr Bl
- Maurici James Mr Bl
- McAteer Phillip Bl
- McCallion Maureen
- McCloskey B Mr
- McConnell & Fyffe
- McCullough A Mr
- McGleean Mr Bl
- McGuinness A Mr Bl
- McKay C Mr
- McKelvey Alice
- McLaughlin C P Mr
- McMillen D Mr Bl
- McShane + Co Solicitors
- Mould T Mr Qc
- Murnaghan Neasa
- Ni Courts And Tribunals Service
- Potter M Mr
- Quinn F Mr
- Ringland D Mr Qc
- Robinson M Mr
- Scoffield D Mr Qc
- Sharpe D Dr Bl
- Shaw S Mr Qc
- Simpson G Mr Qc
- Treasury Solicitor
- Wyatt D Prof. Qc

Planning Service Rural Design Guide

Mr P McGlone asked the Minister of the Environment (i) for an update on the progress of the Planning Service Rural Design Guide; (ii) when the guide will be made available for consultation to (a) the Committee for the Environment; and (b) the public; and (iii) to whom the document has been released to date.

(AQW 1641/11)

Minister of the Environment: The rural design guide is close to completion. I expect to circulate it in November to the Committee of the Environment. I will publish it for public consultation as soon as I have obtained Executive agreement to do so. To date the document has not been released beyond my Department and the project steering group.

Protection of Marine Environments

Mr D Kinahan asked the Minister of the Environment, in relation to the protection of marine environments, why his Department has yet to agree a position with the Department of Agriculture and Rural Development on the boundaries of non-disturbance zones.

(AQW 1648/11)

Minister of the Environment: The issue of setting up non-disturbance zones in Strangford Lough to protect the Modiolus (horse mussel) communities is a complex matter and there are firmly held views by the stakeholders involved which needed to be given careful consideration.

I can now report however that a position has been agreed with the Department of Agriculture and Rural Development who will shortly be bringing forward Regulations to establish pot fishing exclusion zones in the Lough.

Payment of Invoices

Mr D O'Loan asked the Minister of the Environment to outline each District Council's record in meeting the 10-day target for the payment of invoices since 1 April 2010.

(AQW 1653/11)

Minister of the Environment: The information requested is not held centrally by my Department but may be available from any individual council in which you have an interest.

District councils as independent statutory bodies are not yet bound by the 10 day prompt payment target that applies to all Northern Ireland government departments. However my officials, when advising councils about the form and nature of their 2009/2010 accounts, directed that they should aim to meet this target and put in place steps to measure the time taken to process payments which should be reported in their annual accounts.

Tyre Recycling Plant at Chapel Road, Mayobridge, Newry

Mr P J Bradley asked the Minister of the Environment for his assessment of the capacity of the tyre recycling plant at Chapel Road, Mayobridge, Newry; and, if he is aware, where the source is of the worn tyres that are being delivered to the depot.

(AQW 1670/11)

Minister of the Environment:

- (i) The operator has a waste management licence which permits him to accept up to 7,000 tonnes of waste tyres at the site per year. There have been breaches of the licence which NIEA required the operator to remedy and he has complied with these requests. I consider the waste management licence to be satisfactory, including the permitted capacity for waste tyres.
- (ii) The operator submitted an action plan during the summer and NIEA has been liaising with him regarding breakdowns of the equipment leading to stock piling of tyres. However the stockpiling is taking place outside the boundary of the licensed site.
- (iii) The operator is currently pursuing possible outlets for shredded tyres and has begun shipping material to Japan for fuel. He has complied with the paperwork required under the Transfrontier Shipment of waste and NIEA is content with this outlet. Agency staff have been on site to monitor this aspect and oversee the onward movement of the shredded tyres to Japan.
- (iv) The Agency has submitted a case to the Public Prosecution Service regarding the illegal storage of waste tyres and the PPS is currently assessing this file.
- (v) Planning Service has taken court proceedings against the operator in relation to the Stop Notice. The operator was given a 2 year conditional discharge on 21 June 2010 and prohibited from importing waste for 2 years. Planning Service's investigations are continuing in relation to the Enforcement Notice which is still in force.

- (vi) NIEA staff have noted from their inspections of records, site diary and weighbridge docketts as well as from discussions with the company that waste tyres are being sourced locally and from the ROI. The Agency does not hold details of the respective tonnages.

Learner Drivers with Dyslexia

Mr P J Bradley asked the Minister of the Environment what plans he has to ensure equality for learner drivers with a 100% dyslexic condition who are unable to pass the written theory element of the driving test. **(AQW 1671/11)**

Minister of the Environment: Three different accommodations are currently available to theory test candidates with reading and writing difficulties to assist them with taking their theory tests. These are:

- a reader who will sit with the candidate and read the questions and possible answers; and a recorder who will register the candidate's responses;
- 30 minutes of additional time or double time, depending upon the candidate's needs, for the multiple-choice questions part of the test; and
- an English-language audio voiceover, which is listened to through headphones and activated by the candidate touching the text on the screen.

The first two require the candidate to provide written evidence from a doctor or educationalist. No additional evidence is required from those who wish to use the voiceover facility.

All candidates are asked when they are booking their tests, if they require any of the available accommodations.

Department of Finance and Personnel

Staff Turnover

Mr C McDevitt asked the Minister of Finance and Personnel to detail (i) the percentage of staff turnover within each Government Department; (ii) the number of staff recruited; (iii) the number of staff that left and the reasons why, broken down by (a) grade; (b) departmental staff; and (c) agency staff, in 2007, 2008, 2009, and the first six months of 2010.

(AQW 178/11)

Minister of Finance and Personnel (Mr S Wilson): The information requested has been placed in the Library. Validated information in respect of permanent staff for 2010 is not yet available. In view of the large number of grades within the Civil Service, the tables of permanent staff show general service and analogous grades.

Staff Salaries

Mr J Craig asked the Minister of Finance and Personnel how many staff employed in each Government Department's agencies or arms-length bodies are paid (i) between £50,000 and £100,000; and (ii) over £100,000 per year.

(AQW 667/11)

Minister of Finance and Personnel: The numbers of staff employed in each Department's agencies or arms length bodies that are paid (i) between £50,000 and £100,000; and (ii) over £100,000 per year are detailed in the table overleaf.

Department	Staff employed in each Department's agencies or arms length bodies paid between £50,000 and £100,000 per year	Staff employed in each Department's agencies or arms length bodies paid over £100,000 per year
Dept of Agriculture and Rural Development	53	0
Dept of Culture, Arts and Leisure	25	1
Dept of Education	253	2
Dept for Employment and Learning	5	8
Dept of Enterprise, Trade and Investment	46	1
Dept of Finance and Personnel	32	1
Dept of Health, Social Services and Public Safety	2492	920
Dept of the Environment	35	0
Dept of Justice *	288	11
Dept for Regional Development	87	11
Dept for Social Development	46	3
Office of the First Minister and Deputy First Minister	42	7
Public Prosecution Service **	26	2

* DOJ was established on 12 April 2010.

** Prior to 12 April 2010 PPS was a legal office of the Northern Ireland Office.

Redundancies and Associated Costs

Mr J Craig asked the Minister of Finance and Personnel how much money has been set aside for redundancies and associated costs in each (i) Civil Service Department; (ii) Department's agencies and arms-length bodies for (a) this financial year; and (b) the next financial year.

(AQW 753/11)

Minister of Finance and Personnel: The amount of money set aside for redundancies and associated costs in each (i) Civil Service Department; (ii) Department's agencies and arms-length bodies for this financial year is set out in the attached table. The table does not include information for next year as no Department was in a position to indicate how much funding, if any, would be available in 2011/12 until the outcome of Budget 2010 is clear. None of the money set aside in 2010/11 was to cover redundancies among NICS staff.

AMOUNT OF MONEY SET ASIDE FOR REDUNDANCIES AND ASSOCIATED COSTS IN CIVIL SERVICE DEPARTMENTS, THEIR AGENCIES, AND ARMS-LENGTH BODIES¹ FOR THE FINANCIAL YEAR 2010/11

Department		2010/11
DE	Core Department ²	£9,000,000 ²
	Education and Library Boards	£6,013,000
DETI	Northern Ireland Tourist Board	£78,000 ³
	Consumer Council for NI	£1,140 ³
DHSSPS	Health and Social Care	£23,100,000
DRD	NI Transport Holding Company and NI Water	£7,300,000
OFMDFM	Economic Research Institute of Northern Ireland	£1,989,960 ⁴

Notes

- 1 Those Departments not included reported no funding set aside.
- 2 Up to £9,000,000 (associated costs) has been made available by DE to employing authorities to manage redundancies.
- 3 Already paid in the current financial year, no further money has been set aside.
- 4 Resources, unspent in 2009/10, carried forward as an accrual into 2010/11.

Civil Servants Car Parking Spaces in Belfast

Mr C McDevitt asked the Minister of Finance and Personnel how many car parking spaces are currently available in Belfast city centre exclusively for civil servants.

(AQW 1029/11)

Minister of Finance and Personnel: There are currently 2,024 spaces available in Belfast City Centre for the use of civil servants.

Interreg IVA Projects

Mrs D Kelly asked the Minister of Finance and Personnel for an update on spending on Interreg IVA projects.

(AQW 1347/11)

Minister of Finance and Personnel: By the end of September 2010, 222 project applications had been received seeking funding under the INTERREG IVA Programme. Of these, 46 projects worth approximately £132 million, have been approved. The approved projects are listed in the table overleaf.

The INTERREG IVA Programme has met and exceeded its annual EU spending targets to date. The Programme's Managing Authority, the Special EU Programmes Body (SEUPB), forecasts that the 2010 target, although challenging, will also be achieved.

Lead Partner	Project Name	Value (£)
IBEC/CBI Joint Business Council	IBEC/CBI Joint Programme 2007-2013	£1,586,784
Dundalk Institute of Technology	ICE	£2,253,973

Lead Partner	Project Name	Value (£)
University of Ulster, Jordanstown	Success through Succession	£1,552,212
Northern Regional College	I Factory	£2,907,342
Enterprise Northern Ireland	Tradelinks II	£1,675,258
ICBAN	HAATCH	£909,091
ICBAN	Traded Services	£100,000
ICBAN	Workspace at Eniskillen Airport	£1,281,818
ICBAN	Innovation Enterprise	£2,499,660
Loughs Agency	Marine Tourism & Angling Development	£3,636,364
Donegal County Council	Sail West	£6,386,405
NEP	The Gobbins & Sliabh Liag	£5,058,696
DHSSPS	Putting Patients First	£24,000,000
Centre for Cross Border Studies	Ireland/Northern Ireland Cross Border Co-operation Observatory	£1,441,098
CMAL Scotland	Small Ferries Strategic Plan	£255,000
COMET	Bio Recorders Network	£215,339
COMET	Administration Costs	£353,595
EBR	Administration Costs	£388,793
ICBAN	Administration Costs	£400,161
NEP	Administration Costs	£199,683
NWRCBG	Administration Costs	£308,027
Donegal County Council	Women in Public Life	£817,223
DHSSPS	Driving Change	£1,257,421
RNIB	Sensory Engagement Project	£1,866,037
EBR	Energy Efficiency & Micro Generation	£778,814
ICBAN	Central Border Region Spatial Planning Initiative	£1,456,995
Cedar Foundation	ConneXions	£469,943
EBR	Promoting Balanced & Sustainable Cross Border Development	£700,000
NEP	Business Improvement Project	£716,000
NWRCBG	Urban & Village Renewal	£909,091
NWRCBG	SPACEial	£545,455

Lead Partner	Project Name	Value (£)
EGSA	Deaf Communications Infrastructure Development Project	£1,000,000
EBR	Environmental Action for Biodiversity	£879,090
Scottish Association for Marine Science	BioMara	£5,450,981
Scottish Government	ISLES	£1,600,000
DETI	Project Kelvin	£27,272,727
RSPB	Halting Biodiversity Loss	£2,000,000
Agri-Food & Biosciences Institute	Development of targeted ecological modelling tools for lake management	£1,545,755
Donegal County Council	Practical Implementation of Freshwater Pearl Mussel Measures	£1,818,182
Maritime & Coastguard Agency	Ireland, Northern Ireland, Scotland Hydrographic Survey Project	£3,296,384
Geological Survey of Northern Ireland	Geo-environmental survey of the North of Ireland **	£5,189,149
Queens University Belfast	Controlling priority invasive non-native riparian plants and restoring native biodiversity	£3,000,000
Agri-Food and Biosciences Institute	Agricultural Need for Sustainable Willow Effluent Recycling	£3,320,000

* 3 Further Letters of Offer have been issued under the theme of Technical Assistance to the value of £10,909,091 representing full commitment under this theme.

** Northern Ireland and the contiguous border counties of the Republic of Ireland (Louth, Monaghan, Cavan, Leitrim, Sligo and Donegal)

Community-based Groups

Mr P Weir asked the Minister of Finance and Personnel what grants are currently available from his Department, or any of its arms-length bodies, to community-based groups for capital build for premises. **(AQW 1409/11)**

Minister of Finance and Personnel: My department, through the Special EU Programmes Body, is responsible for a number of schemes which provide grants to various bodies, including for capital purposes such as building premises. These grants are subject to meeting the relevant eligibility criteria and are not specifically targeted either to community-based groups or for capital build on premises.

Legal Services

Mr P McGlone asked the Minister of Finance and Personnel how much his Department and its agencies paid for legal services in each of the last five years; and to detail the firms engaged. **(AQW 1457/11)**

Minister of Finance and Personnel: The amount spent on legal services in each of the last three years is provided in the table below:

	Legal Services £'000	DSO Notional costs £'000	Total £'000
2009/10	657	551	1,208
2008/09	504	638	1,142
2007/08	1,995	382	2,377

The information is provided on the basis of financial years representing the basis of preparation of the Department's accounts.

For the financial years 2006/07 and 2005/06 this information could only be provided at disproportionate cost.

Details of the suppliers, as taken from the Department's accounting system, are provided in the attached table.

DETAILS OF SUPPLIERS

- Addleshaw Goddard
- Arthur Cox N.I
- Babington & Croasdale.
- Ballentine James & Son
- Barr Gillan & Co
- Bernard Mccloskey
- Boal Anderson & Co Solicitors
- Brendan Kearney & Co
- Brennan Paul S
- Breslin McCormick & Co
- C & J Black Solicitors
- C T Mcalpine & Son Solicitors
- Carson & Mcdowell Solicitors
- Casey & Co Solicitors
- Cleaver Fulton (50 Bedford Stre)
- Coll Peter Mr Bl
- Colmer Adrian Bl
- Connolly Sc
- Copeland Mccaff(Po Box 9)
- Cox Arthur
- Crawford & Lock(7/11 Linenhall)
- Creighton & Co
- Crown Solicitors Office
- Cumming Samuel & Son Solicitors
- Curran Luke & Co
- David Mcmillen
- Denise A Mcbride
- Dennis Kennedy
- Denton Wilde Sapte
- Departmental Solicitors Office
- Devlin Alistair Lib
- Dla Piper
- Doris & McMahon Sols
- Duffy Pa & Co Solicitors
- Elliott-Trainor Partnership
- Fahy John & Co
- Francis J Madden
- Gaston Graham &(73 Hollywood Roa)
- George Howland
- Gordon Bell & Son
- Hagan John P
- Hanna Francis & Co Solicitors
- Harrison's
- Henvey Gerald P
- Hewitt & Gilpin Solicitors
- Hinds & Small
- James G Rice(33 Church Stree)
- James Murland & Co
- James T Johnston & Co
- John Quinn
- Jones & Cassidy, Solicitors
- Keown Crossley Solicitors
- King & Boyd
- L'estrange & Brett Solicitors
- Lovells
- Macaulay James J Solicitors

- | | | |
|--|--------------------------------------|------------------------------------|
| ■ MacAulay Wray | ■ McKeone & Co | ■ Seamus Sweeney |
| ■ MacElhatton & Co Solicitors | ■ McKinty & Wright Solicitors | ■ Shaw Stephen J Mr |
| ■ MacKenzie & Dorman Solicitors | ■ McManus And Kearney | ■ Shean Dickson M(14-16 High Stre) |
| ■ Maguire & Corrigan | ■ McNinch James W & Son | ■ Simmons Meglaughlin & Orr |
| ■ McBurney & Co Solicitors | ■ Messrs Thompson McClure Solicitors | ■ Smyth Trevor & Co Solicitors |
| ■ McCallum O'kane | ■ Miss J Simpson Bl | ■ Stewarts Solicitors |
| ■ McCann & Mccann Solicitors | ■ Murgitroyd & Company Ltd | ■ T S Mcallister & Son |
| ■ McCartan Turkington & Breen Solicitors | ■ Neasa Murnaghan | ■ The Executive Council |
| ■ McCoubrey Hinds | ■ Ni Court Service | ■ The Treasury Solicitor |
| ■ McGale John Kelly & Co Solicitors | ■ O'Hara John Qc | ■ Thomas Taggart (27 Church St) |
| ■ McGleenan Bl | ■ O'Reilly Stewart Solicitors | ■ Trevor Smyth & Co |
| ■ McGuinness & Canavan | ■ O'Rorke Mcdonal(29 The Roddens) | ■ Wb Thompson & Company Solicitors |
| ■ McIntosh | ■ Page White & Farrer | ■ Wilson Nesbitt Solicitors |
| ■ Mclvor Farrell | ■ Peden & Reid Solicitors | ■ Wolfe Martin |
| ■ McKee John & Son | ■ Peter Dornan & (Metropole House) | ■ Woodall Brian |
| ■ McKenna Daniel A & Co | ■ Potter Michael | ■ Worthington Solicitors |

Comparable Service Delivery

Dr S Farry asked the Minister of Finance and Personnel what benchmarking exercises his Department conducts to assess its spending profile relative to comparable service delivery in other jurisdictions. **(AQW 1493/11)**

Minister of Finance and Personnel: My department carries out various benchmarking activities to compare against other organisations, learn and improve. For example, IT Assist has used benchmarking to establish that the cost per user of £1,200 compares very favourable to the GB Public Sector Flex contract (circa £1,700 for a similar service) and an estimated average government cost in GB of £2,362. Other examples undertaken by DFP include benchmarking of legal services by the Departmental Solicitor's Office and benchmarking of Land and Property Services frontline services such as mapping, valuation, rate collection and registration against comparable GB services.

In addition, DFP uses some of the public sector corporate service benchmarking indicators produced by the UK Audit Agencies and is exploring the potential to utilise these indicators further to improve service delivery and deliver efficiencies.

Through the DFP Quality Programme, areas of good practice will be identified which will help to embed benchmarking activities.

Humanist Wedding Ceremonies

Mr C McDevitt asked the Minister of Finance and Personnel whether he has any plans to introduce legislation which would afford Humanist wedding ceremonies the same status as Christian weddings, given that under current legislation Humanist ceremonies require two services, one being at a registry office or approved venue and the other at the couples chosen location. **(AQW 1495/11)**

Minister of Finance and Personnel: Marriage legislation was the subject of extensive review in Northern Ireland a few years ago and widely consulted on. The Marriage (Northern Ireland) Order 2003 provides for two types of marriage ceremony; a religious marriage solemnised by an officiant i.e. a member of a religious body registered to carry out this function; and a civil marriage carried out by a registrar/deputy registrar appointed by a local registration authority as a statutory office holder for this purpose. There was no approach from anyone on this matter either at the pre-legislation public consultation stage or during the actual legislative stages. There are at present no plans to make changes to existing legislation.

Central Procurement Directorate

Mr J Dallat asked the Minister of Finance and Personnel what steps Central Procurement Directorate has taken over the last three years to promote small and medium sized enterprises to bid for Government and other public sector contracts; and to detail the amount of money invested in these promotions.

(AQW 1524/11)

Minister of Finance and Personnel: Government recognises the important contribution that small and medium sized enterprises (SMEs) make to the economy of Northern Ireland and in response to the economic downturn my department established the Construction Industry Forum for Northern Ireland (CIFNI) Procurement Task Group in December 2008.

Following the publication of the Task Group Report, in April 2009, Central Procurement Directorate (CPD) and the Centres of Procurement Expertise (CoPEs) engaged with the Construction Industry Group for Northern Ireland to develop proposals specifically aimed at maximising opportunities for SMEs.

These measures have been incorporated into a standard Pre-Qualification Questionnaire (PQQ) template to be used to shortlist firms for invitation to tender for works contracts. The PQQ streamlines the assessment of contractors' health and safety competency; includes proportionate minimum standards for financial standing for individual firms; and accommodates applications from smaller enterprises to come together as consortia to bid for government contracts. CoPEs have agreed that, since 1 September 2010, all prequalification will, as far as possible, follow this process.

In recognising that not all SMEs will be in a position to contract directly with the public sector, Government also seeks to maximise the opportunities for those SMEs to benefit from public sector contracts through participation within the supply chain.

CPD and the CoPEs have agreed measures aimed at improving payment progress to subcontractors. These actions, developed in response to the CIFNI Procurement Task Group Report, mean that in new construction works contracts tendered after 1 March 2010 the main contractor is required:-

- to comply with a revised 'Code of Practice for Government Construction Clients and their Supply Chains' which includes a 'Fair Payment' Charter; and
- to provide a report to the Project Manager on payments made to subcontractors at each project meeting.

In addition, to emphasise the commitment of Government's Construction Clients to payment probity within the supply chain:-

- payments to subcontractors will be a standing item on the agenda at project meetings; and
- the client's Project Manager shall carry out periodic checks with subcontractors on the payment performance of the main contractor.

CIFNI is a collaborative interface with the private sector focused on the construction industry. 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 for non-construction related matters. Through BIFNI the parties can consider issues of mutual interest, including opportunities for SMEs and social economy enterprises (SEEs).

CPD also introduced eSourcing NI, an electronic tendering portal, in May 2008 and it is now operational across all CoPEs. The portal provides a single source for all CoPE procurement opportunities. It simplifies and standardises the tendering procedure thereby reducing the cost and time required by SMEs to participate in the procurement process.

Since March 2008 CPD has participated in 41 'Meet the Buyer' events attended by over 2300 businesses. These events are aimed at increasing potential suppliers' knowledge of how to access Government procurement opportunities.

CPD is in the process of reviewing its extant guidance on increasing access for SMEs and SEEs wishing to do business with the public sector. The current guidance aims to:-

- increase public sector purchasers' awareness of how these sectors operate and disseminate best practice; and
- provide advice to SMEs and SEEs wishing to tender for public sector business.

This guidance is publicly available from CPD's website. It is anticipated that the revised version will be published in Spring 2011.

CPD is in the lead on taking forward the recommendations made by the Committee for Finance and Personnel Inquiry into Public Sector Procurement. The recommendations, many of which are targeted at increasing access for SMEs and SEEs, are scheduled to be implemented over the course of 2011.

Making Government procurement opportunities accessible by SMEs and SEEs is one of a number of CPD's policy objectives and the associated costs are not recorded separately from other policy developments. However, the external cost of providing the eSourcing NI system for use by all the CoPEs is £250,000 per annum.

Policy Screening Process

Ms S Ramsey asked the Minister of Finance and Personnel to detail, for the period from May 2007 to date, (i) the number of policies his Department and its associated bodies have (a) "screened out" as having no Equality Impact; and (b) "screened in" as having an Equality Impact; (ii) the number of staff involved in the screening process; and (iii) the cost of the screening process.

(AQW 1548/11)

Minister of Finance and Personnel: Since May 2007 the Department has carried out 49 screening exercises, of which 13 were "screened in" for full EQIAs. The remainder were "screened out" as having little or no impact upon the promotion of equality of opportunity.

Information in the form requested on the number of staff involved and the cost of the screening process is not readily available and could only be compiled at disproportionate cost.

Civil Service Applicants

Mr B Wilson asked the Minister of Finance and Personnel, for each of the last three years, how many and what percentage of (i) applicants; and (ii) successful applicants for the post of (a) administrative assistant; and (b) administrative officer in the Civil Service had degree level qualifications.

(AQW 1558/11)

Minister of Finance and Personnel: Information on degree level qualifications is not gathered from applicants for administrative assistant or administrative officer competitions in the Northern Ireland Civil Service.

Apprentices

Mr P Weir asked the Minister of Finance and Personnel how many apprentices have a placement within his Department or any of its arms-length bodies for 2010/11.

(AQW 1568/11)

Minister of Finance and Personnel: There are currently 2 students placed with DFP under the Programme-Led Apprenticeships Programme.

Central Procurement Directorate

Mr P McGlone asked the Minister of Finance and Personnel for a breakdown of the rates charged by the Central Procurement Directorate for the services it provides.

(AQW 1584/11)

Minister of Finance and Personnel: The rates charged by the Central Procurement Directorate (CPD) for the construction related services it provides are:

Grade	2010/11 Hourly Rates £
Principal Professional and Technical Officer	72.11
Senior Professional and Technical Officer	61.04
Higher Professional and Technical Officer	45.84
Professional and Technical Officer	40.44

Supplies and Services procurement services to NICS departments are charged for on the basis of an annual block charge.

Outstanding Rates Debt

Mr S Hamilton asked the Minister of Finance and Personnel (i) to outline the public bodies, as indicated in the Institute of Revenues Rating and Valuation report, which had outstanding rates debt at the end of the last financial year; (ii) how much was attributable to each public body; and (iii) in each case, for an explanation of this outstanding rate debt.

(AQW 1585/11)

Minister of Finance and Personnel: Public Body and Treasury Valuer rate accounts represent approximately £140 million of rates due each year. Land & Property Services has a small Public Bodies Team which works closely with ratepayers to maintain account information, for instance as properties move in and out of occupation and ownership, or properties are altered. These changes occur on a regular basis, meaning that the rates owed also change and amendments have to be made to bills during the rating year. During 2009-10, the LPS team nearly completed a thorough exercise to update all data related to public body and Treasury Valuer accounts. This has proved extremely effective in ensuring early payment of monies in 2010-11. Work remained to complete the cleansing of the most complex public body account at the end of 2009-10.

The cleansing of account information is very important for all accounts, not least for public bodies, as Managing Public Money Northern Ireland requires Accounting Officers to be able to validate all invoices and bills which are passed for payment. The maintenance of up to date information on rate accounts requires continuous effort because of the changes referred to in the previous paragraph.

The information requested is provided in the attached table.

Organisation	Debt (£)	Reason
NI Water	1,924,974	Resolution of complex issues regarding rateability and identification of a number of properties. All undisputed properties paid.

Organisation	Debt (£)	Reason
Ministry of Defence	837,624	Resolution of legal queries regarding rateability of a number of properties.
Belfast Education & Library Board	439,915	Queries re valuation list entries and additional bill issued late in the year.
Department of Regional Development	249,915	Problems for ratepayer processing payments through shared services centre.
South-east Health & Social Care Trust	187,244	Payment received in late March and processed in early April.
Belfast City Council	171,984	Additional bill issued late in the year.
Northern Health & Social Services Board	138,712	Additional bill issued late in the year.
Homefirst Community Trust	128,173	Additional bill issued late in the year.
Foyle Health & Social Care Trust	96,763	Additional bill issued late in the year.
University of Ulster	70,039	Accounting problems in allocating funds to the account in the LPS rating system.
Education & Skills Authority	59,433	Resolution of billing issues being addressed between LPS and the ratepayer.
Boundary Commission of NI	58,856	Bill issued late in the year.
Queen's University Belfast	56,388	Additional bill issued late in the year.
Southern Health & Social Services Trust	53,029	Administrative complications in the ratepayer organisation.
NI Fire & Rescue Service	50,422	Additional bill issued late in the year.
Various small debtors	168,768	
Total	4,692,239	

LPS and the ratepayers were engaging on all matters listed above and a reasonable and responsible approach was adopted throughout by the ratepayers involved.

Comprehensive Spending Review

Mr P Weir asked the Minister of Finance and Personnel to detail the level of proposed capital spend as a result of the Comprehensive Spending Review; and what reduction this represents in real terms.
(AQW 1598/11)

Minister of Finance and Personnel: The UK Spending Review announcement on 20 October 2010 determined the capital DEL funding available to the Executive over the next four years. The allocations to Northern Ireland were:

£ Million	2011/12	2012/13	2013/14	2014/15
Capital DEL	903.4	858.9	780.6	803.8

This represents a real terms reduction of 40.1 per cent by 2014/15 on the 2010/11 capital DEL starting position. In addition to these capital DEL allocations the Executive also has available to it £200 million per annum of Reinvestment and Reform Initiative borrowing as well as any capital receipts realised by departments throughout this period.

Comprehensive Spending Review

Mr P Weir asked the Minister of Finance and Personnel, in light of the Chancellor's announcement on the Comprehensive Spending review, what is the proposed revenue spend for the block grant in each year of the CSR period; and what reduction this represents in real terms.

(AQW 1599/11)

Minister of Finance and Personnel: The table below sets out the Spending Review settlement in relation to Resource DEL.

£ MILLION

	2010-11	2011-12	2012-13	2013-14	2014-15
Current DEL (NI Spending Review Settlement)	9,886.7	9,836.7	9,858.9	9,927.1	9,985.4
Real terms % decrease on 2010-11		-2.4%	-4.3%	-6.1%	-8.0%
Real terms £m decrease on 2010-11		-237.9	-447.4	-647.2	-863.7

These figures include the Department of Justice and the Public Prosecution Service. They do not equate to the spending power available to the Executive as they exclude regional rates income.

Suicide

Mr D Hilditch asked the Minister of Finance and Personnel how many people under the age of 25 years old in Carrickfergus died by suicide (i) in the last twelve months; and (ii) between October 2008 and October 2009.

(AQW 1619/11)

Minister of Finance and Personnel: The last twelve months is interpreted to mean the last calendar year.

In the 2009P calendar year there were two deaths registered due to 'suicide and self-inflicted injury'¹ or 'undetermined injury whether accidentally or purposefully inflicted'², where the deceased was resident in Carrickfergus Local Government District and aged under 25.

Mortality statistics are reported quarterly, between October 2008 and December 2009 there were two deaths registered due to either 'suicide and self-inflicted injury'¹ or 'undetermined injury whether accidentally or purposefully inflicted'² where the deceased was resident in Carrickfergus Local Government District and aged under 25 years.

Suicides are referred to the coroner and take time to be investigated. Therefore there is often a period of time between when the suicide occurs and death registration. The suicides above may therefore have occurred outside the registration period indicated.

- 1 International Classification of Diseases, Tenth Revision codes X60-X84, Y87.0
 2 International Classification of Diseases, Tenth Revision codes Y10-Y34, Y87.2
 P 2009 data is provisional

Cancer Deaths

Mr C McDevitt asked the Minister of Finance and Personnel how many people (i) in total; and (ii) in each Health and Social Care Trust area died from cancer in each year since 2003; and how the total figures compare with the rest of the UK.

(AQW 1697/11)

Minister of Finance and Personnel: The attached table gives the number of deaths registered due to cancer¹ in Northern Ireland, in each Health and Social Care Trust area and in the UK for each year between 2003 and 2009P. A population age standardised mortality ratio has also been calculated to compare Northern Ireland data with the UK.

In 2005 the Northern Ireland cancer mortality rate was 1% lower than the UK rate and in 2006 it was 1% higher than the UK rate and in all other years Northern Ireland's cancer mortality rate was similar to the UK rate.

Registration Year	Number of Cancer Deaths Registered							Northern Ireland SMR (UK = 100)
	Health and Social Care Trust					Northern Ireland	United Kingdom	
	Belfast	Northern	South Eastern	Southern	Western			
2003	953	919	708	658	519	3,757	154,903	100
2004	901	974	713	623	546	3,757	153,677	100
2005	891	959	700	605	580	3,735	153,764	99
2006	904	957	729	688	570	3,848	154,567	101
2007	945	959	760	618	588	3,870	155,948	100
2008	974	984	724	719	570	3,971	157,071	100
2009P	871	965	731	746	572	3,885	156,492	100

- 1 International Classification of Diseases, Tenth Revision codes C00-C97

P 2009 data is provisional

NI Aggregates Levy Credit Scheme

Mr T Gallagher asked the Minister of Finance and Personnel what steps he is taking to offset the Treasury decision of 26 October 2010 to suspend the NI Aggregates Levy Credit Scheme, the likely impact of this decision on the construction and quarry industries and the possible threat posed for the thousands of jobs associated with these industries.

(AQW 1699/11)

Minister of Finance and Personnel: I was extremely disappointed that the decision had to be taken to suspend the Aggregates Levy Credit Scheme following the European General Court's judgement annulling its State Aid approval. This was unfortunately unavoidable as continuing the Scheme would have been unlawful, leaving the UK open to legal challenge and, potentially, could have resulted in the local industry having to repay the credit received under the Scheme. The Scheme has been very

important for the quarrying industry locally and has resulted in significant environmental improvements being made within the industry.

I fully recognise that the Scheme's suspension will have serious consequences for both the quarrying and construction industries at a time when they are already facing severe financial pressures. However the Economic Secretary, Justine Greening MP, has confirmed that the Coalition Government still supports the Scheme and will be pressing the European Commission to put an alternative Scheme in place as soon as possible.

I immediately briefed QPA, contacted the treasury and this led to a one month delay to reduce the impact on firms which already had signed contracts on the basis of the levy being in place. Officials and I will be working closely with HM Treasury colleagues to try to have a replacement Scheme reinstated as soon as possible.

Staff Mileage Claims

Mr A Easton asked the Minister of Finance and Personnel what was the cost to his Department of staff mileage claims in the last financial year.

(AQW 1742/11)

Minister of Finance and Personnel: The cost to my Department of staff mileage claims in 2009-10 was £933,358.

Department of Health, Social Services and Public Safety

Patients with Epilepsy

Mr G Robinson asked the Minister of Health, Social Services and Public Safety whether his Department will follow the example of the Department of Health in England to ensure that patients with epilepsy, who are already on a brand name drug to control seizures and maintain quality of life, will not be offered a generic substitute drug.

(AQW 1399/11)

Minister of Health, Social Services and Public Safety (Mr M McGimpsey): I note the Department of Health in England's recent decisions regarding generic substitution. My Department's policy position remains that generic medicines should be prescribed in preference to branded products where appropriate.

However, it is for the clinician, in consultation with their patient, to decide on the most appropriate course of treatment for the patient. A prescriber is able to opt out of generic substitution if it is their clinical judgement that it is appropriate to do so. In these circumstances the named brand will be dispensed by the community pharmacist.

Fire and Rescue Service

Mr T Burns asked the Minister of Health, Social Services and Public Safety how many times the Fire and Rescue Service has had to attend false alarms at students halls of residence in each of the last five years, broken down by the location of the halls; and for an estimate of the total cost of answering these calls.

(AQW 1401/11)

Minister of Health, Social Services and Public Safety: The information requested is shown in the tables below. Costs are based on an average Northern Ireland Fire and Rescue Service (NIFRS) cost per mobilised incident.

NIFRS: NUMBER OF MOBILISED ATTENDANCES TO FALSE ALARM CALLS

Year	University Campus					
	UU Magee	UU Coleraine	Queen's	SHAC*	Stranmillis	UU Jordanstown
2005/06	9	3	230		1	2
2006/07	10	2	23	5	-	1
2007/08	7	-	4	1	-	-
2008/09	8	-	4	-	-	-
2009/10	13	-	13	-	-	-

NIFRS: ESTIMATED COST OF MOBILISED ATTENDANCES TO FALSE ALARM CALLS

Year	University Campus					
	UU Magee	UU Coleraine	Queen's	SHAC*	Stranmillis	UU Jordanstown
2005/06	£18,598	£6,199	£475,277	£0	£2,066	£4,132
2006/07	£22,245	£4,449	£51,164	£11,123	£0	£2,225
2007/08	£15,289	£0	£8,737	£2,184	£0	£0
2008/09	£20,372	£0	£10,186	£0	£0	£0
2009/10	£35,009	£0	£35,009	£0	£0	£0

* SHAC is a registered charity providing accommodation for students and young people.

Family Support

Miss M McIlveen asked the Minister of Health, Social Services and Public Safety to detail the amount allocated in the 2008/09 financial year by his Department to each Health and Social Care Trust for family support, including family support panels; how the allocation was spent in each Trust; and the amount of underspend in family support in each Trust for that year.

(AQW 1406/11)

Minister of Health, Social Services and Public Safety: Funds for family support are not specifically ring fenced within children's social services in line with the Department's preferred approach of giving commissioners the flexibility to meet the disparate needs of their resident population. As such it is not possible to identify any over or under spends as resources form part of the overall social services expenditure.

Family support covers a wide range of services that promote and safeguard families including mental health, domestic violence and substance abuse. The mixture and focus of children's social services provided depends on the profile of the local population. The table below sets out Trust expenditure on the family support services in 2009/10 the latest year for which such detailed information is available.

HSC Trust	Belfast	Northern	South Eastern	Southern	Western	Total Expenditure
2008/09 £m	11.3	8.7	6.5	8.5	11.3	46.3

Source: Trust Financial Returns

Attacks on Members of the Fire and Rescue Service

Mr J Dallat asked the Minister of Health, Social Services and Public Safety to detail (i) the number of attacks on members of the Fire and Rescue Service in the last twelve months; (ii) the number of personnel injured in these attacks; (iii) the amount paid out in compensation as a result; and (iv) the cost of repairs to vehicles and equipment.

(AQW 1447/11)

Minister of Health, Social Services and Public Safety: During the period 1 October 2009 – 20 October 2010 there were 33 attacks on members of the Northern Ireland Fire and Rescue Service (NIFRS).

Six firefighters were injured as a result of these attacks.

To date, NIFRS has not paid out any compensation as a result of attacks on firefighters during this period.

The total estimated cost of repairs to vehicles and equipment is £15,930.

Subarachnoid Aneurysms

Mr S Moutray asked the Minister of Health, Social Services and Public Safety what assessment has been made of the long-term advantages of coiling subarachnoid aneurysms as opposed to clipping them; and what is the long-term prognosis for patients in receipt of each procedure.

(AQW 1450/11)

Minister of Health, Social Services and Public Safety: The international subarachnoid aneurysm trial which included patients treated in Belfast published a long term follow up of patients with ruptured aneurysm in 2009. The study demonstrated slightly increased survival at 5 years for those receiving coils (89%) against those treated by clipping (86%). The proportion of survivors at 5 years who were independent was the same between the groups (82%). They concluded that there was an increased risk of bleeding from a coiled aneurysm compared with a clipped aneurysm but the risks were small.

The National Institute for Health and Clinical Excellence (NICE) issued Interventional procedure guidance on coil embolism of unruptured and ruptured intracranial aneurysms in 2005. For unruptured aneurysm they noted mortality at 1 year was 9% for endovascular repair (which includes coil embolism) compared with 12% for surgery (which includes clipping).

Subarachnoid Aneurysms

Mr S Moutray asked the Minister of Health, Social Services and Public Safety how many operations to coil subarachnoid aneurysms have been carried out in each of the last five years.

(AQW 1451/11)

Minister of Health, Social Services and Public Safety: The number of operations to coil subarachnoid aneurysms in each of the last five years is shown in the table below.

Year	2009/10	2008/09	2007/08	2006/07	2005/06
Number of procedures	105	75	70	61	67

Source: Hospital Inpatient System

Post Exposure Prophylaxis

Ms A Lo asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 408/11, whether hospitals are following the guidelines regarding Post Exposure Prophylaxis, specifically guidelines contained in the Department of Health report 'HIV post exposure prophylaxis, Guidance from the UK Chief Medical Officers' Expert Advisory Group on AIDS: revised 2008', which requires

hospitals to keep adequate records on administration of Post-exposure Prophylaxis to ensure adequate management and follow-up of all patients given the course.

(AQW 1472/11)

Minister of Health, Social Services and Public Safety: I have been advised that Trusts comply with the guidelines regarding Post Exposure Prophylaxis, specifically those contained in the Department of Health report 'HIV post exposure prophylaxis, Guidance from the UK Chief Medical Officers' Expert Advisory Group on AIDS: revised 2008'.

Patient Complaints

Mr A Easton asked the Minister of Health, Social Services and Public Safety how many patient complaints were received by the Health Service in each of the last four years.

(AQW 1473/11)

Minister of Health, Social Services and Public Safety: Information on the number of complaints received by the Health Service in each of the last four years is not available.

Prescriptions

Mr D Hilditch asked the Minister of Health, Social Services and Public Safety how many prescriptions have been (i) written; and (ii) dispensed in Carrickfergus since April 2010.

(AQW 1502/11)

Minister of Health, Social Services and Public Safety:

- (i) The information requested is not available.
- (ii) There were 134,192 prescriptions dispensed, and presented for payment by community pharmacies in the Carrickfergus Council Area between April 2010 and July 2010. The count includes prescriptions issued by all types of prescribers including doctors, nurses and dentists, and also includes items prescribed and dispensed by pharmacists under the minor ailments scheme. Only drugs dispensed in primary care are included as drugs prescribed and dispensed in hospital cannot be captured centrally due to the use of different hospital IT systems.

This information was supplied by the Family Practitioner Services, Information and Registration Unit - HSC Business Services Organisation..

Prescriptions

Mr D Hilditch asked the Minister of Health, Social Services and Public Safety how many prescriptions were (i) written; and (ii) dispensed in the Carrickfergus area between November 2009 and 1 April 2010.

(AQW 1503/11)

Minister of Health, Social Services and Public Safety:

- (i) The information requested is not available.
- (ii) There were 151,282 prescriptions dispensed, and presented for payment by community pharmacies in the Carrickfergus Council Area between November 2009 and March 2010. The count includes prescriptions issued by all types of prescribers including doctors, nurses and dentists, and also includes items prescribed and dispensed by pharmacists under the minor ailments scheme. Only drugs dispensed in primary care are included as drugs prescribed and dispensed in hospital cannot be captured centrally due to the use of different hospital IT systems.

This information was supplied by the Family Practitioner Services, Information and Registration Unit - HSC Business Services Organisation.

GP Out-of-Hours Service in Limavady

Mr G Robinson asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 696/11 and AQW 7620/10, why an Equality Impact Assessment was not deemed necessary for the reconfiguration of the GP Out-of-Hours service in Limavady.

(AQW 1526/11)

Minister of Health, Social Services and Public Safety: I refer the Member to the explanation provided in my response to AQW 696/11.

Cataract Procedures in the Royal Victoria Hospital

Ms A Lo asked the Minister of Health, Social Services and Public Safety how many complaints have been received since January 2008 in relation to cataract procedures in the Royal Victoria Hospital.

(AQW 1528/11)

Minister of Health, Social Services and Public Safety: Information on the number of complaints that have been received since January 2008 in relation to cataract procedures in the Royal Victoria Hospital is not available.

Cataract Procedure

Ms A Lo asked the Minister of Health, Social Services and Public Safety if patient consent is required before a trainee or a junior member of medical staff is permitted to carry out a cataract procedure.

(AQW 1529/11)

Minister of Health, Social Services and Public Safety: Patient consent is always required prior to any surgery. Patients are informed that their surgery may be carried out by a junior doctor or trainee when they are added to the inpatient waiting list and when the patient's consented is being sought for surgery.

Cataract Procedures in the Royal Victoria Hospital

Ms A Lo asked the Minister of Health, Social Services and Public Safety how the outcomes of cataract procedures carried out in the Royal Victoria Hospital are monitored or evaluated.

(AQW 1530/11)

Minister of Health, Social Services and Public Safety: Cataract surgical outcomes are reviewed twice yearly as part of the audit cycle. Results are peer reviewed with other Trusts throughout the UK in order to evaluate performance.

Impact of Smoking-related Diseases on Public Health

Mr M Storey asked the Minister of Health, Social Services and Public Safety how his Department gathers information in relation to the impact of smoking-related diseases on public health.

(AQW 1531/11)

Minister of Health, Social Services and Public Safety: The primary source of morbidity information in relation to the impact of smoking-related diseases on public health is the Hospital Inpatient System. This records information on patients admitted to acute hospitals as inpatients or day cases. Death figures are compiled by the Northern Ireland Statistics and Research Agency (NISRA) and published in the Annual Report of the Registrar General. The attributable percentage of admissions and deaths for a number of smoking related diseases has been calculated using a standard methodology devised by the former Health Development Agency.

Accident and Emergency Provision at the Causeway Hospital

Mr M Storey asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 769/11, why he was unable to outline the discussions he had with the Northern Health and Social Care Trust; and if he is now in a position to outline these discussions.

(AQW 1532/11)

Minister of Health, Social Services and Public Safety: I remain committed to the configuration of hospital services as set out in Developing Better Services (DBS). Causeway hospital will continue to provide access to a wide range of acute services including Accident and Emergency services. No discussions have taken place between the Trust and myself specifically in relation to the A&E provision.

Registered Residential and Nursing Homes

Mr J Craig asked the Minister of Health, Social Services and Public Safety to detail the number of registered residential and nursing homes that are currently operational, including their locations, the funding they receive from his Department and the number of residents they facilitate.

(AQW 1535/11)

Minister of Health, Social Services and Public Safety: Details of all residential and nursing homes, bed capacity and their locations can be found at www.rqia.org.uk/. I have been informed by HSC officials that details of funding paid to individual residential or nursing homes are subject to fluctuation and are not collated centrally, and so could only be provided at a disproportionate cost.

Care Packages

Ms S Ramsey asked the Minister of Health, Social Services and Public Safety how many patients were retained in hospital due to the lack of a care package for each of the last six months, broken down by hospital; and what is the average daily cost to keep these patients in hospital.

(AQW 1538/11)

Minister of Health, Social Services and Public Safety: It is assumed that this question refers to the number of patients whose discharge from hospital was delayed, where the principal reason for the delay relates to or, could possibly be contributed to, the 'lack of a care package'.

Currently, my Department has a PfA waiting time target to ensure the effective discharge of patients from an acute setting. This target requires that:

"From April 2010, the HSC Board and Trusts should ensure that 90% of complex discharges take place within 48 hours, with no discharge taking longer than seven days. All other patients should be discharged within six hours of being declared medically fit."

With this in mind, the number of complex discharges taking longer than 48 hours and simple discharges taking longer than 6 hours are detailed in the table overleaf for each of the last six months, broken down by hospital.

During September 2010, there were a total of 16,994 discharges from Hospitals in Northern Ireland. Of these, 608 (3.6%) discharges were delayed longer than the current waiting time targets specified by my Department (6 hours for simple discharges and 48 hours for complex discharges). Similar information has been recorded during each month since April 2010, when on average 3.7% of all discharges were delayed longer than the current waiting time targets.

NUMBER OF COMPLEX DISCHARGES WAITING LONGER THAN 48 HOURS AND SIMPLE DISCHARGES WAITING LONGER THAN 6 HOURS, BY HOSPITAL (APRIL – SEPTEMBER 2010)

Hospital on Discharge	April 2010	May 2010	June 2010	July 2010	Aug 2010	Sept 2010
Altnagelvin Hospital	109	122	126	122	115	106
Antrim Hospital	58	57	50	49	69	57
Belfast City Hospital	57	60	63	58	57	65
Cancer Centre - BCH	4	5	4	5	1	8
Causeway Hospital	18	17	24	17	12	12
Children's Hospital	1	4	3	0	4	0
Craigavon Area Hospital	67	63	66	61	61	60
Daisy Hill Hospital	17	17	21	19	13	9
Downe Hospital	26	36	31	51	20	31
Erne Hospital	45	31	36	31	37	37
Lagan Valley Hospital	33	34	31	26	34	38
Mater Hospital	45	24	27	30	41	31
Mid-Ulster Hospital	9	5	5	6	8	6
Musgrave Park Hospital	4	3	7	5	8	10
Royal Victoria Hospital	32	63	49	42	42	47
Ulster Hospital	133	123	104	72	95	83
Whiteabbey Hospital	11	6	7	8	7	8
Total	669	670	654	602	624	608

Source: Admissions & Discharges Universe

It is not possible to provide the average daily cost for keeping these patients in hospital, as the cost of a hospital stay is dependent on the level of treatment and/or care provided.

Policy Screening Process

Ms S Ramsey asked the Minister of Health, Social Services and Public Safety to detail, for the period from May 2007 to date, (i) the number of policies his Department and its associated bodies have (a) "screened out" as having no Equality Impact; and (b) "screened in" as having an Equality Impact; (ii) the number of staff involved in the screening process; and (iii) the cost of the screening process.

(AQW 1560/11)

Minister of Health, Social Services and Public Safety:

- (i) The number of policies 'screened out' and 'screened in' is shown in the table below. It is important to note that in many instances policies which have been 'screened out' may have identified an equality impact but it is either not significant, and will be subject to monitoring, or mitigating actions have been taken to render an EQIA unnecessary.

	Screened Out	Screened In
DHSSPS	254	6
Arms Length Bodies	1,145	53

- (ii) The number of people involved in conducting screenings is not recorded. It would typically involve the policy lead and various support / professional staff as dictated by the particular needs of the policy being considered.
- (iii) The cost of carrying out equality screenings are an intrinsic part of policy development and are not identified separately.

Children With a Learning Disability Living in Fermanagh

Mrs M O'Neill asked the Minister of Health, Social Services and Public Safety to detail the number of children with a learning disability aged (i) 0-5 years old; (ii) 6-10 years old; (iii) 11-15 years old; and (iv) 15-18 years old currently living in Fermanagh, broken down by electoral ward.

(AQW 1565/11)

Minister of Health, Social Services and Public Safety: The information requested is not available.

Apprentices

Mr P Weir asked the Minister of Health, Social Services and Public Safety how many apprentices have a placement within his Department or any of its arms-length bodies for 2010/11.

(AQW 1569/11)

Minister of Health, Social Services and Public Safety: I can advise that currently there are no apprentices with placements within the Department of Health Social Services and Public Safety or any of its 17 Arms Length Bodies.

Comparable Service Delivery

Dr S Farry asked the Minister of Health, Social Services and Public Safety what benchmarking exercises his Department conducts to assess its spending profile relative to comparable service delivery in other jurisdictions.

(AQW 1575/11)

Minister of Health, Social Services and Public Safety: The Public Expenditure Statistical Analyses is a HM Treasury publication that allows UK wide comparison of public expenditure and this is the main

source of data used when the Department conducts benchmarking exercises in assessing its spending profile with other jurisdictions. The most up to date information from 2009/10 shows that planned spend per head, which includes capital and recurrent expenditure, on Health in Northern Ireland is 2% lower than the average spend on Health across the UK. Our spending per head on social care is lower than all countries except England. Work carried out following the Appleby report indicated that we should be spending 35% more than England on social care and we are not spending that.

TOTAL IDENTIFIABLE SPEND PER HEAD 2009/10 - PLANNED

	Scotland £	Wales £	NI £	England £
Health	2,066	1,956	1,881	1,896
Fire	72	79	48	50
PSS	598	624	519	465

Source: Treasury PESA 2010

Northern Ireland has lower capital spending per head than Scotland and Wales for health and social care functions.

Prescriptions

Mr D Hilditch asked the Minister of Health, Social Services and Public Safety how many prescriptions have been (i) written; and (ii) dispensed in Larne since April 2010.

(AQW 1577/11)

Minister of Health, Social Services and Public Safety:

- (i) The information requested is not available.
- (ii) There were 114,581 prescriptions dispensed, and presented for payment by community pharmacies in the Larne Council Area between April 2010 and July 2010. The count includes prescriptions issued by all types of prescribers including doctors, nurses and dentists, and also includes items prescribed and dispensed by pharmacists under the minor ailments scheme. Only drugs dispensed in primary care are included as drugs prescribed and dispensed in hospital cannot be captured centrally due to the use of different hospital IT systems.

This information was supplied by the Family Practitioner Services, Information and Registration Unit - HSC Business Services Organisation.

Prescriptions

Mr D Hilditch asked the Minister of Health, Social Services and Public Safety how many prescriptions were (i) written; and (ii) dispensed in the Larne area between November 2009 and 1 April 2010.

(AQW 1578/11)

Minister of Health, Social Services and Public Safety:

- (i) The information requested is not available.
- (ii) There were 139,069 prescriptions dispensed, and presented for payment by community pharmacies in the Larne Council Area between November 2009 and March 2010. The count includes prescriptions issued by all types of prescribers including doctors, nurses and dentists, and also includes items prescribed and dispensed by pharmacists under the minor ailments scheme. Only drugs dispensed in primary care are included as drugs prescribed and dispensed in hospital cannot be captured centrally due to the use of different hospital IT systems.

This information was supplied by the Family Practitioner Services, Information and Registration Unit - HSC Business Services Organisation.

Translation of Departmental Papers

Mr A Bresland asked the Minister of Health, Social Services and Public Safety 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 1581/11)

Minister of Health, Social Services and Public Safety: The figures below record the cost of translation of departmental papers into Irish and Ulster-Scots.

Year	Irish	Ulster-Scots
2007/08	£3,678	£49
2008/09	£894	£467
2009/10	Nil	Nil

British Association of Social Workers' Social Work Bill

Mr C Lyttle asked the Minister of Health, Social Services and Public Safety what assessment he has made of the British Association of Social Workers' Social Work Bill; and whether he has considered the need for similar provision for Northern Ireland.

(AQW 1616/11)

Minister of Health, Social Services and Public Safety: I have considered the British Association of Social Worker's Social Work Bill and can confirm that it is relevant for social work in England only.

Some of the proposals in the Bill are already in place in NI and others aimed at improving services and strengthening support for front-line workers are contained in the draft 10 year Social Work Strategy which was recently consulted on. As such, there is no need for similar provision in NI.

Illegal Sale of Cigarettes and Tobacco Products to Underage Children

Mr D Kennedy asked the Minister of Health, Social Services and Public Safety whether he has any plans to introduce a fixed penalty system in relation to the illegal sale of cigarettes and tobacco products to underage children.

(AQW 1617/11)

Minister of Health, Social Services and Public Safety: The introduction of a fixed penalty system is one of a range of measures I am considering in order to strengthen sanctions against retailers who continue to flout the law with regards to underage sales of tobacco products.

The fixed penalty scheme option was included in a recent consultation which sought views on a number of proposals aimed at reducing the availability of tobacco products to children and young people. My Department is currently considering the responses to the consultation with the intention of introducing a Bill to the Assembly in the next mandate.

Illegal Sale of Cigarettes and Tobacco Products to Underage Children

Mr D Kennedy asked the Minister of Health, Social Services and Public Safety for his assessment of the consistency of approach employed by local authorities in relation to the guidelines for the enforcement of legislation concerning the sale of cigarettes to underage children; and whether he has any plans to tighten these guidelines.

(AQW 1618/11)

Minister of Health, Social Services and Public Safety: The enforcement of legislation relating to underage sales of tobacco products is the responsibility of local District Councils. While councils use a range of work activities to encourage compliance with the law, test purchase exercises are the

only reliable method of assessing legal compliance and providing councils with evidence to take legal proceedings.

I understand that some councils have been more proactive with regards to test purchasing than others. The Public Health Agency is hoping to address this through the Tobacco Enforcement Contract which details the services to be delivered by each Group Environmental Health Committee and Belfast City Council in exchange for funding.

My Department has not issued guidance to councils on the enforcement of age of sale legislation, and has no plans to do so. The Chief Environmental Health Officers' Group has adopted a template policy on the use of test purchases and has considered draft guidelines for the enforcement of legislation concerning the sale of cigarettes to underage children in line with guidance produced for England and Wales. These draft guidelines currently form the basis for District Council test purchasing exercises in Northern Ireland.

Free Prescriptions for Co-codomol

Mr D McNarry asked the Minister of Health, Social Services and Public Safety whether there is an adopted code of practice between GP Medical Centres and pharmacists regarding the issuing of free prescriptions for co-codomol at a dispensing cost when same item can be purchased for £1.69.
(AQW 1633/11)

Minister of Health, Social Services and Public Safety: There is no code of practice between GP Medical Centres and pharmacists regarding the issuing of free prescriptions for any medicine.

There are many medicines, including Co-codomol, that can be prescribed by a GP that are also available to buy over the counter. However, a GP will use their sound clinical judgement when deciding what to prescribe. GPs and pharmacists are aware of the role they have to play in prescribing and dispensing sensibly.

Department of Justice

Sex Offenders

Lord Morrow asked the Minister of Justice how many sex-offenders are listed on records as living at addresses which in actual fact are not places of accommodation.
(AQW 831/11)

Minister of Justice (Mr D Ford): The recording of information provided by offenders subject to the notification requirements set out in Part 2 of the Sexual Offences Act 2003 (the 'sex offender register') 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.

Cutting Prisoners' Hair

Mr T Burns asked the Minister of Justice, for each prison, to detail (i) the arrangements in place for cutting (a) male; and (b) female prisoners' hair; (ii) the cost to a prisoner of visiting a barber or hairdresser; and (iii) the cost to his Department of providing this service, in each of the last five years.
(AQW 1434/11)

Minister of Justice: Hair clippers and scissors are provided for the use of prisoners in Maghaberry and Magilligan prisons. There are no external visits to barbers or hairdressers and no cost is involved, other than the minimal cost of the clippers and scissors. There are no female prisoners in either Maghaberry or Magilligan prisons.

Hydebank Wood

Hair clippers and scissors are also made available for the use of inmates at Hydebank Wood. Arrangements are also in place for a hairdresser to attend the establishment on a regular basis both to teach hairdressing skills to the female prisoners and to provide a hairdressing service for both the male and female inmates where required. The hairdressing skills provided to female prisoners are an important element in developing vocational skills, self esteem and helping ultimately to reduce re-offending.

The cost of providing the hairdressing service, including the teaching element, for the last four years is set out below:

2009/10	2008/09	2007/08	2006/07
£1940	£4253	£2149	£2740

Figures are not available for 2005/06.

Prisoners Visits

Mr T Burns asked the Minister of Justice to detail for each prison (i) the number of prisoners who have been on visits in each of the last five years; (ii) the (a) location; (b) purpose; and (c) cost of each visit; and (iii) whether each visit was supervised or unsupervised.

(AQW 1436/11)

Minister of Justice: Limited numbers of prisoners are escorted by staff to undertake specific rehabilitation-focused activities. Only those on upper regime level are allowed to participate, after a full risk assessment has been completed. The activities are usually part of an accredited programme, such as the Duke of Edinburgh Award Scheme. I regard this as a valuable and cost-effective contribution to reducing the risk of re-offending.

Maghaberry

The delivery of the Duke of Edinburgh Award Scheme at Maghaberry Prison has included the following:

- In 2007, four prisoners were taken to Lough Erne and Craigavon Lakes for training one day per week over a course of eight weeks.
- In 2008/09, one prisoner was involved in training at Dundrum Bay, Lough Neagh and Strangford Lough one day per week over a course of eight weeks.
- In 2009, the same prisoner was also involved in training at Lough Erne one day per week over a course of four weeks for his Gold Award

Magilligan

In the last five years, Magilligan prisoners have been taken to a number of locations, i.e. Portrush, Portballintrae, Portstewart and Coleraine, for kayaking courses as part of a recognised qualification. All events were supervised by staff.

The numbers of prisoners attending these courses are set out in Table A:

TABLE A: TRIPS BY PRISONERS AT MAGILLIGAN PRISON

Calendar Year	2005	2006	2007	2008	2009
Number of Prisoners	16	7	4	8	0

Hydebank Wood

In the last five years Hydebank Wood inmates have been taken on a number of day visits for outdoor pursuits including hill walking and rock climbing (Mourne Mountains), cycling (Lagan Valley area) and canoeing (Belfast area). All events were supervised by staff.

The numbers of inmates attending these visits are set out in Table B:

TABLE B: TRIPS BY PRISONERS AT HYDEBANK WOOD

Calendar Year	2005	2006	2007	2008	2009
Number of Prisoners	0	10	0	0	8

In addition to these outdoor pursuit-based excursions, a number of trips have been arranged in relation to education and training:

- 2009/10: one juvenile inmate attended the Education Department of the Ulster Folk and Transport Museum (UFTM) at Cultra in relation to a handicrafts course which had been run with juvenile inmates at Hydebank Wood by UFTM staff;
- 2008/09: one prisoner attended a Prince's Trust celebration in Lisburn, with £10 for travel costs;
- 2008/09: six prisoners attended a Youth Awareness Day at Stormont in association with a demonstration by Fire Cadets; and
- 2006/07: six prisoners visited the Somme Centre, before appearing in the play 'Behold the Sons of Ulster'

Prisoners were supervised on all of these trips.

Sectarian Attacks in the Fountain Estate, Londonderry

Mr T Clarke asked the Minister of Justice, pursuant to AQW 985/11, why the PSNI does not record the number of sectarian attacks in the Fountain Estate, Londonderry; and whether there are any plans to start keeping such records.

(AQW 1448/11)

Minister of Justice: The manner in which the PSNI record offences 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.

Special Protection Scheme

Mr J Dallat asked the Minister of Justice how many Court and Tribunals Service staff have availed of the Special Protection Scheme in each of the last three years; and the cost to his Department.

(AQW 1452/11)

Minister of Justice: The Special Purchase of Evacuated Dwellings (SPED) scheme is also referred to as the Special Protection Scheme (SPS) and allows for the purchase of an owner occupied property where the owner has been intimidated or threatened.

Details of anyone availing of these schemes would not be disclosed as these would be treated in confidence.

Non-molestation Orders

Ms J McCann asked the Minister of Justice to detail (i) the current cost of obtaining a non-molestation order for a victim of domestic violence who is not entitled to legal aid; (ii) the average cost associated

where the respondent contests the Order; and (iii) the current earnings threshold for legal aid in relation to obtaining a non-molestation order.

(AQW 1460/11)

Minister of Justice:

- (i) The Northern Ireland Legal Services Commission (NILSC) holds information relating solely to legally aided applicants and respondents. Details of the costs of obtaining non-molestation orders privately, ie other than through legal aid, are not available.
- (ii) The average cost of a legally aided respondent defending non-molestation proceedings in the magistrates' court for that period was £478.

The information held by the Legal Services Commission on costs does not differentiate between contested and non-contested cases. The average cost a legally aided applicant taking proceedings for a non-molestation order (including both contested and non-contested cases) for the period 1 April 2009 – 31 March 2010 was £537.

- (iii) Legal Aid for the purpose of obtaining a non-molestation order is available through two schemes (depending on the court tier in which the order is applied). In both schemes the applicant's financial eligibility is determined based on an assessment of their disposable income and disposable capital. There are a number of statutory deductions and allowances which can be applied in both schemes in order to assess disposable income and capital.

Assistance by Way of Representation (ABWOR) Scheme

Disposable income threshold	Disposable capital threshold
£234pw (£12,168pa)	£3,000 (minimum)

Civil Legal Aid Scheme

Disposable income threshold	Disposable capital threshold
£9,937pa	£6,750

Police Officers Convicted of Speeding

Mr J Craig asked the Minister of Justice how many police officers have been convicted of speeding in each of the last five years.

(AQW 1461/11)

Minister of Justice: The issue of convictions of police officers for any offence 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.

Comparable Service Delivery

Dr S Farry asked the Minister of Justice what benchmarking exercises his Department conducts to assess its spending profile relative to comparable service delivery in other jurisdictions.

(AQW 1506/11)

Minister of Justice: The benchmarking exercises carried out in the Department of Justice, including its Agencies and NDPBs, are as follows:

Northern Ireland Courts and Tribunal Services (NICTS).

NICTS took part in the 2010 Central Government Benchmarking Exercise which was commissioned by HM Treasury in April 2010. The data collected covered activities such as Communications, Legal Services, Knowledge and Information Management and Grants Administration.

When establishing Civil Fee Income levels, NICTS consider the relevant comparable fees in England and Wales, where appropriate.

In terms of Criminal Legal Aid, NICTS has made use of benchmarking comparisons with other jurisdictions. The areas in which comparisons have been made are as follows:

Standard fees: NICTS compared the standard fees payable on over 200 cases with the comparable fees payable in England and Wales as part of the development of a policy on the remuneration of defence representation in the Crown Court.

Two counsel: NICTS compared the percentage of indictable only cases assigned more than one counsel in the Crown Court in Northern Ireland with the percentage of cases in England and Wales, in developing new rules setting out the criteria prescribing when a defendant at the Crown Court can be assigned more than one counsel.

Police Rehabilitation and Retraining Trust (PRRT).

PRRT consistently benchmarks all its services with similar providers, both in the public and private sector. However it is due to the unique nature of a number of its services and the demands of core clients, benchmarking exercises can be difficult to ensure like for like comparisons.

Over recent years, PRRT has been involved in tendering services in open procurement competitions – it ensures it seeks feedback on the outcome of these competitions to gain reassurance that its costs are broadly in line with its competitors.

A recent Arms Length Body (ALB) review examined the costs of our services and confirmed that these are competitive when compared to similar services being offered elsewhere.

It also has a number of external clients - Youth Justice Agency, Police Service of Northern Ireland, Occupational Health Service and Commission for Victims and Survivors, who carried out value for money exercises prior to contracting with the Trust. This again gives reassurance that costs can be benchmarked with other providers.

All of the Trust's services, clinical, personal development and training, are costed on a full cost recovery basis – there is no profit / surplus element built into its charges.

Northern Ireland Policing Board.

The Northern Ireland Policing Board is currently carrying out an Independent Assessment of its functions within the agreed Audit Commission/Her Majesty's Inspectorate of Constabulary framework used to assess England and Wales Police Authorities. The framework was subject to some minor revisions due to the different legislative frameworks under the Policing Board and Police Authorities in England and Wales operate. One entire theme within this assessment framework is Value for Money and Productivity.

Police Service of Northern Ireland (PSNI).

The Director of Finance and Support Services carries out a number of Benchmarking activities, detailed below;

- Procurement Value for Money Benchmarking in UK Public Sector.
- PSNI estates services engage in Benchmarking exercise as part of the UK Police Service Property Management Group.

- PSNI Finance completes a Chartered Institute of Public Finance and Accountancy (CIPFA) Finance Value for Money report with other Police Forces in England and Wales.
- Transport Services take part in benchmarking activities through the National Association of Police Fleet managers (NAPFM).

PSNI is not obliged to adopt the police report card scheme that all forces in England & Wales were required to report their performance against. However, some years ago Her Majesty's Inspectorate of Constabulary identified 5 forces in England & Wales that it deemed to be most similar to PSNI on a range of characteristics for comparison purposes. These Most Similar Forces (MSFs) are West Midlands, Nottinghamshire, Northumbria, Greater Manchester and West Yorkshire. The PSNI compares its performance on a range of indicators against these 5 forces on a regular basis, mostly through sourcing comparative information from the Home Office's dedicated police performance website called Iquanta.

Apprentices

Mr P Weir asked the Minister of Justice how many apprentices have a placement within his Department or any of its arms-length bodies for 2010/11.

(AQW 1570/11)

Minister of Justice: Whilst there have not been any external apprentices placed in the Department, there are 11 staff participating in an internal apprenticeship programme.

Access NI System

Ms A Lo asked the Minister of Justice whether he has any plans to simplify the Access NI system so that applicants do not have to be checked several times a year for each activity they undertake when working or volunteering with children and young people.

(AQW 1620/11)

Minister of Justice: AccessNI operates under Part V of the Police Act 1997. Subordinate legislation sets out who can obtain an enhanced disclosure for employment, including those who are working with vulnerable groups. AccessNI does not have any responsibility for legislation that sets out who is required to obtain such a disclosure. These requirements are set by others, including in some instances employers.

However AccessNI has a policy that certificates are not transferrable. This is because information in a certificate is only relevant on the day on which it is issued. If further convictions are accrued or police obtain further relevant information after the issue of a certificate there could be no guarantee that the information would still be correct in the future.

AccessNI, in common with all the disclosure services in the UK, is acutely aware of the fact that applicants can in some cases obtain several disclosure certificates over a short period of time. The proposed Vetting and Barring Scheme (VBS) would have addressed this to some extent in that it would have been possible to check a person's current status through a free on-line check.

The Westminster Government halted the introduction of the VBS in June pending a review. The terms of reference for that review have now been announced and the outcome will be known in early 2011.

In addition, HM Treasury has announced as part of the Comprehensive Spending Review that Criminal Records Bureau (CRB) checks will become more portable by "making greater use of electronic access for employers". Officials in AccessNI will work closely with their CRB counterparts to understand how Northern Ireland can benefit from this.

Finally, the problems highlighted can also be alleviated by organisations making sure that an enhanced disclosure check is necessary. There is evidence of checks being requested both where there is no requirement to do so and where eligibility for such a certificate is in doubt.

Internet Access for Prison Inmates

Mr T Burns asked the Minister of Justice to detail (i) the provision in place for internet access for inmates in each prison; (ii) the cost of providing these services; and (iii) the procedures in place for controlling and monitoring the use of the internet by inmates.

(AQW 1625/11)

Minister of Justice:

- (i) Inmate internet access is only provided for the purposes of education, research and exams. Supervised and strictly controlled Internet access to specific websites by inmates is provided in classrooms on 22 PCs at Maghaberry prison and on 7 PCs at Magilligan prison. There is currently no Internet access for inmates at Hydebank Wood prison.
- (ii) The initial cost of establishing Internet access for both prisons was £734. The recurring costs for this service are £4,347 per annum.
- (iii) Authorised inmates are permitted access only to approved website categories based on their learning needs. Inmates requiring access to the Internet as part of their course of study must read and sign an Acceptable Usage Policy. Inmate access to the Internet is controlled by both hardware and software systems. Access to facilities such as instant messaging and email are disabled. Internet access is supervised in the classroom by teachers and activity is logged in a central database which is routinely inspected by Headquarters ICT staff. Attempts to access unapproved websites are logged, monitored and challenged.

Violations of Internet Usage Policy by Inmates

Mr T Burns asked the Minister of Justice how many violations of internet usage policy by inmates were recorded in each prison in each of the last five years; and to detail the nature of the violations and the action that was taken against the individuals responsible.

(AQW 1626/11)

Minister of Justice: The number of violations is shown in the table below.

	Hydebank Wood	Maghaberry	Magilligan
2005	0	0	0
2006	0	0	1
2007	0	0	0
2008	0	0	0
2009	0	0	0

The nature of the misuse was the download of copyrighted material (i.e. music and video) from Internet file sharing networks in a computer build workshop. A full investigation also revealed the presence of three inappropriate adult sexual video files; these files did not contain images of children.

The workshop was shut down immediately and an internal investigation was conducted. This investigation examined the supervision of inmates while using Internet access facilities; the procedures for requesting, approving and installing Internet access facilities; and the physical and technical security measures put in place to ensure its proper and secure use. Weaknesses were identified and corrective action taken to address them.

It was concluded that it was not practical to bring charges against the supervising officer or prisoners.

NIPS subsequently introduced fuller policies and procedures in light of the incident, and reinforced staff training.

Northern Ireland Courts and Tribunal Service

Mr L Cree asked the Minister of Justice why a North Down constituent, Mr Colin Cooper, has not been afforded an opportunity to meet with representatives from his Department to discuss concerns about the complaints procedures of the Northern Ireland Courts and Tribunal Service not being followed.

(AQW 1740/11)

Minister of Justice: My office last wrote to Mr Cooper on 27 September 2010 following my consideration of the points that he had raised in his correspondence.

I am satisfied that thorough consideration has been given to the issues Mr Cooper has raised. In the circumstances I do not think that a meeting with officials could add anything more to the very full exchanges which have already taken place.

Department for Regional Development

Public Buses Serving Crumlin and Glenavy

Mr T Burns asked the Minister for Regional Development to provide a quarterly breakdown of passenger numbers using all public buses serving Crumlin and Glenavy in each of the last five years; and the total amount of revenue generated by these services.

(AQW 1437/11)

Minister for Regional Development (Mr C Murphy): I have been informed by Translink that the information is not available in the format requested. However, the following tables show the amount of revenue generated together with the number of passenger trips taken on an annual basis for the last five years. Please note that school services are not included in these figures.

Revenue and Journeys - Boarding and Alighting at Crumlin and Glenavy

2005/06		
Stage	Revenue	Journeys
Crumlin Total	£128,691.06	54,906
Glenavy Total	£36,468.50	19,722
Grand Total	£165,159.56	74,628

2006/07		
Stage	Revenue	Journeys
Crumlin Total	£149,205.76	56,160
Glenavy Total	£45,171.05	22,532
Grand Total	£194,376.81	76,692

2007/08		
Stage	Revenue	Journeys
Crumlin Total	£182,561.15	72,353
Glenavy Total	£55,239.20	26,304
Grand Total	£237,800.35	98,657

2008/09		
Stage	Revenue	Journeys
Crumlin Total	£235,690.77	90,769
Glenavy Total	£69,484.44	31,578
Grand Total	£305,175.21	122,347

2009/10		
Stage	Revenue	Journeys
Crumlin Total	£227,808.45	89,198
Glenavy Total	£71,785.48	32,517
Grand Total	£299,593.93	121,715

Road Infrastructure in the Strangford Constituency

Miss M McIlveen asked the Minister for Regional Development to provide a breakdown of the total investment in the road infrastructure in the Strangford constituency since May 2007.

(AQW 1550/11)

Minister for Regional Development: My Department's Roads Service does not maintain an analysis of its expenditure in the format requested. However, it does hold an analysis of total capital expenditure, on a financial year basis, by Council area. The most relevant Council areas in this case are Ards, Down and Castlereagh.

Roads Service's total expenditure on capital includes major capital schemes, minor capital schemes, street lighting renewal, land, capital structural maintenance and other capital activities.

Following the move of the NICS to International Financial Reporting Standards (IFRS) in 2009-10, and to comply with International Accounting Standards (IAS 16), structural maintenance activities, including resurfacing, reconstruction, surface dressing and drainage were deemed to be capital activities. These were previously classified as resource maintenance activities prior to 2009-10. Therefore, Capital Structural Maintenance is shown as nil in 2007-08 and 2008-09, in the attached Table.

Roads Service allocates its total budget for capital expenditure on roads across all the district council areas with major road improvements prioritised on a countrywide basis, taking account of a broad range of criteria, such as, strategic planning policy, traffic flow, number of accidents, potential travel time savings, environmental impact, accessibility and value for money. While the actual spend on a major works scheme may be within one district council area, the benefits of such schemes are not confined to that district council, constituency or county in which they are located.

The table below details total capital expenditure for the past three years covering the period 2007-08 to 2009-10 per council area.

District Council	Capital Activity	07-08	08-09	09-10
Down	Major Capital	294,000	341,000	272,000
	Minor Capital	523,000	512,000	672,000
	Road Lighting Capital	53,000	266,000	153,000
	Other Capital	107,000	157,000	171,000
	Land Under Acquisition	9,000	65,000	92,000
	Capital Structural Maintenance			2,517,000
	Total Capital	986,000	1,341,000	3,877,000
Ards	Major Capital	23,000	7,065,000	2,448,000
	Minor Capital	439,000	784,000	801,000
	Road Lighting Capital	178,000	195,000	230,000
	Other Capital	162,000	580,000	105,000
	Land Under Acquisition	1,158,000	43,000	46,000
	Capital Structural Maintenance			2,457,000
	Total Capital	1,960,000	8,667,000	6,088,000
Castlereagh	Major Capital		7,000	
	Minor Capital	811,000	252,000	1,902,000
	Road Lighting Capital	159,000	56,000	39,000
	Other Capital	346,000	115,000	341,000
	Land Under Acquisition		14,000	16,000
	Capital Structural Maintenance			1,525,000
	Total Capital	1,316,000	444,000	3,822,000

Cycling Budget

Mr C Lyttle asked the Minister for Regional Development whether the 98 percent cut in the cycling budget will impact on the proposed installation of two toucan crossings for the Comber Greenway section of the Cycle Network at the Kings and Beersbridge Roads in East Belfast.

(AQW 1557/11)

Minister for Regional Development: My Department's Roads Service has advised me that its work programme for this financial year has been finalised but officials will consider the provision of these toucan crossings, together with other schemes competing for inclusion within future works programmes.

However, as I am sure the Member will appreciate, funding for these types of schemes is limited due to budgetary constraints and consequently, the resources available for such works will be allocated on a scheme priority basis.

Policy Screening Process

Ms S Ramsey asked the Minister for Regional Development to detail, for the period from May 2007 to date, (i) the number of policies his Department and its associated bodies have (a) "screened out" as having no Equality Impact; and (b) "screened in" as having an Equality Impact; (ii) the number of staff involved in the screening process; and (iii) the cost of the screening process.

(AQW 1564/11)

Minister for Regional Development: I have detailed below the information requested. The information is provided for my Department and its associated bodies from April 2007, as opposed to May 2007, as records are kept annually from April to March and not broken down on a monthly basis.

(I) A) NUMBER OF POLICIES MY DEPARTMENT AND ITS ASSOCIATED BODIES HAVE "SCREENED OUT" AS HAVING NO EQUALITY IMPACT:

Year	April 2007 - March 2008	April 2008 - March 2009	April 2009 - March 2010	April 2010 - October 2010	Total:
Number	32	90	60	16	198

(I) B) NUMBER OF POLICIES MY DEPARTMENT AND ITS ASSOCIATED BODIES HAVE "SCREENED IN" AS HAVING AN EQUALITY IMPACT:

Year	April 2007 - March 2008	April 2008 - March 2009	April 2009 - March 2010	April 2010 - October 2010	Total:
Number	7	12	1	1	21

(ii) The number of staff involved in the screening process.

The duties associated with Section 75 have been mainstreamed and, as such all staff have a responsibility for screening and considering equality impacts of policies and procedures. I am therefore unable to provide the number of staff involved in the screening process.

(iii) The cost of the screening process.

As Section 75 is mainstreamed, I am unable to provide the cost of the screening process.

Burst or Leaking Pipes

Mr A Bresland asked the Minister for Regional Development how much water was lost through burst or leaking pipes in (i) 2005/06; (ii) 2006/07; (iii) 2007/08; (iv) 2008/09; and (v) 2009/10; and what was the estimated cost of these losses in each year.

(AQW 1589/11)

Minister for Regional Development: I have been advised by Northern Ireland Water (NIW) that leakage is not measured directly but is calculated based on a recognised water industry methodology. The methodology used to produce this figure was updated in agreement with the Utility Regulator and The Reporter in 2008, therefore NIW can provide figures for the period 2005/06 – 2007/08 and for the period 2008/09 – 2009/10. It should be noted that due to the change in methodology these figures should not be compared. The estimated volume of water lost through burst or leaking pipes for the years requested and the estimated cost is as detailed in the table below:

PERIOD 1 2005/06 – 2007/08

Year	Estimated Losses (MI/Day)	Total Estimated Cost (£M)
2005/06	178	4.7
2006/07	169	4.4
2007/08	157	4.1

PERIOD 2 2008/09 – 2009/10

Year	Estimated Losses (MI/Day)	Total Estimated Cost (£M)
2008/09	181	4.8
2009/10*	187	4.9

* The estimated losses figures include the impact of the extreme cold weather period December 2009 to January 2010.

Burst or Leaking Pipes: Repair

Mr A Bresland asked the Minister for Regional Development how much was spent repairing damaged, leaking or burst pipes in (i) 2005/06; (ii) 2006/07; (iii) 2007/08; (iv) 2008/09; and (v) 2009/10. **(AQW 1590/11)**

Minister for Regional Development: I have been advised by Northern Ireland Water that the cost of repairing damaged, leaking or burst pipes, which are part of the public water infrastructure, is as detailed in the table below. There is an element of leakage prevention included within these costs.

Year	2005/06	2006/07	2007/08	2008/09	2009/10
Estimated Costs £M	8.3	7.3	8.8	7.5	6.8

Single Tender Actions and Contract Extensions

Mr P McGlone asked the Minister for Regional Development how many (i) single tender actions; and (ii) contract extensions without tender, were made by his Department in each of the last five years. **(AQW 1596/11)**

Minister for Regional Development: The numbers of single tender actions and contract extensions without tender in Roads Service were provided in my response to AQW 416/11 and AQW 417/11 which were answered on 1 October 2010.

For the rest of my Department the following table sets out the numbers of Single Tender Actions (STAs) and Contract Extensions (CEs) in each of the last five years.

Financial Year	Single Tender Actions	Contract Extensions without Tender
2005 / 06	7	2
2006 / 07	6	2
2007 / 08	-	1
2008 / 09	4	2

Financial Year	Single Tender Actions	Contract Extensions without Tender
2009 / 10	5	4
Totals	22	11

Water Service figurework is not included in the above table for 2005/06 and 2006/07 when it was an Agency of my Department as it did not routinely record instances of Single Tender Action or Contract Extensions at that time. The information sought could now only be obtained at disproportionate cost.

NI Water

Mr P McGlone asked the Minister for Regional Development to detail who attended the meeting in relation to NI Water, referred to in an email on 18 January 2010 from Lian Patterson in his Department to officials, Gary Fair and John Mills; and what was discussed and actioned at this meeting.

(AQW 1597/11)

Minister for Regional Development: Paul Priestly and Lian Patterson attended the meeting with me on 19 January to discuss the emerging evidence of procurement governance failings in Northern Ireland Water. I concluded at the meeting that, based on the prima facie evidence, the DRD and the NI Water Accounting Officers had no choice but to initiate an independent review.

Western Transport Corridor

Mr T Clarke asked the Minister for Regional Development for an update on the progress of the Western Transport Corridor; and for his assessment of whether budget cuts are likely to hinder its progress.

(AQW 1604/11)

Minister for Regional Development: I can advise that development work on the A5 Western Transport Corridor is progressing well and is on schedule to meet the next key milestone for the project, as agreed between the Executive and the Southern Government. This next milestone is the publication of the draft statutory orders and Environmental Statement later this month. Publication, which will be preceded by a series of public information days, starts the formal consultation period for the project and is likely to result in the holding of a Public Inquiry next Spring/Summer, when issues of concern can be debated.

In terms of funding, the Irish Government has recently reaffirmed its intention to contribute £400m to the A5 Western Transport Corridor and the A8 Belfast to Larne dual carriageway. However, the details of the Comprehensive Spending Review will have to be considered by the Executive before Departmental budgets can be established.

NI Water Staff

Mr G Savage asked the Minister for Regional Development to detail (i) the employment agencies that have supplied staff to NI Water since April 2007; (ii) the number of staff supplied by each agency; and (iii) the contract specifications and their value.

(AQW 1605/11)

Minister for Regional Development: Details of the employment agencies that have supplied staff to Northern Ireland Water (NIW) since April 2007, the contract details and the costs incurred against each agency, were set out in my response to AQW 650/11 on 19 October 2010.

I have been advised by NIW that it does not hold detailed records of the staff supplied by each employment agency and is therefore unable to provide the breakdown sought. I have asked the Chief Executive of NIW to forward the contract specifications to you.

Overgrown Roots of Mature Trees

Mr T Burns asked the Minister for Regional Development to detail the number of incidents where pavements have had to be repaired because of damage caused by the overgrown roots of mature trees in each of the last five years; and the cost of carrying out these repairs.

(AQW 1629/11)

Minister for Regional Development: My Department's Roads Service has advised that it does not hold records for the whole of the North on the total number of incidents, or the cost of repair, where pavements have been damaged by tree roots.

However, given the higher concentration of street trees in the Greater Belfast area, information is available for Roads Service's Eastern Division, where records indicate that there are approximately 17,000 street trees.

Surface hazards, related to damage caused by tree roots, are identified by Roads Service during its cyclical inspections and the necessary repairs are programmed accordingly. The table below provides details of incidents, and associated costs, for each of the last 5 years in Eastern Division.

Footways Damaged by Tree roots		
Financial Year	Number of Incidents	Cost (£)
2005/06	69	4,177.62
2006/07	136	4,969.31
2007/08	180	8,078.86
2008/09	82	5,422.92
2009/10	154	7,996.53

Traffic Signage for Businesses

Mr P McGlone asked the Minister for Regional Development, pursuant to AQW 2884/10, for an update on his Department's policy on traffic signage for businesses.

(AQW 1640/11)

Minister for Regional Development: I have considered the options for relaxing my Department's policy for the provision of traffic signing for businesses and, while I am sympathetic to the current plight of many of these businesses, I believe that there is little scope to expand the existing policy without adversely impacting on the environment and road safety. Any relaxation could also lead to increased demand for such signing. This would have a significant resource impact in handling such requests, particularly defending refusals, and would ultimately impact on the delivery of other functions.

I should advise that the main purpose of direction signs is to guide road users to their desired destinations via the most appropriate route at the latter stages of their journey, particularly where destinations may be hard to find. While it is recognised that direction signs are perceived by businesses as being useful marketing tools, this is not the purpose for which they are provided.

Rapid Transit Systems

Mr T Burns asked the Minister for Regional Development for his assessment of the scientific evidence that suggests that light rail based urban rapid transit systems attract more people out of their cars than bus based urban rapid transit systems.

(AQW 1668/11)

Minister for Regional Development: When my Department commissioned independent consultants to investigate the viability of a Rapid Transit system for Belfast, the consultants were asked to consider

both light rail and bus based Rapid Transit technologies so that an assessment of the merits of both types of system could be carried out.

The consultants produced a Strategic Outline Case (SOC) for Rapid Transit in Belfast which found that, whilst a bus based Rapid Transit system was viable for the city, a light rail system was not. The SOC estimates that a bus-based system will cost some £150m compared to £590m for light rail based system along the same routes. The SOC found that bus based Rapid Transit would produce positive economic results but that light rail would not, as the likely numbers of passengers would not warrant the extra cost of light rail within the city. Affordability is assessed on the capital cost; the degree to which operating costs are covered by revenue; any subsidy requirement; and the benefits delivered by the system.

As recommended in the SOC, the design of the Belfast Rapid Transit system will consider the potential migration of the system to light rail in the future, should this become viable.

Water Storage

Mr C McDevitt asked the Minister for Regional Development to detail the current provision for water storage to ensure that adequate reserves of water are available should they be required.

(AQW 1680/11)

Minister for Regional Development: I have been advised by Northern Ireland Water (NIW) that its Water Resource Management Plan takes into account forecast water demand and the availability of water resources to meet that demand. The Plan is subject to regular review and has recently been revised for the period up to 2035. A draft Plan, which includes various options for meeting water demand over the planning period, was published recently for consultation and is available on the NIW website at www.niwater.com. It is anticipated that the final Plan will be completed by July 2011.

Department for Social Development

Rent Arrears

Miss M McIlveen asked the Minister for Social Development to detail the amount of rent arrears (i) recovered; (ii) written off; and (iii) carried forward by each Housing Executive district in each of the last three years.

(AQW 741/11)

Minister for Social Development (Mr A Attwood): The information requested in relation to the amount of rent arrears recovered and carried forward by the Housing Executive is not available as most current rent arrears are paid by tenants in conjunction with rental payments. The Housing Executive cannot disaggregate those payments made with respect only to rental charges and those with regards to rental arrears. Whilst it is possible to show general trends with regards to arrears recovery and to give a figure for the overall reduction each year, the current system does not allow the Housing Executive to provide statistical data on a more detailed basis.

The Housing Executive also has several initiatives in relation to rent arrears and continues to manage this area of business by:

- Money Advice/Support
- Focusing on new tenants
- Increasing options in methods of payment
- Increasing awareness availability of material
- Improvement Planning
- Increasing Targets

In relation to (ii), the table below details the amount of rent arrears written off for each Housing Executive district in each of the last three years:-

District	Total Written off for years ending*		
	2007/08 £	2008/09 £	2009/10 £
West Belfast	16,884	8,857	26,129
East Belfast	35,222	63,855	85,744
North Belfast	130,719	171,203	105,477
Shankill	123,857	81,923	44,333
South Belfast	18,750	61,349	54,350
Bangor	81,569	41,372	31,601
Newtownards	67,971	80,804	31,344
Castlereagh	52,164	34,742	42,896
Lisburn Antrim Street	83,851	15,016	55,050
Lisburn Dairy Farm	33,203	28,400	97,005
Downpatrick	54,860	27,484	25,954
Banbridge	30,262	11,090	21,507
Newry	26,836	37,980	49,742
Armagh	15,355	27,952	25,187
Lurgan/Brownlow	41,228	16,496	25,256
Portadown	19,450	21,173	43,731
Dungannon	19,291	30,445	24,665
Fermanagh	13,519	9,157	20,976
Ballymena	27,256	19,505	30,798
Antrim	32,686	24,329	14,951
Newtownabbey 1	16,406	36,315	16,857
Newtownabbey 2	38,179	16,513	11,357
Carrickfergus	34,752	49,446	7,342
Larne	20,650	27,407	14,524
Ballycastle	8,535	10,246	8,984
Ballymoney	13,507	12,560	2,267
Coleraine	37,154	55,601	36,665
Waterloo Place	33,216	1,853	19,041
Waterside	27,259	44,678	58,092
Collon Terrace	51,918	32,536	24,361
Limavady	19,332	3,762	12,977

District	Total Written off for years ending*		
	2007/08 £	2008/09 £	2009/10 £
Magherafelt	17,548	18,172	14,813
Strabane	31,835	9,653	30,097
Omagh	23,375	10,074	16,132
Cookstown	11,811	9,861	5,582

* Write off reasons include; debtor is deceased and has no estate or interested relatives; is resident outside N.I.; cannot be traced; has no means and is in receipt of benefits; debt is more than 3 years old; debt is less than £5

Support for Mortgage Interest Scheme

Ms A Lo asked the Minister for Social Development for his assessment of the impact on claimants of the decrease in the rate of payment under the Support for Mortgage Interest Scheme from 6.08 per cent to 3.8 per cent.

(AQW 883/11)

Minister for Social Development: From 1 October 2010 the standard interest rate under the Support for Mortgage Interest Scheme is set at a level equal to the Bank of England's published monthly average mortgage interest rate. The starting rate that applies from 1 October 2010 is 3.63 per cent (the rate published by the Bank of England on 31 August 2010). For simplicity of operation, future changes in the standard interest rate will only be triggered when the Bank of England published average mortgage rate and the standard rate in payment differ by at least 0.5%. When this happens the Bank of England average mortgage rate becomes the new standard interest rate.

Based on data (sample data of about 6,000 Support for Mortgage Interest claimants throughout the United Kingdom at November 2009) provided by the Council of Mortgage Lenders, it is estimated that 92% of current customers receiving help through the support for mortgage interest rules have mortgage interest rates below the old standard interest rate of 6.08%. The data also suggests that 50% of customers have mortgage rates less than 3.67%. Approximately 42% have rates between 3.67% and 6.08% with 8% having a rate above 6.08%.

Those customers who experience a shortfall under the new standard interest rate arrangement will still have the most of their eligible housing costs met by Support for Mortgage Interest. Based on conversations with the Council of Mortgage Lenders the Department would expect lenders to demonstrate forbearance in those cases. However, I have already expressed serious concern about the impact of these changes to the Welfare Reform Minister, Lord Freud, in Westminster, and my officials will be working with representatives from the advice sector, to monitor the impact of the changes, with a view to reviewing the position in a year's time and identify if other measures are feasible to address the situation.

Single Tender Actions

Ms C Ní Chuilín asked the Minister for Social Development how many single tender actions were issued by his Department and its agencies, including the Housing Executive, in (i) 2005/06; (ii) 2006/07; (iii) 2007/08; (iv) 2008/09; and (v) 2009/10.

(AQW 892/11)

Minister for Social Development: This information was provided in priority answer AQW 1076/11.

Falls Road Bus Depot

Mr P Maskey asked the Minister for Social Development whether his Department will retain an interest in the future of the Falls Road Bus Depot, as stated in the Andersonstown Gateway Feasibility Study document, or if it will remain as a bus depot for Translink.

(AQW 1074/11)

Minister for Social Development: I am fully aware of the ongoing concern about Translink's plan for the bus depot. I met with union members recently on the issue. The Andersonstown gateway Feasibility Study in March 2009 was a conceptual plan for the area in the short and longer terms and included future use of the Falls bus depot.

It will be for the community, government and all interested parties to determine the final end use of the lands covered by the study, including the Falls depot. There is no question of any decision being taken unilaterally on any parcel of lands which are part of the study.

Apprentices

Mr P Weir asked the Minister for Social Development how many apprentices have a placement for 2010-11 with his Department or any of its arms-length bodies.

(AQW 1208/11)

Minister for Social Development: My Department currently has two apprenticeship students in placements under the Programme Led Apprenticeships scheme.

Ilex, an arms-length body, sponsored by OFMDFM and DSD, has worked with the Kick Start to Work Programme to create four apprenticeships to date under the Peace Bridge contract awarded to Graham Construction.

The NI Housing Executive, a Non-Departmental Public Body for which my Department has responsibility, currently has seven apprentices.

In relation to contracts that my Department issues for procurement of goods and services I anticipate making an announcement on a significant extension of the graduate and apprenticeship requirements as part of those contracts for both the Department and Non-Departmental Public Body related procurements.

Housing Executive Away-days

Mr P Weir asked the Minister for Social Development to detail the number of staff hours spent on away-days by the Housing Executive in each of the last five years.

(AQW 1324/11)

Minister for Social Development: The total number of staff hours for the Housing Executive's away-days in each of the last five years is detailed in the table below:-

Year	No. of delegates	Total staff hours spent on away-days
2005	1080	7992
2006	630	4662
2007	885	6549
2008	1,544	11,426
2009	1,918	14,193

Notes

- Away days are classed as Business Planning and include a training element.
- The increase in events in 2008 and 2009 is due to the Modernising Programme.

Disability Living Allowance Appeals

Lord Morrow asked the Minister for Social Development how many unsuccessful applicants for Disability Living Allowance appealed the decision in each of the last three years; and how many of these appeals were successful.

(AQW 1418/11)

Minister for Social Development: The information is not available in the format requested as appeals are received from both applicants who have been unsuccessful in applying for Disability Living Allowance (nil award) and from those awarded one of the eleven different rates of DLA but who are not satisfied with the particular rate awarded. DLA appeals are recorded on an overall number basis and not by different categories which distinguish an individual's benefit history. The table below details the total number of DLA appeals processed by the Appeals Service and the number that were successful.

Year	Total DLA Appeals Processed	Total Successful DLA Appeals
2007/08	5,834	1,716
2008/09	6,803	1,942
2009/10	6,157	1,836

Housing Executive Newbuild Homes

Mr G Robinson asked the Minister for Social Development how many Housing Executive new build homes were built in the East Londonderry constituency in 2009/10; and how many are planned for 2010/11.

(AQW 1419/11)

Minister for Social Development: The information is not available in the format requested as the Housing Executive manages the Social Housing Development Programme on behalf of the Department for Social Development and individual homes are built or acquired by housing associations. However, during the financial year 2009/10, housing associations acquired 43 social housing units in the East Londonderry parliamentary constituency. During the financial year 2010/11, the Social Housing Development Programme includes four schemes comprising 29 units programmed to start during this year.

Housing Executive Research

Mr P Weir asked the Minister for Social Development how much has been spent by the Housing Executive on research, including staff costs and printing, in each of the last five years.

(AQW 1431/11)

Minister for Social Development: The table below details the amount of money spent on research including staff costs and printing in each of the last five years:-

Year	Research £
2005/06	815,134
2006/07	1,269,429
2007/08	859,983
2008/09	704,918
2009/10	1,273,784

Vacant Properties

Mr A McQuillan asked the Minister for Social Development how many properties are currently vacant in the (i) Limavady Borough Council area; and (ii) Coleraine Borough Council area.

(AQW 1442/11)

Minister for Social Development: The table below details the Housing Executive and Housing Association properties currently vacant in the Limavady and Coleraine Borough Council areas:-

	Limavady Borough Council	Coleraine Borough Council
Housing Executive *	18	34
Housing Associations	4	4

* These figures include property awaiting imminent relet; major repairs; for decanting; and difficult to let.

Rural Regeneration

Mr A McQuillan asked the Minister for Social Development how much the Housing Executive has invested in the rural regeneration of the (i) Limavady Borough Council area; and (ii) the Coleraine Borough Council area in each of the last five years; and to detail the nature of the initiatives used.

(AQW 1443/11)

Minister for Social Development: The tables below detail the Housing Executive investment in rural regeneration in the Limavady and Coleraine Borough Council area in each of the last five years.

TABLE 1: LIMAVADY BOROUGH COUNCIL AREA

Year	Social Housing Development Programme £	Planned Maintenance £	Private Sector Grants £	Supporting People £
2005/06	81,785	273,700	669,900	188,008
2006/07	Nil	1,060,200	710,900	395,566
2007/08	Nil	81,000	811,400 *	408,905
2008/09	1,237,385	171,000	664,000	398,780
2009/10	Nil	333,700	658,700	281,620

* Includes a Group Repair Scheme consisting of 19 dwellings at a cost of £256,000

TABLE 2: COLERAINE BOROUGH COUNCIL AREA

Year	Social Housing Development Programme £	Planned Maintenance £	Private Sector Grants £	Supporting People £
2005/06	Nil	1,428,628	882,407	1,769,587
2006/07	266,738	688,148	461,854	1,906,886
2007/08	Nil	1,694,107	684,000	2,250,623
2008/09	Nil	Nil	632,000	2,165,766

Year	Social Housing Development Programme £	Planned Maintenance £	Private Sector Grants £	Supporting People £
2009/10	Nil	350,000	783,600	2,057,036

Notes:

- Social Housing Development Programme figures reflect the total approved grant for each rural scheme completed within the last five years.
- Planned Maintenance figures include schemes which include a rural element though the total value of the scheme may not have been dedicated to rural areas.
- Private Sector Grants and Supporting People figures are the totals for each of the entire Borough areas.
- The Supporting People information details accommodation based services only and excludes Floating Support Services.

Waiting List for Tenants to Purchase their Homes

Mr A McQuillan asked the Minister for Social Development how many tenants in the Coleraine Borough Council area are currently on the waiting list to purchase their homes.

(AQW 1444/11)

Minister for Social Development: I would refer the Member to the answer I gave in the Oral Assembly Question AQO 350/11 on 25 October 2010.

Legal Services

Mr P McGlone asked the Minister for Social Development how much his Department and its agencies paid for legal services in each of the last five years; and to detail the firms engaged.

(AQW 1459/11)

Minister for Social Development: The table below provides details of expenditure on legal services by my department and its agencies in each of the last five years including costs attributable to the Departmental Solicitor's Office.

Expenditure on Legal Services				
2005-06	2006-07	2007-08	2008-09	2009-10
371,890	349,691	424,978	460,923	539,297

The table below provides details of firms engaged by my department and its agencies in each of the last five years. It should be noted however, that the figure-work also includes payments to counsel.

2005-06	2006-07	2007-08	2008-09	2009-10
Berwin Leighton Paisner	Berwin Leighton Paisner	Berwin Leighton Paisner	Berwin Leighton Paisner	Berwin Leighton Paisner
McCartan Turkington Breen Solicitors	McCartan Turkington Breen Solicitors	McCartan Turkington Breen Solicitors	McCartan Turkington Breen Solicitors	McCartan Turkington Breen Solicitors
Beachcroft Wandsworth	Beachcroft Wandsworth Solicitors	Beachcroft Wandsworth Solicitors	Beachcroft Wandsworth Solicitors	McBurney & Co

2005-06	2006-07	2007-08	2008-09	2009-10
Thompson McClure Solicitors	L'Estrange & Brett	Bernard Campbell & Co Solicitors	L'Estrange & Brett	L'Estrange & Brett
John Boston & Co Solicitors	John Boston & Co Solicitors	King & Gowdy Solicitors	King & Gowdy Solicitors	Mc Grigors Belfast
Elliott Duffy Garrett Solicitors	Bird & Bird Solicitors	Boyd Rice & Co Solicitors	Barr & Co Solicitors	Richard Freeman & Co
Campbell & Fitzpatrick's Solicitors	Ferris & Co Solicitors	John Ross & Son Solicitors	Conway, Todd & Co Solicitors	Conway, Todd & Co Solicitors
McGuinness & Canavan Solicitors	JB Stelfox & Co Solicitors	Joseph F McCollum Solicitors	Curran & Herron Solicitors	MacDermott & McGurk Solicitors
McShane & Co Solicitors	Wilson Nesbitt Solicitors	McCauley & Ritchie Solicitors	D & E Fisher Solicitors	
Messrs Gibson & Quigley Solicitors		McConnell and Fyfe Solicitors	Messrs Oliver Roche and Co Solicitors	
Mr GP Henvey Solicitors		Millar, Shearer & Black Solicitors	O'Hare Solicitors	
Patrick Fahy & Co Solicitors		A W G Colmer	Reid, Black & Co Solicitors	
Cousins Gilmore Solicitors			Thompsons McClure Solicitors	
Derry McGuinness & Company				

Pensioners' Bungalows in Ballyree Drive, Bangor

Mr A Easton asked the Minister for Social Development if he would consider emergency repairs to windows and heating systems in the pensioners bungalows in Ballyree Drive, Bangor until money is available for further modernization plans.

(AQW 1474/11)

Minister for Social Development: I can confirm that the Housing Executive will continue to provide a response maintenance service to cover all emergency repairs that are needed to any of the properties at Ballyree Drive, Bangor. In addition, the Housing Executive has advised that proposals for Bloomfield Phase 2 (Ballyree Drive) are as follows:-

- Extensions to provide 2 bed bungalows with fire-safe layout
- New roofs
- External doors and windows
- Kitchens
- Bathrooms
- Internal doors and walls
- Gas heating

- Rewiring
- External works – fencing etc.

These works are programmed for April 2011 and are subject to the availability of funding.

Housing Executive Front Doors

Ms S Ramsey asked the Minister for Social Development what is the time-frame for providing a Housing Executive tenant with a new front door following an assessment that one is necessary. **(AQW 1475/11)**

Minister for Social Development: Within the Housing Executive response maintenance process there are three classifications of work which are identified with the associated time allowances. These are:

- Emergency - time allowed 24 hours
- Urgent - time allowed 4 working days
- Routine - time allowed 15 working days

The time commences from the date the job is issued to the contractor.

Depending on the condition of the door a front door replacement could fall into any of the above classifications, but in the majority of cases the routine classification will apply. If the need to replace the door has been assessed as part of a scheme survey then the actual replacement date will be in accordance with the scheme programme.

Comparable Service Delivery

Dr S Farry asked the Minister for Social Development what benchmarking exercises his Department conducts to assess its spending profile relative to comparable service delivery in other jurisdictions. **(AQW 1494/11)**

Minister for Social Development: All of the main business areas within the Department have conducted benchmarking or cost comparison exercises at some stage.

The Social Security Agency has previously undertaken benchmarking exercises with the Department for Work and Pensions and the Department for Social & Family Affairs. However due to differences in organisation structures, service delivery arrangements, the nature of services provided and the costing methodologies of these organisations, direct comparisons are not always possible.

The Child Maintenance and Enforcement Division set very challenging targets around the cost of collecting child maintenance. Full analysis and comparison between Northern Ireland and Great Britain caseload and income levels is undertaken on an annual basis.

Housing Division benchmarks its principal budget of new social housing provision by comparing Cost Indicator Construction costs with Scottish Government figures (Scottish National Housing Association Grant Subsidy target benchmark). Maintenance costs (the second highest cost in the budget) was benchmarked against other jurisdictions in GB by Savills in the recent NI Housing Executive Stock Condition Survey and the unit cost was set using these comparable figures.

Benchmarking is an integral part of the development and implementation of a range of Urban Regeneration and Community Development programmes. For example as part of the initial roll-out process for neighbourhood renewal, benchmarking was carried out, both financially and operationally, between what was envisaged for Northern Ireland and similar schemes in operation in England, Scotland and Wales. Ongoing benchmarking is maintained through policy and operational review, supported by links between officials across the relevant jurisdictions and augmented by study visits by a range of practitioners.

Housing Stock

Mr A McQuillan asked the Minister for Social Development what is the current level of housing stock in the (i) Limavady Borough Council area; and (ii) the Coleraine Borough Council area.

(AQW 1496/11)

Minister for Social Development: At 30 September 2010, the total Housing Executive housing stock in the Limavady and Coleraine Borough Council areas was 1,468 and 3,082 respectively. In relation to Housing Association stock there were 329 units in Limavady and 857 units in Coleraine Borough Council areas. These figures are from 2009 and are the most up to date figures available from the Northern Ireland Federation of Housing Associations.

Red Sky Contractors

Mr P Maskey asked the Minister for Social Development how many complaints the Housing Executive received regarding the standard of work, or the time taken to carry out work, in West Belfast by Red Sky contractors, in each of the last five years.

(AQW 1498/11)

Minister for Social Development: The information is not available in the format requested as Red Sky was appointed as the EGAN contractor to West Belfast in March 2007. However, the table below details the number of complaints that have been officially registered via the Housing Executive's Complaints Management System.

	Informal complaints (District)	1st Stage complaints (Area)	2nd Stage complaints (Centre)	Total
2007	22	4	2	28
2008	32	10	1	43
2009	10	3	1	14
2010	3	5	0	8
	67	22	4	93

Social Security Office Site in Slieveban Drive

Mr P Maskey asked the Minister for Social Development what consultation his Department carried out with local people in Andersonstown before the decision was taken to build twenty houses on the old Social Security Office site in Slieveban Drive.

(AQW 1518/11)

Minister for Social Development: The site in question is still owned by the Department of Finance and Personnel and whilst it has been declared surplus and I have registered an interest in acquiring it for social housing, no decision has yet been made on the future ownership of the site.

However, I would be failing in my duty as Minister if I did not act promptly when land becomes available in areas of significant housing need for a potential new build scheme. Those on the waiting list would rightly ask serious questions if I delayed and the opportunity was lost. It is clear that there is good support for housing in this area and that the site lends itself to development.

I can assure the Member that should the site become available for social housing, full consultation with the local community will be undertaken at that time and in advance of any application for planning permission.

Rent Paid in the Private Rental Sector

Mr J Craig asked the Minister for Social Development what is the current average rent paid in the private rental sector compared to the social housing rental sector.

(AQW 1534/11)

Minister for Social Development: The information cannot be provided in the format requested as my Department does not hold information about the average rent paid in the private sector. However, the latest information regarding average rents in the social housing sector are as follows:-

Housing Executive	Housing Associations
£52.76 (for 2010/11)	£76.96 (for 2009/10)

Disability Living Allowance

Lord Morrow asked the Minister for Social Development, in each of the last three years, how many unsuccessful Disability Living Allowance claimants took up the option to have the decision looked at again; and how many had their initial refusal reversed.

(AQW 1556/11)

Minister for Social Development: The information is not available in the format requested as requests to have DLA decisions looked at again (reconsideration requests) are received from both applicants who have been unsuccessful in applying for Disability Living Allowance (nil award) and from those awarded one of the eleven different rates of DLA but who are not satisfied with the particular rate awarded. DLA reconsiderations received are recorded on an overall number basis and not by different categories which distinguish an individuals benefit history. The table below details the total number of DLA reconsideration requests received and the number that were successful. The main reason for successful reconsiderations is the provision of new information by customers following the initial decision.

Year	Total number of DLA Reconsideration Requests	Successful DLA Reconsiderations
2007/08	10,325	2,213
2008/09	9,017	2,575
2009/10	8,949	1,841

Policy Screening Process

Ms S Ramsey asked the Minister for Social Development to detail, for the period from May 2007 to date, (i) the number of policies his Department and its associated bodies have (a) "screened out" as having no Equality Impact; and (b) "screened in" as having an Equality Impact; (ii) the number of staff involved in the screening process; and (iii) the cost of the screening process.

(AQW 1561/11)

Minister for Social Development:

- (i) & (ii) The table below shows the number of policies that my Department and its associated bodies* has screened out and screened in for EQIA respectively. The majority of the screened out policies are routine pieces of amending legislation to Social Security legislation and procedural Northern Ireland Housing Executive issues.

Screened out	Screened in
271	15

- (iii) & (iv) In line with the Equality Commission's guidance on Section 75 and the Department's Equality Scheme, equality considerations are mainstreamed into the business. Since equality screening is therefore part of the policy making cycle it is not possible to quantify the number of staff involved or the costs associated with the screening process.

*ILEX is jointly sponsored by OFMDFM and my Department. However it has been decided, to avoid repetition, that only OFMDFM answer will include Ilex's screening figures.

Child Maintenance Cases

Mr D Hilditch asked the Minister for Social Development how many Child Maintenance cases are currently (i) registered with the Enforcement of Judgements Office; and (ii) with the Legal Enforcement Post-Liability Order team.

(AQW 1576/11)

Minister for Social Development:

- (i) There are 481 Child Maintenance and Enforcement Division cases currently registered with Enforcement of Judgements Office ; and (ii) there are a further 185 cases with the Legal Enforcement Post-Liability Order team.

Housing Allocation in the Springfarm Estate in Antrim

Mr T Clarke asked the Minister for Social Development (i) how many people are currently awaiting housing allocation in the Springfarm estate in Antrim; (ii) how many houses in this area are currently vacant; and (iii) how many are in need of repair to bring them up to living standards.

(AQW 1582/11)

Minister for Social Development: At June 2010 there were 110 applicants on the waiting list for Springfarm estate. There are currently 66 vacant properties in the Springfarm estate. Of these, 59 are in need of considerable repairs to bring them up to living standards, six are currently undergoing extensive repair and 1 dwelling is currently on offer.

Fuel Poverty Levels

Mr S Hamilton asked the Minister for Social Development for the estimated fuel poverty levels in the United Kingdom; and in each UK region.

(AQW 1586/11)

Minister for Social Development: The 2009 Northern Ireland House Condition Survey reports the level of fuel poverty in Northern Ireland as 43.7%

The level of fuel poverty reported in England in 2008 was 15.6%.

Scotland and Wales are due to report new fuel poverty levels at the end of November 2010 and an overall United Kingdom fuel poverty figure will be reported when the most up to date information is available from all regions.

Northern Ireland Charities Commission

Mr T Elliott asked the Minister for Social Development to detail (i) the costs of the Northern Ireland Charities Commission in each year since it was appointed, broken down by (a) salaries; (b) expenses; and (c) administration; (ii) the number of times it has met; and (iii) the number of charities that are fully registered now.

(AQW 1609/11)

Minister for Social Development: The Charity Commission for Northern Ireland was established in June 2009. As detailed in its audited accounts for 2009/10 the costs are as follows:

- Salaries – £240,250

- Expenses – £6,092
- Administration – £122,738 (this includes rent, rates and all other running costs)

Since June 2009 the Commission has met thirteen times.

The Commission has been carrying out preparatory work in relation to its regulatory functions, including registration. However, due to a technical problem with the primary legislation it is not able to proceed to registration. This relates to application of the public benefit test which all local charities will be required to meet. Following discussions with legal counsel representing the Commission and the Attorney General for Northern Ireland, I have decided to amend the Charities Act (Northern Ireland) 2008. A draft Bill is being prepared and will be introduced in the near future.

In the meantime the Commission has received records from HM Revenue & Customs which details the 7,000+ local charities registered with them for tax purposes. These records are being updated to enable the Commission to initiate its registration process once the amendment to the primary legislation is approved.

Charitable Funds by Registered Charities

Mr T Elliott asked the Minister for Social Development (i) whether details of the (a) collection; and (b) usage of charitable funds by registered charities are available to the public; (ii) what limitation is placed on the amount of funds that a charity can retain in investment or other accounts; and (iii) to whom the details of voluntary donations retained by a charity are reported.

(AQW 1610/11)

Minister for Social Development:

- (i) At present the regulation of street collections and most house to house collections are carried out by the Police Service for Northern Ireland (PSNI). Following the issuing of permits, PSNI District Commanders hold returns of the charitable collections made in their area.

My Department may grant an Exemption Order for house to house collections to a charity under section 3(1) of the House to House Charitable Collections Act (Northern Ireland) 1952. Those charities which have been granted an Exemption Order are required to file annual accounts of their house to house collections with the Department.

The Charities Act (NI) 2008 contains powers to enable the Charity Commission for Northern Ireland (CCNI) to regulate public charitable collections and to control fund-raising by charitable institutions. These powers have not yet been commenced and the PSNI retains responsibility for the authorisation of public collections. The Act also contains powers requiring all registered charities to produce annual accounts and reports and to provide these to CCNI. It is anticipated that this requirement will be introduced from 2012/13 and all accounts will be made publically available.

- (ii) There is no current limitation on the amount of funds that a charity can retain in investments or other accounts and this is primarily a matter for a charity's Trustees. One of CCNI's objectives under the 2008 Act is to promote the effective use of charitable resources and it will be required to produce advice and guidance for local charities on this issue. The issue of 'reserves' held by charities has been raised with me, and I have asked for the issue and size of 'reserves' to be scoped out.
- (iii) Details of all expenditure by charities, including voluntary donations, will be included in their annual accounts which will be subject to the regulatory framework to be established by CCNI.

Single People Under 35 years old Living in Rented Accommodation

Mr G Campbell asked the Minister for Social Development how many single people under 35 years old are currently living in rented accommodation; and for an assessment of how they will be affected by the Chancellor's statement on 20 October 2010.

(AQW 1612/11)

Minister for Social Development: It is not possible to accurately answer the question as information is only held in relation to Heads of Households. However broad estimates based on the 2009 Northern Ireland House Condition Survey indicate that 10,000 single heads of households under 35 live in the private rented sector and 5,000 in the social sector.

Clearly the two budgets in June and October with their housing benefit and welfare benefit changes will impact adversely on a wide range of groups including women, working families and single people under 35 years of age. I believe that by arguing against many of the changes, including opposition at Westminster, there is still the opportunity to reverse decisions. In addition the Northern Ireland Executive needs to put in place further measures to protect those in need and disadvantage. My Department will closely assess and monitor impacts on all groupings.

Disability Living Allowance

Mr A Easton asked the Minister for Social Development whether Disability Living Allowance will be included as part of the Westminster Government's proposals for a universal benefits system.

(AQW 1621/11)

Minister for Social Development: I expect full details of the universal credit to be set out in a White Paper to be published in the coming weeks. No doubt the paper will include the impact of the universal credit on the existing working age benefits framework. I value highly the role which disability living allowance plays in supporting people with disabilities to live their daily lives. I will be pressing the Westminster Government to ensure that adequate support remains in place for people with severe disabilities. I will raise this matter on 8 November when I next meet London Welfare Reform Ministers in London.

Disability Living Allowance

Mr A Easton asked the Minister for Social Development whether the mobility component of Disability Living Allowance will be removed as part of the Westminster Government's proposals for a universal benefits system.

(AQW 1622/11)

Minister for Social Development: The Westminster Government has made it clear that disability living allowance is under review. I intend to make sure that any reforms treat people with disabilities fairly. I recognise the importance of disability living allowance in supporting people with disabilities to remain independent and participate in society, particularly in Northern Ireland where we are still suffering from the legacy of the Conflict in terms of physical and mental health issues, and I will continue to press the Westminster Government to ensure that adequate support remains in place for people with severe disabilities. I will raise this matter on 8 November when I next meet London Welfare Reform Ministers in London.

Newbuild Housing Units and Developments

Mr S Hamilton asked the Minister for Social Development how many new build housing (i) units; and (ii) developments are currently unfinished.

(AQW 1635/11)

Minister for Social Development: The table below indicates the number of social housing schemes and units which have started on site but are not yet completed and the programme year where completion is anticipated.

Year of estimated completion	No of schemes currently on site	No of units
2010/11	48	728
2011/12	41	1047

Year of estimated completion	No of schemes currently on site	No of units
2012/13	5	347

Cyclical Maintenance

Mr F McCann asked the Minister for Social Development what elements of the Savills Report are currently being implemented by the Housing Executive; and whether this will lead to an end to cyclical maintenance.

(AQW 1676/11)

Minister for Social Development: Savills Housing Executive Stock Condition Survey assessed the current and future repairs and maintenance liabilities for Housing Executive based upon the works required to maintain the properties at Decent Homes Standard and to meet statutory obligations. Based on Savills recommendations the Housing Executive, working with my Department, has prepared a draft Housing Investment Strategy to cover the period 2011/12 to 2015/16. This Review allows, subject to available budgets, for external cyclical maintenance to be undertaken. The Housing Executive are also addressing Savills recommendations about reducing Grounds Maintenance and are preparing a bio-diversity strategy which will include provision of allotments for tenants with the first scheme at Ballybeen awaiting planning approval but expected this month.

Housing Benefit

Mr F McCann asked the Minister for Social Development how much Housing Benefit has been paid to the private rental sector in each of the last three years, broken down by constituency.

(AQW 1677/11)

Minister for Social Development: The information is not available in the format requested as the Housing Executive does not collate this information by parliamentary constituency. However, the table below details the amount of Housing Benefit paid to applicants living in the private rented sector in each of the last three years, by Housing Executive District Office area:-

District Office	2007/08 (£)	2008/09 (£)	2009/10 (£)
Belfast West	25,355.39	16,168.72	8,790.10
Belfast East	22,030.98	10,397.70	10,361.22
Belfast North	41,110.26	30,429.44	23,933.66
Belfast Shankill	23,943.13	4,895.44	1,520.23
Belfast South	16,804.10	16,717.89	7,903.66
Belfast North Private HB Unit	16,968,750.11	19,836,154.31	23,064,317.31
Belfast South Private HB Unit	10,144,424.88	11,860,956.46	13,872,897.71
Belfast East Private HB Unit	12,861,439.19	14,364,407.16	16,366,547.74
Belfast West Private HB Unit	18,772,815.65	21,981,173.77	25,079,965.19
Bangor	7,304,767.17	7,889,850.43	9,356,140.06
Newtownards	5,935,646.60	6,938,999.53	8,647,920.67
Castlereagh	3,699,902.36	4,320,622.68	5,219,034.13
Lisburn Antrim Street	4,632,009.84	5,841,900.43	8,074,411.93
Lisburn Dairy Farm	4,090,281.75	4,570,023.75	5,159,200.04

District Office	2007/08 (£)	2008/09 (£)	2009/10 (£)
Downpatrick	9,232,342.57	10,321,214.58	12,425,076.23
Banbridge	3,894,206.34	4,518,002.40	5,523,588.72
Newry	14,210,653.52	15,359,312.60	18,263,620.78
Armagh	5,772,945.26	6,509,505.20	7,864,921.32
Lurgan	7,942,638.28	9,307,097.11	11,145,827.37
Portadown	5,227,649.82	5,980,792.23	6,839,374.60
Dungannon	5,302,587.57	6,291,624.24	7,666,119.94
Fermanagh	5,397,022.65	6,383,524.98	8,011,147.86
Ballymena	5,942,969.73	6,681,072.29	8,265,920.13
Antrim	3,242,596.18	3,926,974.66	5,214,808.98
Newtownabbey 1	3,104,870.01	3,530,567.97	4,418,052.96
Newtownabbey 2	3,529,466.17	3,968,026.11	4,966,909.57
Carrickfergus	3,776,579.93	4,356,665.69	5,318,376.82
Larne	3,786,108.46	4,423,536.40	5,622,726.17
Ballycastle	2,309,342.23	2,590,143.78	3,085,699.14
Ballymoney	2,771,130.70	3,139,508.29	4,116,530.89
Coleraine	6,670,990.27	7,779,544.66	9,625,546.88
Waterloo Place	10,866,108.49	12,253,443.56	13,821,762.41
Waterside	10,342,879.61	11,036,180.06	12,512,335.03
Collon Terrace	8,498,256.95	9,261,051.37	10,325,137.70
Limavady	3,700,221.90	4,581,375.44	6,129,660.25
Magherafelt	2,870,205.75	3,411,941.70	4,665,978.85
Strabane	6,330,220.53	7,267,635.13	9,055,722.19
Omagh	6,864,601.26	7,823,854.59	9,226,081.36
Cookstown	3,169,215.01	3,911,418.93	5,082,475.26

Homeless in the North Down Constituency

Mr P Weir asked the Minister for Social Development how many people under the age of 18 years old in the North Down constituency are currently classified as homeless.

(AQW 1701/11)

Minister for Social Development: The information is not available in the format requested as the Housing Executive does not collate information by parliamentary constituency. However, as at 30 September 2010, eight people under 18 years old presented as homeless at the Bangor District Office which covers the North Down Borough Council area. Six were accepted as Full Duty Applicant status.

Community Care Grants

Mr P Weir asked the Minister for Social Development to detail the average time taken to process a Community Care Grant in (i) the North Down constituency; and (ii) Northern Ireland.

(AQW 1702/11)

Minister for Social Development: Performance data on Social Fund applications (including Community Care Grants) is not maintained by the Social Security Agency at individual Parliamentary constituency level. The average time taken by the Agency (April to September 2010) to process Community Care Grants in Northern Ireland was 11.9 days against a target of 12.0 days.

Northern Ireland Assembly Commission

Parliament Buildings

Mr J Dallat asked the Assembly Commission how much it has spent on (i) furniture and fittings; (ii) fixtures and fittings; (iii) heat and electricity; (iv) security and ushers; and (v) cleaning for Parliament Buildings in each of the last three years.

(AQW 1467/11)

The Representative of the Assembly Commission (Mr S Neeson): Please find below the figures that you requested.

(I) FURNITURE AND FITTINGS

2007/08	2008/09	2009/10
£139,259.94	£56,480.00	£121,770.40

(II) FIXTURES AND FITTINGS

These figures are included in (i) above.

(III) HEAT AND ELECTRICITY

2007/08	2008/09	2009/10
£263,592.00	£402,709	£278,477

(IV) SECURITY AND USHERS

2007/08	2008/09	2009/10
£2,135,189.67	£2,627,929.90	£2,785,241.99

(V) CLEANING

2007/08	2008/09	2009/10
£285,435.85	£293,373.60	£300,926.94

Northern Ireland Assembly

Friday 12 November 2010

Written Answers to Questions

Office of the First Minister and deputy First Minister

Northern Ireland Commissioner for Children and Young People

Miss M McIlveen asked the First Minister and deputy First Minister for their assessment of the value for money provided by, and the effectiveness of, the Northern Ireland Commissioner for Children and Young People since its establishment in 2003.

(AQW 1828/11)

First Minister and deputy First Minister (Mr P Robinson and Mr M McGuinness): The Office of the First Minister and deputy First Minister is the sponsoring body for the Commissioner for Children and Young People. In this role, we are obligated under Treasury guidance, the Management Statement and Financial Memorandum to carry out a review of the Commissioner every three years.

The purpose of the review is to determine the value for money and the effectiveness and efficiency of the operation of the Commissioner within the legislative terms set out in the Commissioner for Children and Young People (NI) Order (2003). It also looks at how delivery of these services can be improved in the future.

The first review of the Commissioner was carried out in 2007. A copy of the review report can be found on www.allchildrenni.gov.uk website.

OFMDFM commissioned the second review of the Commissioner at the beginning of 2010. Information on the effectiveness and efficiency of the Commissioner will be detailed in the review report soon to be published. It would be premature to speculate at this time what the findings of the review will be.

Comprehensive Spending Review

Ms D Purvis asked the First Minister and deputy First Minister if they will make a statement to the Assembly on the implications for women of the Comprehensive Spending Review.

(AQW 1837/11)

First Minister and deputy First Minister: As we outlined in our answer to AQW 1613/11, dated 4 November 2010, the implications of the Comprehensive Spending Review settlement will be very challenging for all concerned. We will be doing everything we can to minimise its impact on Section 75 groups including women.

As part of the outworkings of the budget process, departments will be paying due regard to their equality responsibilities and we will maintain this responsibility throughout our consideration of the Spending Review options and when making final budget decisions.

Public Open Space Land

Dr S Farry asked the First Minister and deputy First Minister how much public open space land is owned by their Department and its associated bodies.

(AQW 1912/11)

First Minister and deputy First Minister: The Department and its associated bodies do not currently own any public open space land. However, the objective of the Peace Bridge and Parade Ground contracts at the Ebrington Barracks site is to create a public space at this historic site.

Department of Agriculture and Rural Development

Protection of Marine Environments

Mr D Kinahan asked the Minister of Agriculture and Rural Development, in relation to the protection of marine environments, why her Department has yet to agree a position with the Department of the Environment on the boundaries of non-disturbance zones.

(AQW 1647/11)

Minister of Agriculture and Rural Development (Ms M Gildernew): A position has been agreed with the Department of the Environment and my Department will now be bringing forward Regulations to establish sea fishing exclusion zones in the Lough.

Targeted Agricultural Modernisation Scheme

Mr P J Bradley asked the Minister of Agriculture and Rural Development for her assessment of the threat to pig producers as a result of the Irish Government's introduction of a Sow Housing Welfare scheme, set up under the Targeted Agricultural Modernisation Scheme (TAMS); and whether she has any plans to give farmers here equal or better financial support than is being offered to pig producers in the Republic of Ireland through the TAMS scheme.

(AQW 1672/11)

Minister of Agriculture and Rural Development: I do not believe that there is any threat to pig producers here as a result of the south's scheme. The TAMS offers grant-aid to enable compliance with Council Directive 2008/120/EC. However the Welfare of Farmed Animal (Amendment) Regulations (NI) 2003 already covers all the conditions contained in this Directive, hence producers here have had a long lead-in period in which to bring their units up to the required standards. Almost all are already fully in compliance and adherence is ensured by a minimum of five inspections each year, one of which is carried out by an independent assessor. In addition, DARD inspectors carry out welfare visits.

For those wishing to further improve their pig production facilities, I am pleased to advise that Tranche 2 of the Farm Modernisation Programme will be open for applications until 26 November 2010. The List of Eligible Items for this Tranche includes a number of modernising items of plant, machinery and equipment which are likely to be of interest to the pig sector. Support will be provided at a rate of up to 40% and up to a maximum payment of £4k per applicant. Under Tranche 1, pig enterprises received almost £100,000 of grant-aid. I am also seeking to bring forward a third tranche and this may include further support measures for the pig sector.

In addition, the Manure Efficiency Technology Scheme (METS), which provides capital grants for investment in advanced slurry and manure spreading systems, may also contain relevant items. Financial support of up to £10,000 per farm business will be available under Tranche 2.

Given the above, I am confident that the pig sector here will not be disadvantaged by the introduction of the TAMS in the south.

Biomass Processing Challenge Fund

Mr W Irwin asked the Minister of Agriculture and Rural Development for an update on the Biomass Processing Challenge Fund.

(AQW 1969/11)

Minister of Agriculture and Rural Development: The Biomass Processing Challenge Fund, which is part financed by the European Regional Development Fund, is an integral part of my Department's

Renewable Energy Action Plan. The first tranche of the fund closed to new applications on 19 August 2010. A grant rate of up to 40% of eligible costs, to a maximum of €400,000 per project, may be paid.

A total of 15 applications were received by the closing date and all eligible applications have now been assessed, using set criteria, by a Selection Panel. The assessment of projects was informed by technical and economic analysis and a range of renewable energy technologies including biomass boilers and anaerobic digestion have been applied for.

Letters of Offer are due to issue to successful applicants in the coming weeks.

Department of Education

Preschool Places

Mr R Beggs asked the Minister of Education if she can provide an assurance that there will be a funded pre-school place available for all children in their immediate pre-school year.

(AQW 1214/11)

Minister of Education (Ms C Ruane): Is é is aidhm don Chlár Fairsingithe Oideachais Réamhscoile (CFOR) bliain amháin d'ardchaighdeán cistithe oideachais réamhscoile a sholáthar, sa bhliain roimh oideachas éigeantach, do gach páiste ar mian lena dtuismitheoirí é. Faoin Chlár seo, tugadh soláthar breise isteach ar bhonn céimnithe ón scoilbhliain 1998/99. Ón am sin ar aghaidh, tháinig méadú ar an leibhéal soláthair ó 45% go breis agus 90%. Ós rud é nach mian le gach tuismitheoir leas a bhaint as áit chistithe réamhscoile dá bpáistí, meastar gur leor an leibhéal soláthair seo chun an t-éileamh a chomhlíonadh.

The aim of the Pre-school Education Expansion Programme (PSEEP) is to provide one year of high quality funded pre-school education, in the year before compulsory education, for every child whose parents wish it. Under this Programme additional provision has been introduced on a phased basis since the 1998/99 school year. Since that time the overall level of provision has risen from 45% to over 90%. As not every parent wants to avail of a pre-school place for their child this level of provision is considered sufficient to meet demand.

While my Department retains policy and budgetary responsibility for the PSEEP, the planning and implementation at local level is the responsibility of the Pre-School Education Advisory Groups (PEAGS) within each Education and Library Board. These groups undertake an annual review of provision in order to ensure that there are sufficient funded pre-school places available to meet the needs of each area.

However, as evidenced by the significant demand for pre-school places this year, the management of this function is a complex process as there is no statistical data available at a local level which provides detailed information on the projected number of children who will be in their final pre-school year i.e. those aged between 3 years 2 months and 4 years 2 months each September.

Whilst statistical projections can indicate a rise in the number of three year olds each year they cannot predict specifically where increased demand will occur. Therefore the P1 number, which is collated as part of the annual School Census, is used as a proxy for the size of the pre-school cohort. This method is considered to be the most accurate way of predicting likely demand in an individual locality. However, the numbers of newcomer children in a given area, and whether parents will request full-time or part-time provision are also factors which cannot be predicted and can impact on the level of provision in an area. Whilst overall there may be sufficient places to meet demand there may be occasions on which supply does not match demand on a geographic basis.

I can assure you that following the high demand for funded pre-school places this year, officials in my Department are working with the Education and Library Boards to ensure that, as far as possible, there will be a funded pre-school place available for every child in their final pre-school year whose parents want them to have one.

Preschool Places

Mr R Beggs asked the Minister of Education why some two-year-old children receive a funded pre-school place, whilst some children in their immediate pre-school year do not.

(AQW 1217/11)

Minister of Education: Is é is aidhm don Chlár Fairsingithe Oideachais Réamhscoile (CFOR) bliain amháin d'ardchaighdeán cistithe oideachais réamhscoile a sholáthar, sa bhliain roimh oideachas éigeantach, do gach páiste ar mian lena dtuismitheoirí é.

The aim of the Pre-School Education Expansion Programme (PSEEP) is to provide one year of high quality funded pre-school education for every child in their final pre-school year whose parents want it.

Funded pre-school places are provided in statutory nursery settings and in voluntary/private playgroup settings participating in the PSEEP. Whilst funded places in the voluntary/private sector can only be allocated to children in their final pre-school year, places in the statutory nursery sector have, since the early 1970s under legislation, been open to children from the age of 2 years.

The legislation requires statutory sector providers to give priority to applications from children in their final pre-school year. However, when undersubscribed with applications from appropriate age children, these settings must also, under the open enrolment arrangements, consider applications from younger children and allocate available places during the Admissions process. All applications, irrespective of the age of the child, are processed at the same time in accordance with the department's published timetable.

As priority must always be given to children in their final pre-school year, the only places in statutory settings that can be offered to underage children who apply are those for which children in their final pre-school year did not apply during the Admissions process.

Preschool Places

Mr M Storey asked the Minister of Education, pursuant to AQW 605, 606 and 609, when she will be in a position to provide figures in relation to the uptake of pre-school places

(AQW 1239/11)

Minister of Education: Tá na Boird Oideachais agus Leabharlann ag bailiú an eolais riachtanaigh faoi láthair. Meastar go mbeidh sé ag mo Roinn roimh i bhfad. Tá súil agam go mbeidh mé in ann freagra substainteach ar AQW 605, 606 agus 609 a thabhairt roimh dheireadh mhí na Samhna.

The necessary information is presently being collated by the Education and Library Boards. It is anticipated that it will be with my department shortly. I hope to be in a position to provide a substantive response to AQWs 605, 606 and 609 before the end of November.

Comparable Service Delivery

Dr S Farry asked the Minister of Education what benchmarking exercises her Department conducts to assess its spending profile relative to comparable service delivery in other jurisdictions.

(AQW 1505/11)

Minister of Education: Leithdháiltear acmhainní ar an Choiste Feidhmiúcháin faoi Fhoirmle Barnet. Ina dhiaidh sin, tá sé de dhualgas ar an Choiste Feidhmiúcháin leithdháiltí Ranna a chinneadh ar bhonn an leibhéil chistithe a cuireadh ar fáil do sheirbhísí poiblí anseo. A luaithe a aontóidh an Coiste Feidhmiúcháin ar an bhuiséad atá ar fáil do sheirbhísí oideachais, cinnfidh mé, mar Aire Oideachais, cad é mar a chaithfí na hacmhainní seo de réir mo thosaíochtaí, agus bunófar leithdháiltí ar na heochairphrionsabail de riachtanas agus de chomhionannas.

Resources are allocated to the Executive under the Barnet Formula. It is then the responsibility of the Executive to determine Departmental allocations on basis of the level of funding made available for public services here. Once the Executive agree the budget available for education services it is

then a decision for me as Education Minister to determine how these resources should be spent in accordance with my priorities and allocations will be based on the key principles of need and equality.

Policy Screening Process

Ms S Ramsey asked the Minister of Education to detail, for the period from May 2007 to date, (i) the number of policies her Department and its associated bodies have (a) ‘screened out’ as having no Equality Impact; and (b) ‘screened in’ as having an Equality Impact; (ii) the number of staff involved in the screening process; and (iii) the cost of the screening process.

(AQW 1562/11)

Minister of Education: Ó mhí na Bealtaine 2007 “scag” an Roinn Oideachas amach 20 polasaí nach raibh Measúnacht Tionchair acu agus “scag” sí isteach 6 pholasaí a raibh Measúnacht Tionchair acu.

Since May 2007 the Department of Education has ‘screened out’ 20 policies as having no Equality Impact and ‘screened in’ 6 policies as having an Equality Impact.

I have been advised by the Chief Executives of educational Non-Departmental Public Bodies that in the same period their organisations “screened out” 27 policies as having no Equality Impact and ‘screened in’ 7 policies as having an Equality Impact.

As each policy has different considerations it is not possible to provide a figure for the number of staff involved in the screening process. However, a minimum screening would involve 2 or 3 members of staff (including a member of staff from the organisation’s Equality Unit).

As screening is an intrinsic part of policy making it is not costed separately from any other part of the policy development process.

Teaching Recruitment Exercises

Dr S Farry asked the Minister of Education why Education and Library Boards require applicants to have teaching experience within the last four years for current recruitment exercises; and for her assessment of the impact that this has on equality of opportunity, including reference to the findings of any equality screening of this policy.

(AQW 1624/11)

Minister of Education: Chuir na Boird Oideachais agus Leabharlann in iúl dom nach bhfuil aon pholasaí a éilíonn taithí mhúinteoireachta in earcú agus i roghnú na múinteoirí agus, mar sin de, ní dhearnadh aon scagadh comhionannais ná measúnacht tionchair chomhionannais.

I have been informed by the Education and Library Boards that there is no policy requiring teaching experience in the recruitment and selection of teachers and therefore no equality screening or equality impact assessment has been carried out.

Middletown Autism Centre

Mr J McCallister asked the Minister of Education (i) to detail (a) capital; and (b) revenue costs for the Middletown Autism Centre in each year since it opened; (ii) for a breakdown of the contributions made to the centre by (a) Northern Ireland Departments; and (b) the Irish Government in each year since September 2004; (iii) for her assessment of paragraph 6.3.23 of the Comptroller and Auditor General’s 2009 report on the centre; and (iv) if she will help to co-ordinate an opportunity for representatives of the Middletown Autism Centre to give evidence to the Assembly’s Education Committee.

(AQW 1664/11)

Minister of Education: Maoiníonn an Roinn Oideachais agus an Roinn Oideachais agus Scileanna sa deisceart Ionad Choillidh Chanannáin d’Uathachas ar bhonn 50/50, agus ní ranníocann aon roinn eile rialtais sa tuaisceart cistiú.

The Middletown Centre for Autism is funded jointly on a 50/50 basis by the Department of Education and the Department for Education and Skills in the south with no other government department in the north contributing funding.

The overall project to establish the Centre has incurred costs by my Department as detailed in the table below. The figures are given for financial years since 2004 and includes all revenue and capital funding incurred by DE since that date. The south of Ireland has contributed an equivalent amount. The DE Project administration funding associated with the Centre since that date has also been included. The Centre started operating in March 2007.

Year	Type	Amount
2004/05	Revenue	£176,273
	Capital - Purchase	£1,500,000
	Other	£52,922
	Total	£1,729,195
2005/06	Revenue	£56,304
	Capital	£0.00
	Other	£47,659
	Total	£103,963
2006/07	Revenue	£84,277
	Capital	£0.00
	Other	£54,946
	Total	£139,223
2007/08	Revenue	£376,117
	Capital	£130,842
	Other	£57,743
	Total	£564,702
2008/09	Revenue	£531,554
	Capital	£61,725
	Other	£44,548
	Total	£637,827
2009/10	Revenue	£621,622
	Capital	£54,388
	Other	£61,850
	Total	£737,860
2010/11*	Revenue	£304,598
	Capital	£4,590
	Other	£34,137
	Total	£343,325

*Up to 30 Sept 2010

This table excludes costs incurred prior to April 2004.

I accept that paragraph 6.3.23 of Financial Auditing & Reporting: General Report by the Comptroller and Auditor General – 2009 is a fair and accurate assessment of the situation in respect of the Middletown Centre for Autism when the audit was undertaken. I am pleased to note the views expressed by the Comptroller and Auditor General in his overall findings that appropriate corporate governance arrangements are in place at the Centre.

The Middletown Centre for Autism is a joint project by the Department of Education and the Department of Education and Skills in the south. The development of the two key services that have yet to be fully implemented, the Educational Assessment Service and the Learning Support Service, will be considered when drafting the updated, phased multi-annual plan for the future development of the Centre taking account of international best practice and the development of autism services on the island of Ireland since the Centre was established.

To date, the Centre has delivered a broad range of training interventions to over 5,000 professionals and parents across the island. Feedback received on this training has been extremely positive and interest in the forthcoming training events remaining high.

The Research and Information Service continues to progress two island-wide research projects in relation to sensory issues and working memory for those on the autism spectrum. A new research bulletin was also published recently in relation to educational assessment

Representatives from the Middletown Centre for Autism appeared before the Education Committee in November 2008. I am sure the Management Board of the Centre will respond positively should another invitation be extended by the Committee.

Financial Assistance for Taking Children to and from Primary Schools

Mr P J Bradley asked the Minister of Education how many parents are currently being offered financial assistance by the Southern Education and Library Board for taking their children to and from their nearest primary schools.

(AQW 1673/11)

Minister of Education: Tá Bord Oideachais agus Leabharlann an Deiscirt ag cur cúnamh airgeadais ar fáil do theaghlaigh na 477 páiste atá ag freastal ar an Bhunscoil is cóngaraí dóibh faoi láthair.

The Southern Education and Library Board is providing financial assistance to the families of 477 pupils who are currently attending their nearest Primary school.

Quality of Physical Education Provision

Mr K Robinson asked the Minister of Education, pursuant to AQW 952/11, to outline the Education and Training Inspectorate's assessment, in reports received by her Department, of the quality of physical education provision at (i) Key Stage One; (ii) Key Stage two; and (iii) in post-primary schools.

(AQW 1696/11)

Minister of Education: Cosúil le gach réimse foghlama laistigh den churaclam athbhreithnithe, is é an measúnú de chuid na Cigireachta Oideachais agus Oiliúna (COO) ná go bhféadtar caighdeán an tsoláthair chorpoideachais athrú ó scoil go scoil, i suímh bhunscoile agus i suímh iar-bhunscoile araon. Is é an soláthar is éifeachtaí ná soláthar arb é is príomhthréith ann ardleibhéil ghníomhaíochta, spreagtha, bhainteachta agus baint suilt as na ceachtanna trí ghníomhaíochtaí dúshlánacha éagsúla. Tá fócas soiléir ag na gníomhaíochtaí pleanáilte seo ar fhorbairt na scileanna inaistrithe a chothú agus ar neamhspleáchas sna foghlaimeoirí a spreagadh agus iad ag oiriúnú a scileanna i gcomhthéacsanna atá ag éirí níos dúshlánaí. Sa mhodh is lú éifeacht, tugtar barraíocht treoracha ón mhúinteoir, agus bíonn easpa deiseanna ag na foghlaimoírí chun a scileanna a chleachtadh agus a fheabhsú.

As with all areas of learning within the revised curriculum, the Education and Training Inspectorate (ETI) assessment is that the quality of physical education provision can vary from school to school, in both primary and post-primary settings. The most effective provision is characterised by high levels of activity, motivation, engagement and enjoyment of the lessons through challenging and differentiated

activities. These well-planned activities have a clear focus on promoting the development of transferable skills and encourage independence in the learners as they adapt their skills in increasingly challenging contexts. In the less effective practice the lessons are overly directed by the teacher, with too few opportunities for the learners to practice and improve their skills.

As my earlier answer indicated, I believe that ensuring high quality provision that reflects the statutory requirements of the curriculum and that engages and promotes the enjoyment of young people is important and I will be asking the Education and Library Boards to look at how they can more effectively acknowledge and disseminate the good practice seen in many schools.

Primary Languages Programme

Mr D McKay asked the Minister of Education to list the primary schools currently participating in the Primary Languages Programme, broken down by (i) constituency; and (ii) the languages being taught in each school.

(AQW 1753/11)

Minister of Education: Tá 359 bunscoil atá ag glacadh páirte i gClár Teangacha Bunscoile faoi láthair. Tá líon na scoileanna atá ag glacadh páirte sa chlár mionsonraithe sa tábla thíos de réir toghcheantair agus de réir teanga atá á teagasc. Tá an tábla bunaithe ar theorainneacha athbhreithnithe toghcheantair mar atá leagtha amach sa Chúigiú Tuairisc Thréimhsiúil de chuid Choimisiún na Teorann.

There are currently 359 primary schools participating in the Primary Languages Programme. The number of schools participating in the programme is detailed in the table below by constituency and the language being taught. The table is based on revised constituency boundaries as outlined in the Boundary Commission Fifth Periodical Report.

BELFAST EAST

Euston Street Primary School, Belfast	Spanish
Lisnasharragh Primary School, Belfast	Spanish
St Joseph's Primary School, Belfast	Spanish
Knocknagoney Primary School, Belfast	Spanish
Victoria Park Primary School, Belfast	Polish
St Matthew's Primary School, Belfast	Polish

BELFAST NORTH

Ballyhenry Primary School, Glengormley	Spanish
Mossgrove Primary School, Newtownabbey	Spanish
Whitehouse Primary School, Newtownabbey	Spanish
Wheatfield Primary School, Belfast	Spanish
Mercy Primary School, Belfast	Spanish
St Mary's on the Hill Primary School, Newtownabbey	Spanish
Glenwood Primary School, Belfast	Spanish
Seaview Primary School, Belfast	Spanish
St Therese of Lisieux Primary School, Belfast	Spanish
Glengormley Integrated Primary School	Spanish

Holy Family Primary School, Belfast	Spanish
Holy Cross Boys' Primary School, Belfast	Irish

BELFAST SOUTH

Inchmarlo Prep, Belfast	Spanish
Fane Street Primary School, Belfast	Spanish
St Bernard's Primary School, Belfast	Spanish
Carryduff Primary School	Spanish
Forge Integrated Primary School, Belfast	Spanish
St Michael's Primary School, Belfast	Spanish
Taughmonagh Primary School, Belfast	Spanish
St Joseph's Primary School, Carryduff	Irish
St Malachy's Primary School, Belfast	Irish
Holy Rosary Primary School, Belfast	Polish
Knockbreda Primary School, Belfast	Polish

BELFAST WEST

Holy Trinity Primary School, Belfast	Spanish
St Mary's Primary School, Belfast	Spanish
Donegall Road Primary School, Belfast	Spanish
Malvern Primary School, Belfast	Spanish
St John the Baptist Girls' Primary School, Belfast	Spanish
St John the Baptist Boys' Primary School, Belfast	Spanish
St Mark's Primary School, Belfast	Spanish
Christ the Redeemer Primary School, Belfast	Spanish
St Kieran's Primary School, Dunmurry	Irish
St Kevin's Primary School, Belfast	Irish

MID ULSTER

Ampertaine Primary School, Maghera	Spanish
Drumard Primary School, Maghera	Spanish
Culnady Primary School, Maghera	Spanish
St Brigid's Primary School, Tirkane, Maghera	Spanish
Knockloughrim Primary School	Spanish
St Patrick's Primary School, Loup	Spanish
Lissan Primary School, Cookstown	Spanish

Tobermore Primary School	Spanish
St Mary's Primary School, Cookstown	Spanish
St Columb's Primary School, Cullion, Desertmartin	Spanish
Gaelscoil na Spéiríní, Draperstown	Spanish
Ballylifford Primary School, Cookstown	Spanish
St Mary's Primary School, Bellaghy	Spanish
Cookstown Primary School	Spanish
Donaghmore Primary School	Spanish
St John Bosco Primary School, Ballynease	Spanish
Magherafelt Controlled Primary School	Spanish
Spires Integrated Primary School, Magherafelt	Spanish
Castledawson Primary School	Spanish
St John's Primary School, Kingsisland	Spanish
St Brigid's Primary School, Magherafelt	Irish
St John's Primary School, Swatragh	Irish
St Mary's Primary School, Stewartstown	Irish
St Patrick's Primary School, Coalisland	Irish
St Brigid's Primary School, Coalisland	Irish
St Patrick's Primary School, Donaghmore	Irish
Greenlough Primary School, St Mary's, Portglenone	Irish
St Mary's Primary School, Draperstown	Irish
St Patrick's Primary School, Glen, Maghera	Irish
Altayeskey Primary School, Draperstown	Irish
St Joseph's Primary School, Cookstown	Irish
Holy Trinity Primary School, Cookstown	Irish
Edendork Primary School	Polish

EAST DERRY

Portrush Primary School	Spanish
Portstewart Primary School	Spanish
St Patrick's Primary School, Portrush	Spanish
Ballyhackett Primary School, Castlerock	Spanish
Castleroe Primary School, Coleraine	Spanish
Cullycapple Primary School, Aghadowey	Spanish
Kilrea Primary School	Spanish

St Colmcille's Primary School, Claudy	Spanish
St Mary's Primary School, Altinure, Claudy	Spanish
Cumber Claudy Primary School, Claudy	Spanish
Lisnagelvin Primary School, Derry	Spanish
Millburn Primary School, Coleraine	Spanish
Carnalridge Primary School, Portrush	Spanish
St Aidan's Primary School, Magilligan	Spanish
Drumrane Primary School, Dungiven	Spanish
Limavady Central Primary School	Spanish
Ballysally Primary School	Spanish
Culcrow Primary School, Aghadowey	Spanish
Damhead Primary School, Coleraine	Spanish
Millstrand Integrated Primary School, Portrush	Spanish
Irish Society's Primary School, Mountsandel	Spanish
St Columba's Primary School, Garvagh	Irish
St Peter's & St Paul's Primary School, Dungiven	Irish
St Finlough's Primary School, Sistrakeel	Irish
St Patrick's & St Joseph's Primary School, Tirkeeran	Irish
Faughanvale Primary School, Greysteel	Irish

FERMANAGH AND SOUTH TYRONE

St Patrick's Primary School, Garvary	Spanish
St Mary's Primary School, Edenmore, Tempo	Spanish
Enniskillen Integrated Primary School	Spanish
Lisbellaw Primary School	Spanish
Tempo Primary School	Spanish
Brookeborough Primary School	Spanish
Maguiresbridge Primary School	Spanish
St Mary's Primary School, Maguiresbridge	Spanish
St Mary's Primary School, Bellanaleck	Spanish
St Mary's Primary School, Derrylin	Spanish
St Nailes Primary School, Kinawley	Spanish
St Mary's Primary School, Newtownbutler	Spanish
St Ninnidh's Primary School, Derrylin	Spanish
Moat Primary School, Lisnaskea	Spanish

St Eugene's Primary School, Knock, Lisnaskea	Spanish
Blessed Patrick O'loughran Primary School, Castlecaulfield	Spanish
Bush Primary School, Dungannon	Spanish
Howard Primary School, Moygashel	Spanish
Lisfearty Primary School, Dungannon	Spanish
St Joseph's Primary School, Caledon	Irish
St Mary's Primary School, Ballygawley	Irish
Killyhommon Primary School, Boho, Enniskillen	Irish
Cornagague Primary School, Magheraveely	Irish
St Patrick's Primary School, Dungannon	Irish
St John's Primary School, Moy	Irish
St Brigid's Primary School, Augher	Irish
St Mary's Primary School, Aughnacloy	Irish
Holy Trinity Primary School, Enniskillen	Polish

FOYLE

Fountain Primary School	Spanish
Gaelscoil Eadain Mhoir	Spanish
Oakgrove Integrated Primary School	Spanish
Holy Family Primary School	Spanish
Broadbridge Primary School	Spanish
Good Shepherd Pr and Nursery School	Spanish
Ebrington Controlled Primary School	Spanish
Newbuildings Primary School	Spanish
St Oliver Plunkett Primary School	Spanish
Glendermott Primary School	Spanish
St. Columba's Primary School	Spanish
Rosemount Primary School	Irish

LAGAN VALLEY

St Colman's Primary School, Belfast	Irish
St Michael's Primary School, Finnis, Dromara	Spanish
St Aloysius Primary School, Lisburn	Spanish
Ballinderry Primary School	Spanish
Brownlee Primary School, Lisburn	Spanish
Riverdale Primary School, Lisburn	Spanish

St Joseph's Primary School, Lisburn	Spanish
Dunmurry Primary School	Spanish
Killowen Primary School, Lisburn	Spanish
Seymour Hill Primary School, Dunmurry	Spanish
Rowandale Integrated Primary School, Moira	Spanish
Fort Hill Primary School, Lisburn	Spanish
Anahilt Primary School, Hillsborough	Spanish
Lisburn Central PS	Polish
Knockmore PS, Lisburn	Polish

NEWRY AND ARMAGH

St Malachy's Primary School, Carnagat	Spanish
St Oliver Plunkett Primary School, Forkhill	Spanish
Cortamlet Primary School, Altnamachin	Spanish
Jonesboro' Primary School, Newry	Spanish
Cloughoge Primary School, Newry	Spanish
St Josephs and St James Primary School, Poyntzpass	Spanish
Lisnadill Primary School, Armagh	Spanish
Poyntzpass Primary School	Spanish
Windsor Hill Primary School, Newry	Spanish
Armstrong Primary School, Armagh	Spanish
Hardy Memorial Primary School, Richill	Spanish
Mullaglass PS, Newry	Spanish
St Clare's Convent Primary School, Newry	Spanish
St Colman's Abbey Primary School, Newry	Spanish
St Joseph's Primary School, Meigh, Killeavy	Spanish
St Mary's Primary School, Granemore, Keady	Spanish
Clea Primary School, Keady	Spanish
St Oliver Plunkett Primary School, Kilmore	Irish
St Patrick's Primary School, Armagh	Irish
Our Lady's Primary School, Tullysaran, Benburb	Irish
St Jarlath's Primary School, Blackwatertown	Irish
St Patrick's Primary School, Crossmaglen	Irish
Mount St Catherine's Primary School, Armagh	Irish
St Brigid's Primary School, Crossmaglen	Irish

St Mary's Primary School, Mullaghbawn	Irish
St Francis of Assisi Primary School, Keady	Irish
St Johns Primary School, Middletown	Irish
St Malachy's Primary School, Carrickcruppin, Camlough	Irish
St Patrick's Primary School, Newry	Polish
Drumhillery Primary School, Middletown	Polish
Our Lady's & St Mochua's Primary School, Keady	Polish

EAST ANTRIM

Glynn Primary School	Spanish
Oakfield Primary School, Carrickfergus	Spanish
Acorn Integrated Primary School, Carrickfergus	Spanish
Corran Integrated Primary School, Larne	Spanish
St James' Primary School, Newtownabbey	Spanish
Carrickfergus Model Primary School	Spanish
Lourdes Primary School, Whitehead	Spanish
Silverstream Primary School, Greenisland	Spanish
Whitehead Primary School	Spanish
Kilcoan Primary School, Islandmagee	Spanish
Victoria Primary School, Carrickfergus	Spanish
St Nicholas' Primary School, Carrickfergus	Spanish
Greenisland Primary School	Spanish
St Ciaran's Primary School, Cushendun	Spanish
Olderfleet Primary School, Larne	Spanish
Moyle Primary School, Larne	Spanish
Ballycarry Primary School	Spanish
St Mary's Primary School, Gortaclea, Cushendall	Irish

NORTH ANTRIM

Leaney Primary School, Ballymoney	Spanish
Moorfields Primary School, Ballymena	Spanish
St Patrick's & St Brigid's Primary School, Ballycastle	Spanish
Landhead Primary School, Ballymoney	Spanish
Longstone Primary School, Ahoghill	Spanish
Fourtowns Primary School, Ahoghill	Spanish
Gracehill Primary School	Spanish

Buick Memorial Primary School, Cullybackey	Spanish
St Mary's Primary School, Portglenone	Spanish
Portglenone Primary School	Spanish
Garryduff Primary School, Ballymoney	Spanish
St Brigid's Primary School, Cloughmills	Spanish
St Brigid's Primary School, Ballymoney	Spanish
Eden Primary School, Ballymoney	Spanish
Ballykeel Primary School, Ballymena	Spanish
Broughshane Primary School	Spanish
Carniny Primary School, Ballymena	Spanish
Dunclug Primary School, Ballymena	Spanish
Hazelbank Primary School, Aughafatten	Spanish
Kells & Connor Primary School	Spanish
St Brigid's Primary School, Ballymena	Spanish
Kilmoyle Primary School, Ballymoney	Spanish
St Olcan's Primary School, Armoy	Spanish
Straidbilly Primary School, Liscolman	Spanish
Armoy Primary School	Spanish
Bushmills Primary School	Spanish
Ballycastle Controlled Integrated Primary School	Spanish
Tildarg Primary School, Ballyclare	Spanish
Gaelscoil An Chaistil, Ballycastle	Spanish
St. Mary's Primary School, Rathlin Island	Irish
Barnish Primary School, Ballycastle	Irish
St Patrick's Primary School, Loughiel, Ballymena	Irish
St Joseph's Primary School, Dunloy	Polish
Kirkinriola Primary School, Ballymena	Polish
St Patrick's Primary School, Rasharkin	Polish

SOUTH ANTRIM

Creavery Primary School, Antrim	Spanish
Ballynure Primary School	Spanish
Straid Primary School, Ballyclare	Spanish
Parkhall Primary School, Antrim	Spanish
Carlane Primary School, Toomebridge	Spanish

Duneane Primary School, Toomebridge	Spanish
Mossley Primary School, Newtownabbey	Spanish
Antrim Primary School	Spanish
Templepatrick Primary School	Spanish
Mount St Michael's Primary School, Randalstown	Spanish
Ballycarrickmaddy Primary School, Upper Ballinderry	Spanish
Crumlin Primary School	Spanish
Groggan Primary School, Randalstown	Spanish
Loanends Primary School, Crumlin	Spanish
Carnmoney Primary School, Newtownabbey	Spanish
Earlview Primary School, New Mossley	Spanish
Mallusk Primary School, Newtownabbey	Spanish
Straidhavern Primary School, Nutts Corner, Crumlin	Spanish
Doagh Primary School	Spanish
Tir-na-Nog Primary School, Ballyclare	Spanish
St Joseph's Primary School, Crumlin	Spanish
Ballymacrickett Primary School, Glenavy	Spanish
St MacNissius' Primary School, Tannaghmore	Irish
St Joseph's Primary School, Antrim	Polish
St Comgall's Primary School, Antrim	Polish

NORTH DOWN

St Comgall's Primary School, Bangor	Spanish
Ballyholme Primary School, Bangor	Spanish
Hollywood Primary School	Spanish
Donaghadee Primary School	Spanish

SOUTH DOWN

Glasswater Primary School, Crossgar	Spanish
All Childrens Integrated Primary School, Newcastle	Spanish
Bunscoil Bheanna Boirche, Castlewellan	Spanish
Cumran Primary School, Clough	Spanish
Cedar Integrated Primary School, Crossgar	Spanish
Holy Cross Primary School, Kilkeel	Spanish
Kilbroney Integrated Primary School, Rostrevor	Spanish
Moneydarragh Primary School, Annalong	Spanish

St Mary's Primary School, Newcastle	Spanish
St Patrick's Primary, Burrenreagh, Castlewellan	Spanish
St Brigid's Primary School, Downpatrick	Spanish
St Patrick's Primary School, Downpatrick	Spanish
St Joseph's Primary School, Killough	Spanish
St Joseph's Primary School, Strangford	Spanish
St. Mary's Primary School, Dunsford, Ardglass	Spanish
St Malachy's Primary School, Kilclief, Downpatrick	Spanish
Drumadonnell Primary School, Ballyronev	Spanish
St Colman's Primary School, Annaclone, Banbridge	Spanish
St Macartan's Primary School, Loughinisland	Spanish
Christ the King Primary School, Ballynahinch	Irish
St Patrick's Primary School, Hilltown	Irish
St Malachy's Primary School, Castlewellan	Irish
St Mary's Primary School, Rathfriland	Irish
St Patrick's Primary School, Mayobridge	Irish
Carrick Primary School, Warrenpoint	Irish
Ballyholland Primary School, Newry	Irish
The Holy Family Primary School, Downpatrick	Irish
Sacred Heart Primary School, Dundrum	Irish
St Bronagh's Primary School, Rostrevor	Irish
Grange Primary School, Kilkeel	Polish

STRANGFORD

Ballycloughan Primary School, Saintfield	Spanish
St Mary's Primary School, Saintfield	Spanish
Alexander Dickson Primary School, Ballygowan	Spanish
Carrickmannon Primary School, Ballygowan	Spanish
Ballynahinch Primary School	Spanish
St Patrick's Primary School, Ballygalget, Portaferry	Spanish
Portaferry Integrated Primary School	Spanish
Kircubbin Primary School	Spanish
Kirkistown Primary School	Spanish
Carrowdore Primary School	Spanish
St Mary's Primary School, Portaferry	Spanish

Newtownards Model Primary School	Spanish
St Joseph's Primary School, Crossgar	Spanish
Millennium Integrated Primary School, Lisdoonan	Irish
St Caolan's Primary School, Saintfield	Irish
St Finian's Primary School, Newtownards	Polish
St Patrick's Primary School, Ballynahinch	Polish

UPPER BANN

Hart Memorial Primary School, Portadown	Spanish
Seagoe Primary School, Portadown	Spanish
Portadown Integrated Primary School	Spanish
Richmount Primary School, Portadown	Spanish
St Teresa's Primary School, Lurgan	Spanish
Donacloney Primary School	Spanish
St Patrick's Primary School, Derrynaseer, Aughagallon	Spanish
Milltown Primary School, Banbridge	Spanish
St Brendan's Primary School, Craigavon	Spanish
St Mary's Primary School, Banbridge	Spanish
St Patrick's Primary School, Magheralin	Irish
St Mary's Primary School, Lurgan	Irish

WEST TYRONE

Loreto Convent Primary School, Omagh	Spanish
Bready Jubilee Primary School	Spanish
Dunmullan Primary School, Knockmoyle	Spanish
Envagh Primary School, Drumquin	Spanish
St Columbkille's Primary School, Carrickmore	Spanish
St Mary's Primary School, Killyclogher	Spanish
Gaelscoil na gCrann, Ballynamullan, Omagh	Spanish
Christ the King Primary School, Omagh	Spanish
Cooley Primary School	Spanish
Gortnagarn Primary School, Omagh	Spanish
Gaelscoil Uí Dhochartaigh, Strabane	Spanish
Sion Mills Primary School	Spanish
St Anne's Primary School, Strabane	Spanish
St Mary's Girls' Primary School, Strabane	Spanish

Queen Elizabeth II Primary School, Kilskeery	Spanish
St Patrick's Primary School, Newtownstewart	Spanish
Edwards Primary School, Castlederg	Spanish
St Scire's Primary School, Trillick	Spanish
St Patrick's Primary School, Castlederg	Spanish
Bridgehill Primary School, Castlederg	Spanish
Donemana Primary School	Spanish
Drumduff Primary School, Sixmilecross	Irish
Drumnabey Primary School, Castlederg	Irish
All Saints Primary School, Omagh	Irish
St Brigid's Primary School, Mountfield	Irish
St Joseph's Primary School, Drumquin	Irish
Recarson Primary School, Omagh	Irish
St Mary's Primary School, Ballymagorry	Irish
Knocknagor Primary School, Trillick	Irish
Tummery Primary School, Dromore, Omagh	Irish
St Teresa's Primary School, Loughmacrory	Irish
St Matthew's Primary School, Garvaghey	Irish
Omagh County Primary School	Polish
St Lawrence's Primary School, Fintona	Polish

Education Action Zone

Mr W Humphrey asked the Minister of Education whether she will consider establishing an Education Action Zone for the greater Shankill area.

(AQW 1792/11)

Minister of Education: Ó ceapadh mar Aire Oideachais mé, bhí sé mar thosaíocht dom chun dul i ngleic le tearcghnóthachtáil cibé áit ina maireann sí agus chun comhionannas agus ardú caighdeán a chur chun cinn do gach duine óg.

Since becoming Education Minister, I have made it a priority to tackle underachievement wherever it exists and to promote equality and the raising of standards for all our young people.

My approach is not to focus on individual areas at the expense of others but to ensure support for all our schools in tackling the factors that contribute to educational underachievement in a way that can allow every child across the north of Ireland to reach her or his full potential.

I have therefore introduced a range of interconnected policies to ensure that every child can fulfil her or his potential. These policies include my school improvement policy, the ending of state sponsored testing at the age of 10 or 11, the revised curriculum and entitlement framework, the Extended and Full Service Schools programmes, support for Newcomer and Traveller Children and the Achieving Belfast and Derry programmes. In addition, I will shortly publish the revised literacy and numeracy strategy. My Department has also contributed to the work of the West Belfast and Greater Shankill Integrated Services for Children and Young People (ISCYP) project.

I believe that this is a much more sustainable and effective approach. However, it needs not just the efforts of schools but the support of local communities to succeed. I look forward to the member's support in encouraging communities in his constituency, and indeed across the north, particularly those like the Shankill that face high levels of social disadvantage, to have high expectations for their young people and to show that they value the importance of getting a good education and support the work of their local schools.

Relationships and Sexuality Education

Ms D Purvis asked the Minister of Education (i) how many teachers are (i) trained in; and (ii) deliver Relationships and Sexuality Education, broken down by school.

(AQW 1824/11)

Minister of Education: Ní choinníonn an Roinn eolas ar leith ar líon na múinteoirí a oileadh in Oideachas Caidrimh agus Gnéasachta (OCG) ná a sholáthraíonn go rialta é ag an leibhéal scoile.

The Department does not hold specific information on the numbers of teachers trained in or who routinely deliver Relationships and Sexuality Education (RSE) at school level.

RSE is, of course, embedded in the curriculum. In primary schools it sits within the Personal Development and Mutual Understanding Area of Learning and its delivery is therefore the responsibility of all primary teachers. In post-primary schools Personal Development is a contributory element of the Learning for Life and Work Area for Learning.

To ensure that teachers have the skills and support they need to deliver RSE effectively and sensitively and in a way that reflects each school's RSE policy, CCEA has developed teaching resource materials to support all aspects of Personal Development throughout all the key stages in the curriculum. These include 'Living Learning Together' for Primary and 'Insync' and 'Love Matters' at Post Primary. These resources were supplied to every primary and post primary school in the north of Ireland and were supported by training provided by the Curriculum Advisory Support Service (CASS) within each Education and Library Board which provided a full training programme during the implementation phase of the revised curriculum.

It is a matter for schools to decide if they require additional support in delivering RSE, including advice from the CASS service within the Education and Library Board or the purchase of materials/programmes from external agencies to support teachers in their delivery of this important aspect of the revised curriculum.

Relationships and Sexuality Education

Ms D Purvis asked the Minister of Education (i) which schools were included in the most recent inspection of Relationships and Sexuality Education curriculum delivery; and (ii) the number and name of each school which was found to be delivering this part of the curriculum at (a) satisfactory or above; and (b) less than satisfactory.

(AQW 1827/11)

Minister of Education: Bhí measúnú na Cigireachta Oideachais agus Oiliúna (COO) ar Oideachas Caidrimh agus Gnéasachta (OCG) ina dhá chuid, agus ba iad na rudaí a bhí i gceist leis ná (a) cuireadh á thabhairt do cheannairí sinsearach a gach iar-bhunscoil chun suirbhé ar líne a chríochnú, agus (b) cuairt á thabhairt ag an COO ar shampla de 25 iar-bhunscoil i mí Aibreáin 2010.

The Education and Training Inspectorate's (ETI) evaluation of Relationships and Sexuality Education (RSE) was in two parts, which involved (a) the senior leaders of all post-primary schools being invited to complete an online survey, and (b) ETI visiting a sample of 25 post-primary schools in April 2010.

Of the twenty five schools visited during the evaluation, all were delivering this part of the curriculum at a level that was evaluated by the Inspectorate as at least satisfactory.

The Inspectorate has produced a full report on the findings of the evaluation which will be published shortly.

Relationships and Sexuality Education

Ms D Purvis asked the Minister of Education (i) when the inspection on the delivery of the Relationships and Sexuality Education curriculum will take place in primary schools; (ii) if her Department intends to designate this part of the curriculum as a compulsory inspection area; and (iii) if her Department plans to offer training on this part of the curriculum to Boards of Governors.

(AQW 1831/11)

Minister of Education:

- (i) Tá sé de rún agam go dtabharfar ar aghaidh suirbhé ar sholáthar RSE, cosúil leis an cheann sin a rinneadh in iarbhunscoileanna, le bunscoileanna. Tá súil ag an Chigireacht Oideachais agus Oiliúna tús a chur leis seo sa scoilbhliain 2011/12.
- (i) It is my intention that a survey of RSE provision, similar to the one carried out in post-primary schools, will be taken forward with primary schools. The Education and Training Inspectorate hope to start work on this in the 2011/12 school year.
- (ii) It would not be my intention to designate Relationship and Sexuality Education as a compulsory area of inspection. The Department can make requests to ETI to carry out evaluations on specific areas of the curriculum and I am content that this is a satisfactory approach.
- (iii) Responsibility for the provision of training programmes for governors rests with the 5 Education and Library Boards (ELBs). While it is important for governors to understand the responsibilities that schools have to deliver the revised curriculum, it is not the practice of the ELBs to offer specific training courses for governors focused on individual strands within areas of learning in the curriculum and currently I have no plans to ask them to do so.

Department for Employment and Learning

Staff Disciplined

Mr P Ramsey asked the Minister for Employment and Learning how many members of (i) academic; and (ii) non-academic staff have been disciplined in each of the Regional Colleges of Further Education in each of the last five years.

(AQW 1658/11)

Minister for Employment and Learning (Mr D Kennedy): Under the Further Education (Northern Ireland) Order 1997, each College Governing Body is recognised as an employing authority in their own right. On this basis, all employment related issues, including disciplinary matters, are between the employee and the designated institution. As a result, my Department does not hold this information.

I have therefore asked the six Further Education College Directors to respond to you directly on this issue.

Staff Grievance Complaints

Mr P Ramsey asked the Minister for Employment and Learning how many grievance complaints, relating to (i) academic; and (ii) non-academic staff, have been made in each of the Regional Colleges of Further Education in each of the last five years.

(AQW 1659/11)

Minister for Employment and Learning: Under the Further Education (Northern Ireland) Order 1997, each College Governing Body is recognised as an employing authority in their own right. On this basis, all employment related issues, including disciplinary matters, are between the employee and the designated institution. As a result, my Department does not hold this information.

I have therefore asked the six Further Education College Directors to respond to you directly on this issue.

Industrial and Fair Employment Cases

Mr P Ramsey asked the Minister for Employment and Learning how many Industrial and Fair Employment Tribunal cases are currently pending, relating to (i) academic; and (ii) non-academic staff in each of the Regional Colleges of Further Education.

(AQW 1660/11)

Minister for Employment and Learning: Under the Further Education (Northern Ireland) Order 1997, each College Governing Body is recognised as an employing authority in their own right. On this basis, all employment related issues, including disciplinary matters, are between the employee and the designated institution. As a result, my Department does not hold this information.

I have therefore asked the six Further Education College Directors to respond to you directly on this issue.

Industrial and Fair Employment Cases

Mr P Ramsey asked the Minister for Employment and Learning to outline the legal costs as a result of Industrial and Fair Employment cases, related to (i) academic; and (ii) non-academic staff in each of the Regional Colleges of Further Education in each of the last five years.

(AQW 1661/11)

Minister for Employment and Learning: Under the Further Education (Northern Ireland) Order 1997, each College Governing Body is recognised as an employing authority in their own right. On this basis, all employment related issues, including disciplinary matters, are between the employee and the designated institution. As a result, my Department does not hold this information.

I have therefore asked the six Further Education College Directors to respond to you directly on this issue.

Industrial and Fair Employment Cases

Mr P Ramsey asked the Minister for Employment and Learning how many Industrial and Fair Employment related cases, relating to (i) academic; and (ii) non-academic staff have taken place in each of the Regional Colleges of Further Education in each of the last five years.

(AQW 1662/11)

Minister for Employment and Learning: Under the Further Education (Northern Ireland) Order 1997, each College Governing Body is recognised as an employing authority in their own right. On this basis, all employment related issues, including disciplinary matters, are between the employee and the designated institution. As a result, my Department does not hold this information.

I have therefore asked the six Further Education College Directors to respond to you directly on this issue.

University Dropout Rates

Miss M McIlveen asked the Minister for Employment and Learning how the drop-out rates at Queen's University and the University of Ulster compared to other UK universities, in each of the last three years.

(AQW 1747/11)

Minister for Employment and Learning: Data on drop outs within Higher Education are available for full-time first degree entrants and only for those who do not return in the following academic year.

The drop-out rates for full-time, first degree entrants at Queen's University, the University of Ulster and all UK universities in each of the last three years, are detailed in the table below:

	Year of Entry		
	2005/06	2006/07	2007/08
Queen's University	7.5%	6.3%	7.1%
University of Ulster	15.2%	12.4%	13.2%
Total UK	8.6%	9.0%	8.6%

Source: Higher Education Statistics Agency (HESA).

University Dropout Rates

Miss M McIlveen asked the Minister for Employment and Learning to detail the drop-out rate in (i) Queen's University; and (ii) the University of Ulster, broken down by (a) school; and (ii) as a proportion of all students within each school, in each of the last five years.

(AQW 1748/11)

Minister for Employment and Learning: Data on drop outs within Higher Education are available for full-time first degree entrants and only for those who do not return in the following academic year. Data are not available by school but can be given by subject.

The drop-out rates for full-time, first degree entrants at Queen's University and the University of Ulster, broken down by subject, in each of the last three years are detailed in the table below:

Subject Area	The Queen's University of Belfast – year of entry			University of Ulster – year of entry		
	2005/06	2006/07	2007/08	2005/06	2006/07	2007/08
Medicine & dentistry	0.7%	0.0%	1.1%	-	-	-
Subjects allied to medicine	7.1%	3.6%	6.5%	13.0%	9.1%	8.9%
Biological sciences	9.5%	9.8%	8.6%	6.7%	8.7%	11.1%
Agriculture & related subjects	6.3%	1.5%	9.4%	11.1%	3.1%	15.8%
Physical sciences	11.2%	8.6%	9.6%	7.8%	12.4%	7.4%
Mathematical sciences	9.6%	7.8%	11.6%	-	-	-
Computer science	13.7%	13.6%	11.3%	19.6%	16.5%	18.1%
Engineering & technology	7.6%	11.6%	10.7%	20.9%	21.7%	26.9%
Architecture, building & planning	6.8%	7.8%	4.7%	15.8%	14.2%	10.4%
Social studies	5.9%	5.9%	8.9%	19.4%	11.1%	11.9%
Law	4.8%	5.1%	2.5%	15.9%	11.4%	8.2%
Business & administrative studies	5.2%	2.9%	3.1%	15.8%	11.0%	13.3%

Subject Area	The Queen's University of Belfast – year of entry			University of Ulster – year of entry		
	2005/06	2006/07	2007/08	2005/06	2006/07	2007/08
Mass communications and documentation	11.8%	13.0%	17.1%	15.0%	9.7%	14.1%
Languages	7.4%	6.1%	6.0%	18.6%	10.2%	17.4%
Historical and philosophical studies	8.7%	8.7%	6.5%	11.8%	13.8%	18.3%
Creative arts & design	11.0%	4.3%	11.6%	14.8%	16.2%	13.1%
Education	-	-	-	17.6%	10.7%	17.4%
Total	7.5%	6.3%	7.1%	15.2%	12.4%	13.2%

Note: Drop out data by subject are only readily available to the Department for the last three years.

Source: Higher Education Statistics Agency (HESA)

Public Open Space Land

Dr S Farry asked the Minister for Employment and Learning how much public open space land is owned by his Department and its associated bodies.

(AQW 1861/11)

Minister for Employment and Learning: The Department for Employment and Learning and its associated bodies do not own any public open space land.

Retirement Compensation Arrangements

Mr M Durkan asked the Minister for Employment and Learning for an update on the retirement compensation arrangements for further education colleges.

(AQW 1922/11)

Minister for Employment and Learning: Compensation arrangements within Further Education colleges use the Teachers' Premature Retirement Scheme ("the Scheme") which is operated by the Department of Education (DE).

In order to control the escalating costs, DE introduced changes to the Scheme on the 30th April 2010 through The Teachers' (Compensation for Redundancy and Premature Retirement) Regulations (Northern Ireland) 2010. As a result of these changes, the option of granting premature retirement payments (i.e. added years and early payment of pension) has been deemed unaffordable by all Employing Authorities. The new Regulations allow Employing Authorities to offer severance payments as an alternative to premature retirement payments.

My Department has encouraged the six College employers to adopt a common 'sector wide' approach for the purpose of implementing severance payments for lecturers. The college employers submitted a 'sector wide' proposal to the Department on 17th September 2010; my Department provided clarification, as requested, on 14th October 2010 that the proposal is within the parameters of the Teachers' Premature Retirement Scheme.

This response also advised College employers that any proposal remains subject to discussion with the recognised Trade Unions, using the established negotiating mechanisms.

Department of Enterprise, Trade and Investment

Staff Mileage Claims

Mr A Easton asked the Minister of Enterprise, Trade and Investment to detail the cost, to her Department, of staff mileage claims in the last financial year.

(AQW 1796/11)

Minister of Enterprise, Trade and Investment (Mrs A Foster): Reimbursements to staff, for mileage undertaken for official business travelling, cost the Department of Enterprise Trade and Investment £167,840 in 2009/10.

'Doing Business in the UK and Ireland' Conference

Mr P J Bradley asked the Minister of Enterprise, Trade and Investment why Invest NI is no longer participating in the 'Doing Business in the UK and Ireland' conference in Canada in mid-November 2010.

(AQW 1916/11)

Minister of Enterprise, Trade and Investment: Invest Northern has not been invited to participate in the 2010 Doing Business in the UK and Ireland Conference in Canada and has had no involvement in the conference in previous years.

China-UK Economic and Financial Dialogue in Beijing

Mr D McNarry asked the Minister of Enterprise, Trade and Investment if her Department will participate in the forthcoming China-UK Economic and Financial Dialogue in Beijing.

(AQW 1949/11)

Minister of Enterprise, Trade and Investment: My Department did not participate in the recent China-UK Economic and Financial Dialogue in Beijing.

This year's Economic and Financial Dialogue (EFD), the third to be held, took place in Beijing on 9 November 2010 and discussions have now ended.

This meeting of EFD was led by the Chancellor of the Exchequer, with involvement from the Secretary of State for Business, Innovation and Skills, and the Secretary of State for Energy and Climate Change, covering discussions on trade and climate change respectively.

Tourism: Causeway Coast and Glens of Antrim

Mr R Beggs asked the Minister of Enterprise, Trade and Investment what action is being taken by the Northern Ireland Tourist Board and Tourism Ireland to promote the Causeway coast and the Glens of Antrim area as new tourist destinations.

(AQO 434/11)

Minister of Enterprise, Trade and Investment: The Northern Ireland Tourist Board promotes the area through its website, www.discovernorthernireland.com and through the Causeway Coast and Glens Masterplan 2004 – 2013. The Causeway Coast and Glens are also featured prominently on Tourism Ireland's suite of 42 websites in 20 languages, as well as its global advertising campaign.

Employment: Comprehensive Spending Review

Mr J O'Dowd asked the Minister of Enterprise, Trade and Investment for her assessment of the potential job losses in the public and private sectors over the next four years as a result of the recent Comprehensive Spending Review.

(AQO 435/11)

Minister of Enterprise, Trade and Investment: Following the announcement of the 2010 Spending Review by the Chancellor of the Exchequer, the Executive is presently considering how these savings will be applied locally through the Budget process.

What is clear is that Departments will need to make substantive savings over the next four years. However, the net impact on employment will only be known when all Departments have put formal savings plans in place.

Therefore, decisions taken by the Executive will directly impact on how Northern Ireland's economy, and more particularly, how the labour market is affected.

EU Funding: JESSICA and JEREMIE

Ms J McCann asked the Minister of Enterprise, Trade and Investment whether she has had any discussions with her Executive colleagues on bringing forward the Joint European Resources for Micro to Medium Enterprises and the Joint European Support for Sustainable Investment in City Areas initiatives to assist small and medium enterprises and urban development projects.

(AQO 436/11)

Minister of Enterprise, Trade and Investment: As the Joint European Support for Sustainable Investment in City Areas (JESSICA) falls under the remit of the Minister for Social Development, I have had no discussions with Executive colleagues on this EU initiative .

The Joint European Resources for Micro to Medium Enterprises initiative has been extensively researched by my officials in consultation with DFP, other UK Regions and the European Investment Bank.

Employment: Upper Bann

Mr S Moutray asked the Minister of Enterprise, Trade and Investment what steps she has taken to attract new jobs to the Upper Bann constituency over the last six months.

(AQO 437/11)

Minister of Enterprise, Trade and Investment: Invest Northern Ireland continues to provide assistance to its clients in Upper Bann through a range of programmes designed to encourage improved international competitiveness.

Provisional results show that between April and September 2010, Invest NI made 76 offers of support to its clients in the Upper Bann Constituency. These offers, which were to both indigenous and externally-owned companies, amounted to over £5 million of assistance and, when implemented, they will lead to total investment in the constituency of almost £17 million and promote over 50 new jobs.

In addition, during the same time period, Invest NI provided support to 73 new locally-owned business start-up companies.

Broadband: Border Areas

Mr G McHugh asked the Minister of Enterprise, Trade and Investment what action she has taken, in conjunction with her counterparts in the Republic of Ireland, to secure the development of broadband in the border regions.

(AQO 438/11)

Minister of Enterprise, Trade and Investment: Since 2004, my Department, in conjunction with the Department of Communications, Energy and Natural Resources in the Irish Republic, has supported 6 projects in the border area. Those projects, which received Interreg IIIA funding totalling €8 million, developed high-speed connectivity in counties Londonderry, Armagh, Donegal, Monaghan and Louth, and delivered wireless broadband services in counties Tyrone, Monaghan and Donegal.

In addition, DETI funded a project which brought high-speed broadband to Middletown, Co Armagh in 2008.

The border region also benefits from an £18 million investment in Next Generation Broadband services rolling out across the whole of Northern Ireland, funding awarded under the NI broadband fund for new telecoms infrastructure being deployed in border areas including wireless broadband technology and from the direct international telecommunication connectivity brought by Project Kelvin.

Washington Investment Conference

Mr S Hamilton asked the Minister of Enterprise, Trade and Investment for her assessment of the success of the recent economic investment conference in Washington.

(AQO 439/11)

Minister of Enterprise, Trade and Investment: The US-NI Economic Conference, which took place in Washington DC on the 19th October 2010, was the first event of its kind to be hosted by the US Secretary of State Hillary Clinton at the US State Department.

One of our main objectives was to bring together existing US investors in Northern Ireland with the key decision makers from other major US corporations that are considering investing here. In this regard the conference was hugely successful, with senior figures from 16 of our largest American investors such as Terex, Seagate, Dupont, NYSE, Allstate, Caterpillar and Citi talking in glowing terms about the strengths of the Northern Ireland workforce, the competitive cost base, our robust infrastructure and the support received from Invest NI.

I am sincerely grateful to the existing investors who gave up their time to support our efforts and to Secretary Clinton for providing such a high profile platform for investors such as Terex and Dow Chemical to speak directly with their peers about their experience of doing business in Northern Ireland first hand.

I am confident that other investments will be secured as a result of the conference and we have now put in place a co-ordinated and strategic follow-up plan to ensure that we fully maximise the opportunities it has created.

Employment

Mr B McCrea asked the Minister of Enterprise, Trade and Investment for her assessment of the number of public sector jobs which will be lost due to public spending cuts in the next four years and of the impact this may have on private sector jobs in the same period.

(AQO 440/11)

Minister of Enterprise, Trade and Investment: Following the announcement of the 2010 Spending Review by the Chancellor of the Exchequer, the Executive is presently considering how these savings will be applied locally through the Budget process.

What is clear is that Departments will need to make substantive savings over the next four years. However, the net impact on employment will only be known when all Departments have put formal savings plans in place.

Therefore, decisions taken by the Executive will directly impact on how Northern Ireland's economy, and more particularly, how the labour market is affected.

Presbyterian Mutual Society

Mr C Lyttle asked the Minister of Enterprise, Trade and Investment to outline the details of the Presbyterian Mutual Society rescue package announced by the Chancellor of the Exchequer.

(AQO 441/11)

Minister of Enterprise, Trade and Investment: The Chancellor confirmed in the Spending Review announcement on 20 October 2010 that Northern Ireland's Reinvestment and Reform Initiative borrowing facility would be increased by £175 million in 2011-12 to facilitate a loan to the PMS Administrator to assist in implementing a "work out" plan, and an additional allocation of £25 million in respect of the Coalition Government's contribution to the Mutual Access Fund.

The Coalition Government's contribution to the Mutual Access Fund may be augmented by further contributions from the Executive and the Presbyterian Church in Ireland. These issues have yet to be resolved.

Implementation of the overall solution will require Executive and Assembly agreement, which is planned to be secured as part of the budget process, receipt of EU State Aid Approval, and acceptance of an appropriate Administrator-prepared Scheme of Arrangement by the required numbers of PMS Creditors and Members.

Department of the Environment

Certificate of Professional Competence

Mr C Lyttle asked the Minister of the Environment for his assessment of the financial impact of additional licensing requirements, such as the Certificate of Professional Competence and other qualifications, for infrequent drivers such as farmers and show jumpers.

(AQW 1689/11)

Minister of the Environment (Mr E Poots): EU Directive 2003/59 introduced additional testing requirements for all new (bus and coach) drivers from September 2008 and for lorry drivers from September 2009. Drivers who have completed the new tests and continue to keep their training up to date are issued with certificates of professional competence (Driver CPC) as evidence of their qualifications. The qualification, which requires two additional tests, is for professional drivers i.e. those who drive for hire or reward. The fees for these tests total £85.

Existing professional drivers, who were awarded acquired rights exempting them from the new testing requirement, are required to complete 35 hours of training every five years. The cost of training is market led and not set by Government.

One other qualification which may have an impact on farmers and showjumpers is the European requirement, introduced in 1997, whereby drivers who have passed a category B (car) test since 1997 are only allowed to tow a trailer of a maximum authorised mass (MAM) not exceeding 750 kg, and where the combined weight of the car and trailer does not exceed 4,250 kg. However, it is permissible to increase the weight of the trailer providing the MAM of the trailer does not exceed the unladen weight of the towing vehicle and the combination does not exceed 3,500 kg.

To tow a heavier trailer, a driver must pass a category B+E (car plus trailer) test.

The fee for a category B+E test is currently £66, for a test booked for a weekday between 0830 and 1630, or £99, for a test booked for a weekday evening (commencing after 1630 hours) or on a Saturday.

PPS 2

Dr S Farry asked the Minister of the Environment for an update on PPS 2.

(AQW 1719/11)

Minister of the Environment: I aim to bring draft PPS 2 – Planning and Nature Conservation to the Executive for consideration in the near future.

Belfast Metropolitan Area Plan

Dr S Farry asked the Minister of the Environment whether any areas of green belt in the Belfast Metropolitan Area Plan will be moved to PPS 21

(AQW 1721/11)

Minister of the Environment: The Belfast Metropolitan Area Plan (BMAP) 2015 was published in Draft form on 30 November 2004. The Draft Plan proposes a Belfast Metropolitan Area (BMA) Green Belt (Designation COU 1) for the rural area outside the Metropolitan Development and other Settlement Development Limits within the plan area.

Current regional planning policy for the control of development in the countryside is contained in Planning Policy Statement (PPS21). The final version of PPS21 was published on 1 June 2010 by the Department of the Environment. Within this document the countryside is defined as land lying outside of settlement limits as identified in development plans. The provisions of this document will apply to all areas of Northern Ireland's countryside.

PPS21 provides the planning policy context for deciding planning applications in rural areas. It promotes a single tier approach to replace the previous two tier rural policy framework based on Green Belts/Countryside Policy Areas and the remainder of the rural area. The policies and provisions contained within PPS 21 now take precedence over the policy provisions for all Green Belts in existing statutory and published draft Plans (including draft BMAP), with a limited number of exceptions. In effect green belts will no longer exist in Northern Ireland.

A number of objections were received in relation to the designation of the BMA Green Belt and to the non-inclusion of land within the settlement development limits within the BMAP area, and these were discussed at the BMAP Public Inquiry. In July 2010 the Department wrote to the Planning Appeals Commission (PAC), objectors and counter-objectors to confirm that it intends to withdraw the proposed BMA Green Belt designation in draft BMAP. The PAC has confirmed that objections to this designation will not be considered by the Commission.

PPS21 now provides the planning policy context for assessing planning applications in rural areas.

Public Open Space Land

Dr S Farry asked the Minister of the Environment how much public open space land is owned by his Department and its associated bodies.

(AQW 1725/11)

Minister of the Environment: My Department owns around 1,756 hectares of open space lands managed for access by the public. Full details are set out in the tables below.

Additional areas managed by my Department are leased or subject to management agreements.

COUNTRY PARKS

Site	Area
Roe Valley	184.83 Acres
Ness	103.40 Acres
Castle Archdale	268.3 Acres
Peatlands	636.93 Acres
Redburn	153.64 Acres
Scrabo	112.7 Acres
Crawfordsburn	247 Acres

Site	Area
Sub Total	1,706.8 Acres
Colin Glen (managed by Colin Glen Trust)	111 Acres
Total	1,817.8 Acres 735.66 Ha

GOLF COURSES

Site	Area
Colin Valley	81 Acres
Aberdelghy	101 Acres
Total	182 Acres 73.7 Ha

NATURE RESERVES OWNED BY NIEA WITH PUBLIC ACCESS FACILITIES

Site	Area
Belshaws Quarry	1Hectare
Portrush	1 Hectare
Keeble	123 Hectares
Straidkilly	9 Hectares
Brackagh Bog	68 Hectares
Ballynahone Bog (Managed by UWT)	197 Hectares
Banagher Glen	57 Hectares
Binevenagh	70 Hectares
Magilligan	20 Hectares
Ballyquintin	16 Hectares
Killard	130 Hectares
Crossmurrin	96 Hectares
Killykeeghan	35 Hectares
Straidkilly (Managed by UWT)	15 Hectares
Boorin Wood	56 Hectares
Total	894 Hectares

HISTORIC MONUMENTS MANAGED BY NIEA WITH ADJACENT OPEN SPACE AND PUBLIC ACCESS FACILITIES

Site	Area
Haughey's Fort	4.4 Acres
Dunluce castel	4.4 Acres
Ballywee rath	3.13 Acres
Ballymacdermot	0.26 Acres

Site	Area
Ballyspurge	2.25 Acres
Ballygroll	15 Acres
Kilclief castle	0.1 Acres
Ballywholan	0.4 Acres
Drumgormal rath	1 Acres
Aghanaglack Dual Court Tomb	0.5 Acres
Inishmacsaint Church & Cross	10 Acres
Annaghmare	0.2 Acres
Mound of Down	12.4 Acres
Navan Fort	18.12 Acres
Nendrum	4.72 Acres
Milloughan	4.7 Acres
Mountsandel Fort	2.9 Acres
Moira castle	0.2 Acres
Muckamore Priory	1.79 Acres
Harry Avery's Castle	0.5 Acres
Harryville Motte & Bailey	1.45 Acres
Kinbane Castle	0.4 Acres
Kings Stables	1.21 Acres
Kirkistown Castle	0.5 Acres
Maghera Church & Round Tower	0.6 Acres
Lissanduff earthworks	9.66 Acres
Lisbanemore Cashel	0.66 Acres
Lisangade Fort	3.71 Acres
Lisnamintry Rath	1.65 Acres
Lisnavaragh Fort	1.32 Acres
Lissue Rath	1.85 Acres
Springfarm Rath	0.5 Acres
Struell Wells	1.0 Acres
Tullyheran Fort	1.0 Acres
Woodgrange Rath & Tower	0.4 Acres
Tullycastle	12 Acres
Reaskcor Tree Ring	2 Acres
Rough Fort	1.15 Acres

Site	Area
Shandon Park Mound	0.5 Acres
Total	128.53 Acres 52 Hectares

MISCELLANEOUS

Site	Area
North Down Costal Path	4A 1.62 Ha
Total	4A 1.62 Ha

Crumlin-Belfast Taxi Service Pilot Scheme

Mr T Burns asked the Minister of the Environment to outline the reason given by Translink for lodging an objection to the Crumlin-Belfast taxi service pilot scheme proposed by West Belfast Taxis.

(AQW 1731/11)

Minister of the Environment: West Belfast Taxis has applied for a licence to operate a stage carriage service to Belfast from Crumlin-Glenavy. However, further particulars are required in support of the application. When all relevant information has been provided, the Department will, as in all such cases, undertake a consultation process, which will include Translink. Since the consultation process has not yet commenced, no response to the consultation has been received from Translink.

Staff Mileage Claims

Mr A Easton asked the Minister of the Environment to detail the cost, to his Department, of staff mileage claims in the last financial year.

(AQW 1755/11)

Minister of the Environment: The cost of staff mileage claims for my Department in 2009/10 was £950,401.

Illegal Car Dismantling Yard

Mr D McKay asked the Minister of the Environment whether an individual who has been prosecuted for running an illegal car dismantling yard or causing environmental damage in a yard would be eligible to apply for a Waste Management licence.

(AQW 1776/11)

Minister of the Environment: Legislation permits such a person to apply for a waste management licence. However the Waste and Contaminated Land (Northern Ireland) Order 1997 requires the Department to assess if an individual is a 'Fit and Proper Person' to manage a waste activity when processing a waste management licence application.

NIEA has produced and published a relevant Convictions Policy to assist and provide guidance to staff and the public in relation to an individual's fitness to operate a waste management facility.

The Agency requires an individual to declare details of all relevant convictions on their application form. It also requests the completion of a Post Conviction Plan. This would set out their intentions on how they would become fully compliant and avoid illegality in the future.

NIEA's Waste Management Licensing Unit would review the severity of the relevant conviction(s) and determine whether the individual is considered to be a fit and proper person. This assessment will form part of the Agency's process in reaching a decision on the waste management licence application.

Illegal Car Dismantling Yard

Mr D McKay asked the Minister of the Environment for his assessment of the current fines for the operation of an illegal car dismantling yard; and whether there are any plans to increase these fines. **(AQW 1778/11)**

Minister of the Environment: I am encouraged by the increasing seriousness with which all environmental crimes, including operating car dismantling without waste management licenses, are being viewed by the Courts, on the strength of the cases NIEA is submitting to PPS, which result in convictions. However, it is not within my Department's remit to comment upon fines being imposed, or attempt to influence their levels, as this would undermine the independence of the judiciary with whom responsibility lies for fixing fines and sentencing. It is within my remit to ensure that the quality of prosecution cases submitted to the Public Prosecution Service is the best possible.

Planning Service Rural Design Guide

Mr P McGlone asked the Minister of the Environment, pursuant to AQW 1641/11, to outline the composition of the project steering group and any advisory support it receives. **(AQW 1788/11)**

Minister of the Environment: The stakeholder group steering the work of the consultancy appointed to bring forward the PPS21 Design Guide consists of the following organisations: Landscape Institute Northern Ireland; Ulster Architectural Heritage Society; P.L.A.C.E (The Architecture & Built Environment Centre for Northern Ireland - Planning, Landscape, Architecture, Community and Environment); The Planning Service (Operations & the Design Team); Rural Development Council; NIEA – Built Heritage; Royal Society for Ulster Architects; Ulster Farmers Union; Women's Institute and the Ministerial Advisory Group (MAG). This work has been project managed and co-ordinated by officials from my Department's Planning Policy Division.

Wildlife and Natural Environment Bill

Dr S Farry asked the Minister of the Environment when he will bring the further consideration stage of the Wildlife and Natural Environment Bill to the Assembly. **(AQW 1811/11)**

Minister of the Environment: My Department is presently seeking the final procedural clearances necessary in order to bring the Bill forward to further consideration stage in the Assembly.

Legislative Programme 2010-11

Mr P McGlone asked the Minister of the Environment to outline his Department's legislative programme for 2010/11, including projected timeframes. **(AQO 443/11)**

Minister of the Environment: My Department has produced legislation in 2010/11 covering a wide range of issues including the environment, road safety, planning and local government. With the approval of my Executive colleagues, I have introduced seven Bills into this Chamber: The Goods Vehicles (Licensing of Operators) Act (Northern Ireland) 2010; the Local Government (Miscellaneous Provisions) Act (Northern Ireland) 2010; the High Hedges Bill; the Waste and Contaminated Land (Amendment) Bill; the Wildlife and Natural Environment Bill; the Clean Neighbourhoods and Environment Bill; and the Local Government (Finance) Bill.

Two of these achieved Royal Assent in January and March of this year; four Bills are currently in Committee Stage; and one is moving to Further Consideration Stage. The projected timeframes for achieving Royal Assent for these Bills will be dependent on the completion of the various stages through this House.

My Department has also and will continue to bring forward a comprehensive range of subordinate legislation the projected timeframes for which are dependent on many factors. Members of the

Environment Committee have been and will continue to receive Forward Work Programmes for each sitting which sets out my Departments intentions in respect of subordinate legislation.

Planning Applications

Mr B McCrea asked the Minister of the Environment what steps he is taking to avoid any possible conflict, in relation to planning applications, between his Department, the Planning Service and the legal system.

(AQO 453/11)

Minister of the Environment: I should first of all say that the Planning Service is an integral part of my Department and not a separate and distinct entity, as the question would suggest. My Department's responsibility is to determine planning applications in accordance with prevailing policy and the law and, in doing so, to act reasonably and with due process. It is, of course, open to third parties to seek relief from the courts if they believe that my Department has failed to do so.

Climate Change

Mr A Maginness asked the Minister of the Environment to outline the initiatives on climate change exclusive to his Department that are currently in place.

(AQO 454/11)

Minister of the Environment: My Department has responsibility for climate change policy and is the Northern Ireland lead on a range of national, EU and international climate change matters working with UK government departments on policy formulation and legislation.

In order to address climate change issues in Northern Ireland in a holistic manner my Department has brought forward various pieces of legislation and policy including the Climate Change Act, Planning Policy Statement 18 on renewables and the Carbon Reduction Commitment Energy Efficiency scheme. On this scheme the UK Government has unilaterally announced in the Comprehensive Spending Review that it is to cease the revenue recycling element of the scheme resulting in a loss of approximately £20m per annum to Northern Ireland organisations over half of which emanates from Northern Ireland Departments. I am very concerned at this and have asked for a full explanation of the rationale.

On adapting to the impacts of climate change, my Department is also providing the Northern Ireland input to the UK Climate Change Risk Assessment and has established the Northern Ireland Climate Change Impacts Partnership.

However dealing with climate change is the collective responsibility of all Northern Ireland Executive Ministers and in August 2010 I chaired the first meeting of the Executive's Cross-Departmental Working Group on Greenhouse Gas Emissions which was established by a decision of the Executive. This group is primarily tasked with developing an action plan setting out the strategic approach and actions to be taken across Departments to meet the Programme for Government target to reduce greenhouse gas emissions by 25% on 1990 levels by 2025.

Drivers: Penalty Points

Mr S Hamilton asked the Minister of the Environment what progress has been made in relation to mutual recognition of penalty points between the UK and the Republic of Ireland.

(AQO 455/11)

Minister of the Environment: A study on the practical feasibility of co-operation between the UK and Ireland on lesser infringements of road traffic law (penalty points) was carried out in mid-2008 by Department for Transport's in-house consultancy service. This feasibility study clarified details of the different penalty points systems in GB, NI and the Republic of Ireland and how they relate to the respective judicial and administrative systems. It also looked at the practical implications of co-operation on penalty points e.g. the impact on courts, enforcers and the respective driving licence authorities.

Mutual recognition of penalty points is a complex issue, with practical difficulties, and will, therefore, take time to bring to completion. Unlike driving disqualifications, there is no agreed international framework dealing with the recognition of penalty points for driving offences. In addition, there is currently no aggregation of penalty points between NI and GB and the introduction of this would be a necessary precondition of any similar penalty point recognition between the UK and the Republic of Ireland.

My officials are continuing to liaise closely with colleagues in GB and the Republic of Ireland to establish what actions can be undertaken to move this issue forward.

Local Government: Waste Management

Ms S Ramsey asked the Minister of the Environment what consideration he has given to introducing an incentive scheme, similar to the Renewable Obligations Certificates Scheme used in renewable energy generation, to encourage local councils to reach and surpass their waste management targets.

(AQO 456/11)

Minister of the Environment: While I have not given consideration to the introduction of an incentive scheme along the lines suggested my Department has brought forward a number of measures which encourage local councils to reach and surpass their waste management targets.

The Northern Ireland Landfill Allowance Scheme (NILAS), introduced in 2005, sets annual allowances for the amount of biodegradable municipal waste (BMW) which Councils can send to landfill. The allowances are set to ensure that NI meets its commitments for landfill diversion under the Landfill Directive. Councils which landfill more BMW than their allowance risk being fined under the scheme.

Recycling targets are set at a Northern Ireland level, and with a household recycling rate in 2008/9 of 34.4% Northern Ireland is on track to meet the Waste Management Strategy recycling target of 35% by 2010. To support this effort I have made over £5m available in the current financial year through the Rethink Waste Capital Fund to incentivise councils to invest in recycling infrastructure. In addition, revenue funding of £240K has also been provided to district councils and other key stakeholders to assist projects aimed at increasing the re-use of resources that would otherwise be treated as waste, or at preventing waste arising. These funds are encouraging councils and others to treat waste as a valuable resource and assist in meeting EU obligations on landfill diversion and forthcoming EU recycling targets.

Department of Finance and Personnel

Staff Salaries

Mr G Savage asked the Minister of Finance and Personnel how many staff employed (i) within each Department; (ii) within non-Departmental Public Bodies; (iii) external and arms length Government agencies; and (iv) Government-owned companies, earn more than the First Minister and deputy First Minister; and to list the positions and the salary received in each case.

(AQW 552/11)

Minister of Finance and Personnel (Mr S Wilson): The figures requested are detailed on the table overleaf. Full details of the positions held and salary received in each case could only be compiled at disproportionate cost and have therefore not been included.

The salary used for comparison purposes in this response is the salary payable in the role of First Minister and deputy First Minister in 2009-2010 totalling £114,535, comprising the element payable as a Ministerial Office Holder at this level of £71,434 plus the basic annual salary payable to a Member of the Legislative Assembly of £43,101. Salary payable to the First Minister as an MP and the subsequent abatement of the MLA element of pay has not been taken into account in this comparison.

Salaries in Excess of £114,535

Department	(i) Within each Department	(ii) within non-departmental Public Bodies	(iii) external arms length Government Agencies	(iv) Government-owned companies
Dept of Agriculture and Rural Development	-	-	-	-
Dept of Culture, Arts and Leisure	-	-	-	-
Dept of Education	1	-	-	-
Dept for Employment and Learning	1	1	-	-
Dept of Enterprise, Trade and Investment	-	1	-	-
Dept of Finance and Personnel	1*	-	-	-
Dept of Health, Social Services and Public Safety	1	2	576	-
Dept of the Environment	-	-	-	-
Dept of Justice	3	3	-	-
Dept for Regional Development	-	5	-	1
Dept for Social Development	-	2	-	-
Office of the First Minister and Deputy First Minister	2	3	-	-
Public Prosecution Service	2	-	-	-

Personnel Suspended from Duty

Mr J Dallat asked the Minister of Finance and Personnel to detail the number of personnel currently suspended from duty in each Department and their respective agencies; and the cost to date in salaries of each case.

(AQW 1243/11)

Minister of Finance and Personnel: The information requested is provided in the table below. Figures presented include both industrial and non-industrial permanent staff in the twelve Ministerial Departments and their respective Executive Agencies. The information has not been broken down by Department as individuals may have been identifiable and this information is protected by Data Protection legislation.

Total Number of Civil Servants currently suspended	18
Total gross salary paid	£612,263.20

Staff Salaries

Mr J Craig asked the Minister of Finance and Personnel how much has been spent in total on each Department's staff salaries, including associated agencies, in the latest financial year.

(AQW 1277/11)

Minister of Finance and Personnel: The total spent on staff salaries in each Department, including associated agencies, in the latest financial year of 1 April 2009 to 31 March 2010, is demonstrated in the table overleaf.

Department	Total Salary Costs
Dept of Agriculture and Rural Development	£96,771,000
Dept of Culture, Arts and Leisure	£9,967,000
Dept of Education	£24,331,000
Dept for Employment and Learning	£53,983,000
Dept of Enterprise, Trade and Investment	£21,145,000
Dept of the Environment	£64,142,000
Dept of Finance and Personnel	£119,242,000
Dept of Health, Social Services and Public Safety	£28,888,000
Dept for Regional Development	£82,504,000
Dept for Social Development	£202,900,000
Office of the First Minister and Deputy First Minister	£17,120,000

Canteen Facilities

Mr P Givan asked the Minister of Finance and Personnel to list the government buildings which have canteen facilities that do not include rent, rates and utility costs in the price of their products; and for an estimate of the annual cost of this subsidy to the public purse.

(AQW 1394/11)

Minister of Finance and Personnel: The list of government buildings with canteen facilities is detailed overleaf.

Rent, rates and utility costs for canteens are not held separately and to apportion them meaningfully would incur disproportionate cost.

Name of Building
Adelaide House, Belfast
Andersonstown JBO, Belfast
Armagh JBO
CAFRE - Enniskillen & Necarne; Greenmount & Loughry
Castle Buildings, Stormont
Castle Court, Belfast
Clare House, Belfast
Clarence Court, Belfast
Colby House, Belfast
Coleraine County Hall
Coleraine JBO

Name of Building
Corporation St SSO, Belfast
Craignantlet Buildings, Stormont
Dundonald House, Stormont
Dungannon JBO
Enniskillen JBO
Falls Rd JBO, Belfast
Foyle JBO, Londonderry
Goodwood Hse, Belfast
Great Northern Tower, Belfast
Hollywood Rd JBO, Belfast
Hydebank (Roads Service) Belfast
James House, Belfast
Lighthouse, Belfast
Lisahally, Londonderry
Marlborough House, Craigavon
Netherleigh, Belfast
Newry JBO
Omagh County Hall
Public Records Office, Balmoral Avenue, Belfast
Rathgael House, Bangor
State Building, Belfast
Stormont Castle

Remuneration of Chief Executives and Senior Management

Ms S Ramsey asked the Minister of Finance and Personnel what percentage of the remuneration of (i) chief executives; and (ii) senior management in each Department and its associated arms-length bodies is (a) salary; and (b) bonuses or performance-related pay.

(AQW 1541/11)

Minister of Finance and Personnel: The remuneration of (i) Chief Executives; and (ii) senior management of all Northern Ireland Civil Service Departments and their associated arms-length bodies is 100% salary and 0% bonuses or performance-related pay with the exception of

the current position within PSNI is that the Senior Management Team has 99.32% salary and 0.68% bonuses; and

the current position with regard to Prison Governors is that they can receive a non-consolidated performance related payment of up to 2% as part of their salary.

Civil Servants aged between 57 and 65 years old

Mr G Savage asked the Minister of Finance and Personnel how many civil servants in each Department are aged between 57 and 65 years old, broken down by grade.

(AQW 1708/11)

Minister of Finance and Personnel: The number of civil servants, aged between 57 and 65 years old, is set out on the attached table. The figures show staff headcount, broken down by Department and analogous grade level, at 1 April 2010 prior to the devolution of policing and justice. In some cases it has been necessary to threshold or suppress numbers to maintain individual confidentiality.

NICS Staff in the 11 Ministerial Departments aged 57 to 65 (inclusive) at 1 April 2010

Ministerial Dept	Staff Headcount by Analogous Grade Level										Total
	G5	SP	G7	DP	S0	E01	E02	A0	AA	Industrial	
DARD	#	≤ 3	27	28	48	52	38	20	17	87	324
DCAL	≤ 3	0	≤ 3	#	4	6	≤ 3	≤ 3	≤ 3	≤ 3	28
DE	5	12	6	6	8	4	8	6	6	0	61
DEL	≤ 3	0	9	15	23	24	29	25	#	0	132
DETI	5	0	#	15	8	7	≤ 3	#	7	0	52
DFP	#	18	32	58	35	52	25	42	25	#	303
DHSSPS	9	#	16	23	15	5	≤ 3	7	13	0	94
DOE	6	7	34	26	31	36	5	45	9	9	208
DRD	#	≤ 3	18	45	48	58	13	30	53	98	371
DSD	≤ 3	≤ 3	11	20	25	27	71	131	49	0	338
OFMDFM	6	0	5	≤ 3	6	0	0	#	≤ 3	0	23
Total	57	47	166	241	251	271	193	316	187	205	1934

Notes:

Data at 1 April 2010, sourced from HR Connect

Age taken as at 1 April 2010

Data includes Permanent Staff only

Data excludes Staff on Career Break

≤ Occupied cells with a value less than or equal to 3 have been thresholded to maintain individual confidentiality

Number has been suppressed to avoid disclosing another number that is too small to publish

Administrative Officers

Mr G Savage asked the Minister of Finance and Personnel, pursuant to AQW 3175/10, how many of the 466 Administrative Officers retired on the grounds of (i) age; and (ii) ill-health.

(AQW 1709/11)

Minister of Finance and Personnel: The number of Administrative Officers, Administrative Assistants and E02s who retired on (i) age and (ii) ill-health grounds between 1 February 2003 and 31 January 2009 is set out in the table overleaf.

Period 1 February 2003 - 31 January 2009	Administrative Officer	Administrative Assistant	E02
Age Retirees	174	132	99
Ill Health Retirees	240	99	140

Unpaid Commercial or Business Rates

Mr A McQuillan asked the Minister of Finance and Personnel, pursuant to AQW 502/11, what was the amount of unpaid commercial or business rates in each of the last three years broken down by local council area.

(AQW 1717/11)

Minister of Finance and Personnel: The non-domestic rates unpaid for Northern Ireland by district council area at 1 November 2010, split by year of assessment, are as follows:

District Council	Year Of Assessment		
	2007-08	2008	2009
Antrim	£118,923	£243,325	£932,262
Ards	£242,040	£490,222	£1,055,010
Armagh	£193,349	£357,154	£777,632
Ballymena	£83,846	£180,476	£934,040
Ballymoney	£46,486	£94,459	£176,982
Banbridge	£176,059	£229,711	£443,638
Belfast	£2,657,370	£5,395,095	£11,603,067
Carrickfergus	£122,988	£248,310	£384,469
Castlereagh	£183,071	£347,497	£592,100
Coleraine	£118,332	£203,807	£627,548
Cookstown	£33,294	£109,524	£232,541
Craigavon	£329,445	£817,452	£1,489,465
Derry	£434,296	£767,644	£2,047,343
Down	£272,229	£499,592	£666,942
Dungannon & S.Tyrone	£105,418	£246,116	£566,493
Fermanagh	£108,873	£325,307	£740,679
Larne	£47,185	£144,399	£382,331
Limavady	£73,171	£161,049	£408,633
Lisburn	£609,984	£1,061,041	£2,274,073
Magherafelt	£42,284	£165,023	£266,076
Moyle	£20,820	£39,894	£148,119
Newry & Mourne	£361,531	£806,051	£1,724,686

District Council	Year Of Assessment		
	2007-08	2008	2009
Newtownabbey	£355,297	£639,422	£1,335,404
North Down	£285,425	£531,807	£1,487,313
Omagh	£111,504	£193,889	£397,307
Strabane	£73,437	£118,562	£411,482
Total Debt as at 1 November 2010	£7,206,655	£14,416,828	£32,105,635

The figures may not total exactly due to rounding.

These figures are not the non-domestic rates that were outstanding at the end of each financial year. It is therefore not correct to use the figures to state that non-domestic ratepayer debt doubled between 2008-09 and 2009-10. The figures rather show the age of unpaid rates at 1 November 2010.

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.

LPS had reduced the £157 million total prior year ratepayer debt to £102 million at 01 November 2010.

Civil Service Salaries

Mr J Craig asked the Minister of Finance and Personnel how many staff employed within the Civil Service currently earn over £21,000 per annum.

(AQW 1720/11)

Minister of Finance and Personnel: The total number of staff employed within the Northern Ireland Civil Service currently earning over £21,000 per annum is fourteen thousand, eight hundred and twenty-six (14,826).

Pleural Plaques

Ms A Lo asked the Minister of Finance and Personnel when he plans to introduce legislation to allow people who have contracted pleural plaques to pursue compensation.

(AQW 1723/11)

Minister of Finance and Personnel: My Department consulted on the Damages (Asbestos-related Conditions) Bill (Northern Ireland) 2010 from 9 July to 6 September 2010 and will shortly be seeking final Executive agreement to introduce the Bill to the Assembly at the end of this month.

Administrative Assistants

Mr G Savage asked the Minister of Finance and Personnel, pursuant to AQW 3175/10, how many of the 256 Administrative Assistants retired on the grounds of (i) age; and (ii) ill-health.

(AQW 1803/11)

Minister of Finance and Personnel: The number of Administrative Officers, Administrative Assistants and E02s who retired on (i) age and (ii) ill-health grounds between 1 February 2003 and 31 January 2009 is set out in the table overleaf.

Period 1 February 2003 - 31 January 2009	Administrative Officer	Administrative Assistant	E02
Age Retirees	174	132	99
Ill Health Retirees	240	99	140

Administrative Assistants

Mr G Savage asked the Minister of Finance and Personnel, pursuant to AQW 3175/10, how many of the 5,517 Administrative Assistants left on a career break.
(AQW 1804/11)

Minister of Finance and Personnel: Information in the form requested is not readily available and could only be compiled at disproportionate costs.

E02s

Mr G Savage asked the Minister of Finance and Personnel, pursuant to AQW 3175/10, how many of the 281 E02's retired on the grounds of (i) age; and (ii) ill-health.
(AQW 1805/11)

Minister of Finance and Personnel: The number of Administrative Officers, Administrative Assistants and E02s who retired on (i) age and (ii) ill-health grounds between 1 February 2003 and 31 January 2009 is set out in the table overleaf.

Period 1 February 2003 - 31 January 2009	Administrative Officer	Administrative Assistant	E02
Age Retirees	174	132	99
Ill Health Retirees	240	99	140

Administrative Officers

Mr G Savage asked the Minister of Finance and Personnel, pursuant to AQW 3175/10, how many of the 2,406 Administrative Officers left on a career break.
(AQW 1806/11)

Minister of Finance and Personnel: Information in the form requested is not readily available and could only be compiled at disproportionate costs.

E02s

Mr G Savage asked the Minister of Finance and Personnel, pursuant to AQW 3175/10, how many of the 460 E02s left on a career break.
(AQW 1840/11)

Minister of Finance and Personnel: Information in the form requested is not readily available and could only be compiled at disproportionate costs.

Public Open Space Land

Dr S Farry asked the Minister of Finance and Personnel how much public open space land is owned by his Department and its associated bodies.

(AQW 1873/11)

Minister of Finance and Personnel: The Department's only relevant land is the land within the Stormont Estate. This land consists of 99.7 hectares, or 246.6 acres

Civil Service Staff

Mr P McGlone asked the Minister of Finance and Personnel to detail the number of Civil Service staff at each grade in each Department in each of the last five years.

(AQW 1875/11)

Minister of Finance and Personnel: The information requested is set out in the attached tables. In view of the large number of grades within the Northern Ireland Civil Service the tables of permanent staff show general service and analogous grades.

STAFF HEADCOUNT BY ANALOGOUS GRADE LEVEL - 1 APRIL 2006

	Grade 5+	Grade 6	Grade 7	Deputy Principal	Staff Officer	Executive Officer 1	Executive Officer 2	Administrative Officer	Administrative Assistant	Other	Total
DARD	20	10	244	239	489	490	463	492	397	502	3346
DCAL	6	2	25	52	70	127	30	72	45	23	452
DE	16	62	29	69	75	75	108	155	89	0	678
DEL	8	4	35	107	169	311	487	554	143	1	1819
DETI	9	5	54	101	105	104	101	155	92	2	728
DFP	49	60	205	420	452	338	359	760	318	33	2994
DHSSPS	34	28	97	169	184	108	143	116	114	0	993
DOE	18	18	121	278	456	469	184	843	260	83	2730
DRD	23	28	101	338	463	872	247	530	495	1568	4665
DSD	19	8	76	168	365	676	1881	3909	861	0	7963
OFMDFM	23	2	37	62	69	31	49	60	33	0	366
Total	225	227	1024	2003	2897	3601	4052	7646	2847	2212	26734

Notes:

Data sourced from HRMS

Data includes Staff in the 11 Ministerial Depts and their Agencies.

Includes Permanent Staff only

Excludes Staff on Career Break

Other: Industrial Staff

STAFF HEADCOUNT BY ANALOGOUS GRADE LEVEL - APRIL 2007

	Grade 5+	Grade 6	Grade 7	Deputy Principal	Staff Officer	Executive Officer 1	Executive Officer 2	Administrative Officer	Administrative Assistant	Other	Total
DARD	19	11	240	230	489	473	460	470	352	478	3222
DCAL	7	2	25	52	72	135	34	68	36	22	453
DE	18	58	33	74	79	68	104	150	69	0	653
DEL	9	6	38	101	171	317	491	527	117	1	1778
DETI	10	6	48	102	102	103	93	147	86	2	699
DFP	43	58	215	433	462	309	347	732	269	33	2901
DHSSPS	35	27	92	166	179	113	131	115	93	0	951
DOE	17	20	122	288	457	482	200	871	234	93	2784
DRD	17	14	74	220	354	503	182	374	406	648	2792
DSD	17	7	80	161	375	703	1874	3734	754	0	7705
OFMDFM	26	4	44	61	82	38	52	64	28	0	399
Total	218	213	1011	1888	2822	3244	3968	7252	2444	1277	24337

Notes:

Data sourced from HRMS

Data includes Staff in the 11 Ministerial Depts and their Agencies.

Includes Permanent Staff only

Excludes Staff on Career Break

Other: Industrial Staff

STAFF HEADCOUNT BY ANALOGOUS GRADE LEVEL – 1 APRIL 2008

	Grade 5+	Grade 6	Grade 7	Deputy Principal	Staff Officer	Executive Officer 1	Executive Officer 2	Administrative Officer	Administrative Assistant	Other	Total
DARD	19	11	232	242	485	461	444	472	288	455	3109
DCAL	4	0	21	40	39	40	29	54	24	22	273
DE	17	61	35	85	73	73	106	143	64	0	657
DEL	10	5	41	107	174	295	555	530	97	0	1814
DETI	10	6	49	112	92	92	104	129	81	1	676
DFP	47	68	225	487	494	414	401	783	246	31	3196
DHSSPS	25	17	86	168	175	103	126	104	77	0	881
DOE	17	20	128	314	490	486	192	869	222	75	2813

	Grade 5+	Grade 6	Grade 7	Deputy Principal	Staff Officer	Executive Officer 1	Executive Officer 2	Administrative Officer	Administrative Assistant	Other	Total
DRD	12	15	78	209	333	488	147	338	374	631	2625
DSD	19	9	90	184	338	704	1982	3575	627	0	7528
OFMDFM	25	3	45	76	77	38	56	67	29	0	416
Total	205	215	1030	2024	2770	3194	4142	7064	2129	1215	23988

Notes:

Data sourced from HRMS for previous years.

Data includes Staff in the 11 Ministerial Depts and their Agencies.

Includes Permanent Staff only

Excludes Staff on Career Break

Other: Industrial Staff

STAFF HEADCOUNT BY ANALOGOUS GRADE LEVEL - 1 APRIL 2009

	Grade 5+	Grade 6	Grade 7	Deputy Principal	Staff Officer	Executive Officer 1	Executive Officer 2	Administrative Officer	Administrative Assistant	Other	Total
DARD	21	12	221	242	509	460	430	447	284	440	3066
DCAL	6	0	22	39	53	31	32	54	26	21	284
DE	16	66	35	87	88	64	115	146	56	0	673
DEL	11	6	41	110	192	327	587	575	85	0	1934
DETI	11	6	43	114	100	93	102	129	71	0	669
DFP	45	69	228	528	544	452	453	916	222	28	3485
DHSSPS	25	18	93	168	185	99	112	95	67	0	862
DOE	14	22	129	339	526	490	207	944	213	66	2950
DRD	17	13	77	232	360	467	141	333	358	567	2565
DSD	18	11	85	214	435	661	2018	3708	611	0	7761
OFMDFM	33	4	44	77	81	27	57	65	21	0	409
Total	217	227	1018	2150	3073	3171	4254	7412	2014	1122	24658

Notes:

Data sourced from HRConnect

Data includes Staff in the 11 Ministerial Depts and their Agencies.

Includes Permanent Staff only

Excludes Staff on Career Break

Other: Industrial Staff

STAFF HEADCOUNT BY ANALOGOUS GRADE LEVEL – 1 APRIL 2010

	Grade 5+	Grade 6	Grade 7	Deputy Principal	Staff Officer	Executive Officer 1	Executive Officer 2	Administrative Officer	Administrative Assistant	Other	Total
DARD	21	15	224	244	503	466	409	425	266	443	3016
DCAL	6	0	21	38	56	46	33	59	21	22	302
DE	18	66	41	81	79	63	102	145	41	0	636
DEL	11	4	49	117	187	327	635	615	81	0	2026
DETI	10	5	46	114	98	110	87	108	58	0	636
DFP	39	70	229	515	562	466	434	861	208	25	3409
DHSSPS	25	20	95	170	175	94	96	74	59	0	808
DOE	15	24	133	354	527	486	196	948	169	64	2916
DRD	17	13	76	219	348	483	137	291	358	559	2501
DSD	18	13	93	205	457	660	1986	3657	579	0	7668
OFMDFM	24	4	45	76	80	26	52	58	17	0	382
Total	204	234	1052	2133	3072	3227	4167	7241	1857	1113	24300

Notes:

Data sourced from HRConnect

Data includes Staff in the 11 Ministerial Depts and their Agencies.

Includes Permanent Staff only

Excludes Staff on Career Break

Other: Industrial Staff

Abolition of Rate Relief for Students

Ms J McCann asked the Minister of Finance and Personnel to detail the reasons for the delay in the higher education institutions, including Queen's University Belfast, receiving the monies saved by the abolition of rate relief for students, which were to be transferred into alternative forms of student support.

(AQW 1876/11)

Minister of Finance and Personnel: The closure of the student rate relief scheme was agreed to in July 2009 by the Northern Ireland Executive. The Executive also agreed to protect existing claimants so long as their household circumstances remained the same.

In terms of redirecting savings achieved, the Executive were advised that a favoured option was supplementing the DEL Student Support funds operated by the Universities, pending the outcome of the wider DEL review into student support structures. This was to occur as and when savings materialised and the Department was careful to point out that this may take time.

Following approval of the business case, actual savings from closure of the scheme should flow from DFP to DEL as they occur. Land and Property Services, who administer the remnants of the rates scheme, expect a rapid drop out rate now that we are into the new academic year for most students. Indeed LPS wrote to each and every eligible household recently to check continued entitlement and

this exercise has been completed recently. The majority of current claimants are expected to leave the scheme because of household changes.

Pleural Plaques

Mr C Lyttle asked the Minister of Finance and Personnel for an update on the progress of legislation to allow people with Pleural Plaques to claim compensation.

(AQW 1878/11)

Minister of Finance and Personnel: My Department consulted on the Damages (Asbestos-related Conditions) Bill (Northern Ireland) 2010 from 9 July to 6 September 2010 and will shortly be seeking final Executive agreement to introduce the Bill to the Assembly at the end of this month.

Legal Services

Mr P McGlone asked the Minister of Finance and Personnel what procedures and guidelines are in place for Departments on the tendering and appointment of firms for legal services.

(AQW 1905/11)

Minister of Finance and Personnel: All procurement by Departments must comply with Northern Ireland Public Procurement Policy. In line with this policy Departments must carry out procurement by means of a Service Level Agreement with a Centre of Procurement Expertise.

In support of this policy the Central Procurement Directorate has developed a suite of Procurement Guidance Notes for Departments and Centres of Procurement Expertise. These include guidance on various stages in the tendering process including the selection, and the evaluation, of tenders and the provision of information to tenderers following the award of contract.

There are no specific procedures and guidelines on the tendering and appointment of firms for legal services.

Vacant Properties in the North Down Constituency

Mr P Weir asked the Minister of Finance and Personnel how many properties are currently vacant in the North Down constituency; and what is the total rateable value of these properties.

(AQW 1955/11)

Minister of Finance and Personnel: Land & Property Services' (LPS) records are held by District Council area, not parliamentary constituency. The answer therefore provides figures for the North Down Borough Council area.

LPS records show that the number of properties recorded as vacant in the North Down Borough Council area on 07 November 2010 was as follows:

Number of domestic properties: 1,478	Total Capital Value (CV): £ 223,727,750
Number of non-domestic properties: 341	Total Net Annual Value (NAV): £3,660,220

Vacant domestic properties are not rated; vacant non-domestic properties are rated at 50% liability, subject to a number of exclusions and exemptions.

Properties move into and out of occupation on a daily basis, and there is often a lag in ratepayers informing LPS of changes to occupancy. LPS continues to work closely with District Councils and other organisations to ensure the maintenance of accurate records of occupation and vacancy; the implementation of Rating of Empty Homes on 01 October 2011 will be preceded by a programme of work to ascertain ownership details for vacant domestic properties to facilitate billing.

St Andrews Agreement: Capital Investment

Dr A McDonnell asked the Minister of Finance and Personnel for his assessment of the British Government's delivery of the £18 billion capital investment package agreed at St Andrews.

(AQO 457/11)

Minister of Finance and Personnel: As Members will be aware the UK Government has stated that the £18 billion capital investment package agreed at St Andrews is on track to be delivered. However, I would strongly question this assertion.

By the end of 2010-11 the Northern Ireland Executive will have spent £9.1 billion since 2005/06. I anticipate that we will have spent an additional £4.6 billion by the end of the next Budget period – this also includes investment funded by RRI borrowing and planned capital receipts. So by the end of 2014/15 I expect us to have delivered £13.7 billion worth of capital investment in Northern Ireland since 2005.

In other words, we would need to spend well over £4 billion in the two years following this Spending Review period to achieve the £18 billion UK Government commitment. This is simply unrealistic.

Social Partnership

Mr M Durkan asked the Minister of Finance and Personnel for his assessment of the need to develop a formal social partnership model to address the current economic difficulties.

(AQO 458/11)

Minister of Finance and Personnel: As Members may be aware, we already have formal legislative and administrative arrangements in place that require full consultation with key stakeholders on all policy development matters in Northern Ireland. This includes requirements for full impact assessments. I can also assure Members that I personally engage and consult with business leaders, the trade unions, and the voluntary and community sectors on a regular basis.

This will continue, and I plan to publish the draft budget for consultation in the near future so that the views of all stakeholders, and indeed the wider public, can be sought and reflected in our future plans.

It is also important that the role of the Assembly and its committees is not diminished. Therefore, I see no need to develop a further model which would add yet another tier of administration and bureaucracy to Government, particularly at a time when we need to seek public sector efficiencies.

Capital Budget

Mr P McGlone asked the Minister of Finance and Personnel whether he has any plans to divert funds from current revenue to capital spend in light of the British Government's cuts to the capital budget.

(AQO 459/11)

Minister of Finance and Personnel: The capital position is very tight given the Spending Review settlement.

The public expenditure rules do in fact allow for switching from current expenditure to capital and I would be prepared to consider offering Ministers greater discretion in this respect.

However, large scale capital projects are usually very costly. Given the tight current expenditure position, it is unlikely that it will be feasible for a single department to reclassify a large amount of current expenditure to fund such capital projects. A balance will therefore have to be struck.

Comprehensive Spending Review

Mr F Cobain asked the Minister of Finance and Personnel to provide an update on the Executive's financial position following the Comprehensive Spending Review.

(AQO 462/11)

Minister of Finance and Personnel: The Chancellor's Spending Review announcement, on 20 October 2010, set the Northern Ireland Executive's DEL for the 4 year period from 2011-12 to 2014-15.

The Executive's Resource DEL allocation is £9,836.7 million in 2011-12, £9,858.9 million in 2012-13, £9,927.1 million in 2013-14 and £9,985.4 million in 2014-15. This is a real terms decrease, against 2010-11, of -2.4%, -4.3%, -6.1% and -8.0% in each year.

The Executive's capital DEL allocation over the same period is £903.4 million, £858.9 million, £780.6 million and £803.8 million. This equates to a real terms decrease, against 2010-11, of -27.5%, -32.6%, -40.3% and -40.1% in each year.

The Executive's Resource and Capital DEL includes allocations relating to policing and justice functions. It does not reflect the total resources available to the Executive as it excludes items such as regional rates and RRI borrowing.

European Commission Fines

Mr J McCallister asked the Minister of Finance and Personnel what discussions he has had with the Minister of Agriculture and Rural Development regarding fines imposed by the European Commission in relation to the Single Farm Payment Scheme.

(AQO 464/11)

Minister of Finance and Personnel: I have engaged with the Agriculture Minister on a number of occasions on both the financial implications of the disallowance and the measures which DARD can put in place to minimise the risk of future penalties. My officials continue to monitor the situation closely and are working with DARD officials to ensure the best resolution for the Executive.

Comprehensive Spending Review

Mrs M O'Neill asked the Minister of Finance and Personnel for his assessment of how the recent Comprehensive Spending Review will impact on public spending.

(AQO 468/11)

Minister of Finance and Personnel: The Chancellor's Spending Review announcement, on 20 October 2010, set the Northern Ireland Executive's DEL for the 4 year period from 2011-12 to 2014-15.

In terms of current expenditure the Northern Ireland Resource DEL budget will fall by 8% real terms by 2014-15. The situation is even more worrying in terms of capital investment where the Northern Ireland's Capital DEL budget will fall by 40.1% in real terms by 2014-15.

Unwelcome and challenging though these reductions are, they are not unexpected. The Spending Review outcome is much as I have predicted and it is for this reason that I have been asking departments to produce savings plans early in the budget process.

Now we know the outcome, there must be no more delay. The Executive needs to decide on their strategic priorities going forward and agree a draft budget. This needs to be done within the next few weeks if we are to allow adequate time for public consultation. A final budget needs to be in place by January at the latest to provide the degree of certainty departments and their arms length bodies need.

St Andrews Agreement: Capital Investment

Ms J McCann asked the Minister of Finance and Personnel whether the £18 billion capital investment agreed at St Andrews is guaranteed.

(AQO 471/11)

Minister of Finance and Personnel: As members will be aware the UK Government has stated that the £18 billion capital investment package agreed at St Andrews is on track to be delivered. However, I would strongly question this assertion.

By the end of 2010-11 the Northern Ireland Executive will have spent £9.1 billion since 2005/06. I anticipate that we will have spent an additional £4.6 billion by the end of the next Budget period – this also includes investment funded by RRI borrowing and planned capital receipts. So by the end of 2014/15 I expect us to have delivered £13.7 billion worth of capital investment in Northern Ireland since 2005.

In other words, we would need to spend well over £4 billion in the two years following this Spending Review period to achieve the £18 billion UK Government commitment. This is simply unrealistic.

Department of Health, Social Services and Public Safety

Occupational Therapy

Lord Morrow asked the Minister of Health, Social Services and Public Safety how many people are currently waiting to be assessed by an Occupational Therapist in (i) the Western Health and Social Care Trust area; and (ii) the Southern Health and Social Care Trust area.

(AQW 1655/11)

Minister of Health, Social Services and Public Safety (Mr M McGimpsey): The information is not available in the format requested.

Clinical Excellence Awards

Lord Morrow asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 89/11, whether any of the £20 million will be allocated to Clinical Excellence Awards.

(AQW 1656/11)

Minister of Health, Social Services and Public Safety: No element of the £20m funds received in the June Monitoring round will be spent on the Clinical Excellence Awards.

Childminder Registration

Ms D Purvis asked the Minister of Health, Social Services and Public Safety what is the current average waiting time for a childminder to be registered by a Health and Social Care Trust; and how many new applicants are awaiting registration.

(AQW 1679/11)

Minister of Health, Social Services and Public Safety: The information requested is not available centrally, and could only be provided at disproportionate cost.

NHS: Operations

Mr P Girvan asked the Minister of Health, Social Services and Public Safety how much the Health Service has paid to private consultants or teams, in the last 15 months, to conduct operations that have not been carried out by the 13-week target time.

(AQO 479/11)

Minister of Health, Social Services and Public Safety: The information on expenditure is not held in a form which enables disaggregation of expenditure between patients who have waited longer than 13 weeks and patients who have waited fewer than 13 weeks.

I remain committed to making progress on reducing waiting times and access to services that people need in a timely manner. However, limited resources continue to pose a significant challenge in meeting waiting time targets. In particular, indecision on the part of the Executive on funding Swine Flu and the imposition by this Assembly of a budget reduction of £130m over the past 15 months have directly impacted on waiting times. Nevertheless I will continue to press for much needed additional funding to invest in our health service.

Mid-Ulster Hospital

Mr F Molloy asked the Minister of Health, Social Services and Public Safety what plans he has to enhance services at the Mid-Ulster Hospital.

(AQO 480/11)

Minister of Health, Social Services and Public Safety: The Mid Ulster Hospital will continue to play a key role in providing hospital services to the people in the local community. I would expect that Mid Ulster will be able to meet, in conjunction with colleagues in Primary Care, some 70% of the local population's healthcare needs.

Day surgery services will continue, as will a wide range of outpatient clinics held by Consultants from the acute hospitals along with nurse led clinics and services provided by Physiotherapy and Dietetics. A significant number of inpatient rehabilitation beds are also planned which will enable people recovering from surgery or other medical conditions to have convalescence and rehabilitation locally as soon as they are able to leave the acute hospital setting.

Neurology: Belfast Health and Social Care Trust

Mr A Maginness asked the Minister of Health, Social Services and Public Safety if he has had any discussions with the Belfast Health and Social Care Trust regarding the reduction in neurology beds.

(AQO 481/11)

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. The Trust is currently engaged in a programme of modernisation within the neurology service and this includes a review of bed utilisation. As a result, the Trust has reduced the number of neurology beds from 23 to 16 in October 2010, thereby bringing the neurology service into line with comparable peers in other parts of the UK.

The Trust has provided me with an assurance that the changes being implemented will not result in any deterioration in the delivery of neurology services at the Royal, nor will they have any impact on the acute neurology services at the Mater or City hospitals.

I have not personally had any discussions with the Belfast Trust about the reduction in the number of neurology beds.

Allied Health Professions

Mr C Boylan asked the Minister of Health, Social Services and Public Safety to outline his proposals for a regional strategy for the Allied Health Professions.

(AQO 482/11)

Minister of Health, Social Services and Public Safety: My Department is developing a Strategy for the Allied Health Professional (AHP) services. This will set out priorities for the next five years and provide a framework for commissioners, service providers and service users. The strategy will aim to ensure services are person-centred, safe and effective, and that they maximise the utilisation of the resources.

In recent months a number of AHP strategy development workshops involving key stakeholders were held across Northern Ireland. Work has commenced to draft the strategy based on four strategic themes and underpinning principles which were identified at the workshops. I expect a draft strategy to be published for consultation early in 2011.

Derry: Life Expectancy

Ms M Anderson asked the Minister of Health, Social Services and Public Safety what steps his Department is taking to address the lower life expectancy that exists in the most deprived wards in the Derry City Council area compared to other areas.

(AQO 483/11)

Minister of Health, Social Services and Public Safety: My Department, through the Public Health Agency, is taking action in the Derry City Council area - and across Northern Ireland - to improve health and wellbeing, and to reduce inequalities in life expectancy. The PHA is working with the statutory, community and other sectors to take action in the areas of greatest need to address a range of lifestyle issues such as smoking, obesity, accidents, alcohol and drug misuse, and mental health and suicide.

In addition partnership working is seeking to address the factors that affect life expectancy which go beyond the HSC, such as living conditions -for example fuel poverty, working environment, education, community cohesion, and environmental factors.

Eating Disorders

Mr P Weir asked the Minister of Health, Social Services and Public Safety what support is currently available through Health and Social Care Trusts for young people with eating disorders.

(AQO 484/11)

Minister of Health, Social Services and Public Safety: A dedicated multi-disciplinary team is available to each Trust area and these provide comprehensive assessments and treatment of young people who present with Eating Disorders. Treatment interventions are tailored to the individual needs of the young person and their families. The teams offer a range of therapeutic interventions including individual therapies such as Cognitive, Behavioural, Psycho-Therapeutic and Psycho-Education on management of an Eating Disorder, Family Therapy and Nutritional Education.

Individuals requiring in-patient care can be admitted to an appropriate bed in a local hospital while those with more complex needs can now be treated at the new Beechcroft Regional CAMHs Unit at Forster Green.

Revenue Budget

Rev Dr R Coulter asked the Minister of Health, Social Services and Public Safety for his assessment of his Department's likely revenue budget position following Budget 2010.

(AQO 485/11)

Minister of Health, Social Services and Public Safety: The outcome of the UK Spending Review and its impact at Block level means that difficult decisions will have to be made. However, the Block has benefited from the protection afforded to Health in England and that provides an opportunity for the Executive to do similar here. I will not, however, be in a position to outline the impact of funding for my Department until the Executive agrees the Budget allocations for my Department. But what I can say is that by the end of this Budget 2010 period it would take £5.4bn per annum to provide a safe and fit for purpose health service. That is £1.1bn more than the current budget before any cuts are made. The extent to which my budget falls short of this means that radical changes to the delivery of services will be necessary.

I passionately believe in a National Health Service which is fit for purpose and provides our citizens with the service they deserve and I hope that every MLA in the house will join me in fighting for the funding I need to provide that.

Prescriptions

Mr B McCrea asked the Minister of Health, Social Services and Public Safety to outline the benefits of free prescriptions.

(AQO 486/11)

Minister of Health, Social Services and Public Safety: The founding ethos of the National Health service was that care would be provided free at the point of delivery. My decision to abolish prescription charges means that everyone can now access the essential prescription medicines they require without having to be concerned about their ability to pay.

Prior to April 2010 an unacceptable inequality prevailed, with some people suffering serious conditions such as cancer or mental health problems and even some of those recovering from transplant surgery may have had to incur financial hardship to pay for their prescription drugs.

Department of Justice

Legal Services

Mr P McGlone asked the Minister of Justice how much his Department and its agencies have paid for legal services to date; and to detail the firms engaged.

(AQW 1511/11)

Minister of Justice (Mr D Ford): The Department of Justice (DOJ) came into existence on 12th April 2010.

Expenditure on legal services shown below is from 1st April 2010 to

30th September 2010 as, under Machinery of Government rules, the DOJ will account for expenditure from 1 April 2010.

It should be noted however that the amounts shown include expenditure for legal services provided to business areas and agencies prior to devolution, as well as since.

DOJ core

From 1 April to 30 September, the DOJ core spent £63,597 on legal services procured externally. This includes £11,834 paid to the Crown Solicitor's Office, the Cabinet Office and the Treasury Solicitors.

The following firms were engaged, at a total cost of £51,763:

- Cleaver Fulton Rankin
- Fitzsimmons Kinney and Mallon Solicitors
- Harte Coyle Collins Solicitors
- Jones Cassidy Jones Solicitors
- MAH Consultants

Northern Ireland Prison Service (NIPS)

From 1 April to 30 September, NIPS spent £112,567 on legal services procured externally. This includes £102,246 paid to the Crown Solicitor's Office and the Treasury Solicitors.

The following firms were engaged, at a total cost of £10,321:

- Madden & Finucane
- Merrill Legal Solutions

Compensation Agency

From 1 April to 30 September, the Compensation Agency spent £198,884 on legal services procured externally. This includes £60,793 paid to the Crown Solicitor's Office. The remainder was paid to External Counsel. No legal firms were engaged.

Forensic Science Northern Ireland (FSNI)

From 1 April to 30 September, FSNI spent £329 on legal services procured externally. This was paid to the Crown Solicitor's Office.

Youth Justice Agency (YJA)

From 1 April to 30 September, YJA spent £15,036 on legal services procured externally. This includes £14,536 paid to the Crown Solicitor's Office.

The following firm was engaged, at a total cost of £500:

- Fitzsimons, Kinney, Mallon Solicitors.

Northern Ireland Courts & Tribunals Service (NICTS)

From 1 April to 30 September, NICTS spent £322,437 on legal services procured externally. This includes £111,970 paid to the Crown Solicitors Office; £61,375 paid to Counsel on behalf of the Official Solicitor, in cases where the Official Solicitor has represented the interest of a child and where without such representation the Courts would be unable to fulfil their domestic and international obligations in respect of the child's rights and £83,397 paid to Counsel on behalf of the Coroners Service, for presenting evidence at inquests in complex cases.

The following firms were engaged, at a total cost of £65,500

- Bird & Bird LLP
- Jones & Cassidy Solicitors
- Wragge & Co LLP

Convictions for Violence in Ardoyne

Mr W Humphrey asked the Minister of Justice how many people have been convicted, to date, in relation to the violence that took place in Ardoyne over the twelfth period; and, of those arrested, how many resided in North Belfast.

(AQW 1711/11)

Minister of Justice: I commend the PSNI for their remarkable restraint and professionalism in the face of such violence and for the success they had in terms of arrests and charges. I can advise that of the 48 individuals arrested to date, 40 reside in North Belfast. 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.

Dog-fouling Offences

Mr T Burns asked the Minister of Justice to detail (i) the number of dog-fouling offences in each of the last five years; (ii) the number of prosecutions brought against these individuals; (iii) the number of subsequent convictions; (iv) the total of any fines imposed; and (v) any other sanctions imposed.

(AQW 1728/11)

Minister of Justice: As the Member should be aware, the information requested is a matter for local authorities, not the DOJ.

Prison Review Team

Mr P Givan asked the Minister of Justice when he expects the Prison Review Team to complete the first stage of the review and whether this report will be made public.

(AQW 1752/11)

Minister of Justice: The review team plans to complete the first stage of its review by Christmas, with a view to publishing the report in January.

Staff Mileage Claims

Mr A Easton asked the Minister of Justice to detail the cost, to his Department, of staff mileage claims in the last financial year.

(AQW 1756/11)

Minister of Justice: The Department of Justice came into existence on 12th April 2010. Details of staff mileage claims before that date are a matter for the previous department.

Stolen Agricultural Machinery

Mr D Kinahan asked the Minister of Justice what measures he is taking to address the problem of agricultural machinery that is stolen from farm businesses in Northern Ireland and sold in the Republic of Ireland.

(AQW 1758/11)

Minister of Justice: I have recently met with the Minister for Agriculture and Rural Development to discuss the issues of rural crime and machinery theft.

At a regional level my Department is represented on both the Interdepartmental Committee on Rural Policy and the Rural White Paper Project Board to ensure that issues around rural crime are reflected in the development work on a Rural White Paper.

At a local level a number of Community Safety Partnerships, working in partnership with the relevant District Policing Partnership and PSNI, provide crime prevention advice to address rural crime and improve security around farms.

There are a range of innovative schemes to tackle theft of farm vehicles and machinery, such as trailer marking and ultra-violet torch schemes, tailored to the particular needs of the farming community.

Local PSNI Crime Managers maintain regular contact with their counterpart in An Garda Síochána for the investigation of cross border thefts of agricultural machinery.

In addition, the Department of Justice is leading on the development of a new Community Safety Strategy and I will consider what more needs to be done to tackle rural crime as part of the forthcoming consultation.

Theft of Agricultural Machinery

Mr D Kinahan asked the Minister of Justice to detail the number of convictions for theft of agricultural machinery in each constituency in (i) 2000; (ii) 2005; (iii) 2009; and (iv) 2010 to date.

(AQW 1759/11)

Minister of Justice: I regret the information requested is not available. Court conviction data do not contain background information in relation to offences committed and it is therefore not possible to separate out the number of convictions for theft of agricultural machinery from other theft offences.

Prisoners' Earnings

Mr A Ross asked the Minister of Justice to detail (i) how much prisoners are currently paid in prisoners' earnings; (ii) the criteria used for awarding such earnings; and (iii) in what circumstances earnings would be deducted or withdrawn.

(AQW 1787/11)

Minister of Justice: I refer the member to AQW 880/11 which was answered on 18 October and is available in Hansard.

Further to part (iii) of AQW 880/11 when a prisoner is not fully engaging with the NIPS Progressive Regime and Earned Privileges Scheme (PREPS), their regime level may be lowered resulting in a reduction of payment. The 'incentive payment' component of any earnings may also be removed if there is clear documented evidence that a prisoner is not fully engaging with his or her sentence plan.

Prisoners' Earnings

Mr A Ross asked the Minister of Justice how much has been paid in prisoners' earnings in each of the last five years and from which budget this is paid.

(AQW 1789/11)

Minister of Justice: I refer the member to AQW 880/11 which was answered on 18 October 2010 and is available in Hansard.

Prisoner earnings are paid from the Programme Budget.

Railway Line Bomb in Lurgan

Mr S Anderson asked the Minister of Justice whether he has had any discussions with the PSNI in relation to the recent railway line bomb in Lurgan.

(AQW 1809/11)

Minister of Justice: I meet with the Chief Constable and his senior officers on a regular basis and have received briefings on a range of security issues, including recent attacks.

Desertcreat College Development

Mr P McGlone asked the Minister of Justice to provide details on the implementation of the Desertcreat College development.

(AQW 1810/11)

Minister of Justice: The plan to complete the new training college in Cookstown is dependent upon (i) gaining DFP approval of the business case, and (ii) funding being available following the outcome of the budget process.

Subject to those requirements, the timeline for construction is as follows:

- Design completion and procurement prequalification - January 2011 to October 2011.
- Detailed procurement process leading to appointment of contractor - October 2011 to March 2012
- Construction of college - March 2012 to March 2014.

Desertcreat College Development

Mr P McGlone asked the Minister of Justice to detail the projected cost of the Desertcreat College development; and to outline the total committed costs to the project by each relevant Department.

(AQW 1812/11)

Minister of Justice: The college will cost approximately £142m to build and is based on funding from a range of sources: DOJ £100m (PSNI £90m and NI Prison Service £10m); DHSSPS £30m; and proceeds from the sale of PSNI assets £12m.

The Desertcreat Training College remains a priority. However, funding cannot be confirmed until the current Budget process is concluded.

Prison Receptions on Fine Warrants

Mr P Givan asked the Minister of Justice, pursuant to AQW 1250/11, to detail the cost to the Prison Service of the 1778 prison receptions on fine warrants.

(AQW 1816/11)

Minister of Justice: It is not possible to make an accurate estimate of the cost. Although fine defaulters make up around one third of all receptions into prison, as the average time spent in custody is only a few days, there is usually a maximum of 25-30 held at any one time.

Alcohol Consumption at Sports Matches

Mr K Robinson asked the Minister of Justice what discussions and presentations of evidence led his Department to suggest flexibility in the provision of regulated time periods for alcohol consumption at different types of sports matches.

(AQW 1880/11)

Minister of Justice: The policy review "A consultation on proposals for new sports law and spectator controls" elicited a number of responses for the regulation of alcohol consumption at different types of sports matches.

A view was expressed that un-regulated access to alcohol can contribute to unacceptable levels of anti-social behaviour and disorder both inside and outside grounds. Some called for clarification of aspects such as how the proposals would apply to registered clubs inside grounds and how "private" viewing facilities might need to be accommodated; others drew attention to the potential commercial harm that an outright ban could have on clubs. Views were expressed that private viewing facilities should be accommodated differently from terracing; others that consumption on the terraces should still be permitted.

In response to the differing views expressed and issues to be addressed across differing sports, a flexible approach was deemed to be the better model to offer to the Assembly. A flexible approach would permit any resulting legislation to be tailored and commenced in accordance with need and in consultation with the relevant sporting bodies, police and the Justice Committee.

My Report on Responses and Way Forward published in August 2010 contains details of the responses and representations received.

http://www.dojni.gov.uk/index/public-consultations/archive-consultations/responses_to_consultation_on_proposals_for_new_sports_law_and_spectator_controls.htm

Violent Disorder at Sporting Events

Mr K Robinson asked the Minister of Justice if he intends to bring forward, or to update existing legislation to address violent disorder between participants and coaching staff at sporting events.

(AQW 1881/11)

Minister of Justice: The criminal law on violence, assault and disorder applies equally to events on sports pitches as it does to events off them. Without specific reference to sporting events, participants or coaching staff, I have included in the Justice Bill (at Clause 56) a provision to increase the maximum custodial penalty that a magistrates' court may give for common assault or battery from 3 months to 6 months.

Review into Youth Justice

Mr T Buchanan asked the Minister of Justice to whom the team conducting the review into youth justice will report its findings.

(AQW 1932/11)

Minister of Justice: The Review Team will report its findings to me, as Minister of Justice.

Department for Regional Development

Contracts

Mr P McGlone asked the Minister for Regional Development, pursuant to AQW 910/11, how many audits were carried out over the period covered by these contracts; and who carried out these audits.

(AQW 1642/11)

Minister for Regional Development (Mr C Murphy): In answering this question the scope has been limited to the periods referred to in the answer to AQW 910/11.

The Northern Ireland Transport Holding Company (NITHC) Group has had two audits of procurement practice carried out in the period referred to. These were conducted by Translink Internal Audit. During the period annual audits were also carried out on the NITHC financial statements in line with applicable law and audit standards.

In Roads Service, over the period stated, there were two audits completed by DRD Internal Audit Branch in these contract-related areas. In addition, the Northern Ireland Audit Office carried out the annual audits of the Departmental & Roads Service Accounts.

Capital Spend on Roads, Buses and Railways

Mr T Burns asked the Minister for Regional Development to detail the capital spend on (i) roads; (ii) buses; and (iii) railways in each of the last three years.

(AQW 1665/11)

Minister for Regional Development: My Department's total Capital Spend on roads, buses and railways in each of the last three years is set out in the table below.

Financial Year	2007/08 £'000	2008/09 £'000	2009/10 £'000
Roads	125,424	174,425	*249,342
Buses	52,819	8,950	14,192
Railways	27,279	36,050	36,400
Total	205,522	219,425	299,934

* Roads Capital Expenditure in 2009/10 includes structural maintenance activities which were reclassified from Resource spend to Capital spend in 2009/10. This arose from the change in accounting treatment which moved reporting to International Financial Reporting Standards (IFRS). These activities were previously classified as Resource spend in 2007/08 and 2008/09.

Rapid Transit System

Mr T Burns asked the Minister for Regional Development, given that the Greater Nottingham area is of a similar size to Greater Belfast, whether he or his officials were ever in contact with local government

officials from Nottingham, or visited the city, prior to making their decision on a bus based rapid transit system.

(AQW 1666/11)

Minister for Regional Development: Neither I nor my officials were in contact with or visited Nottingham prior to making my decision on a bus based Rapid Transit system for Belfast. However, along with Departmental officials and members of the Committee for Regional Development, I visited several well established public transport schemes in the Netherlands. Those visits helped to demonstrate the success of bus based Rapid Transit systems in providing quick and efficient access into city centres and a real alternative to car travel.

Northern Ireland Regional Transport Strategy

Mr T Burns asked the Minister for Regional Development whether he intends to send his officials to Nottingham to gather information to inform proposals for the new Northern Ireland Regional Transport strategy and the Belfast Metropolitan Transport strategy, in light of the fact that Nottingham was voted best city in Britain for public transport usage.

(AQW 1667/11)

Minister for Regional Development: In developing the new Regional Transportation Strategy, officials from my Department have been informed both by lessons from across these islands and also international best practice.

There are no plans for officials to visit Nottingham at this time.

I hope to bring a new Regional Transportation Strategy to the Executive early 2011 prior to public consultation.

Belfast to Newry Road

Mr T Burns asked the Minister for Regional Development to detail the total cost of upgrading the Belfast to Newry road.

(AQW 1669/11)

Minister for Regional Development: There have been a number of major improvement projects to upgrade the Newry to Belfast road over the past seven years. These projects, together with approximate costs, are listed in the table below:-

Project	Cost
A1 Underpass at Hillsborough Road, Dromore	£3.4 million
A1 Flyover at Rathfriland Road, Banbridge	£5.0 million
A1 Loughbrickland to Beech Hill dual carriageway	£27.8 million
A1 Newry to Dundalk dual carriageway	£34.5 million
A1 Junctions (Part of DBFO Package 2)	£30.0 million
A1 Beech Hill to Cloghogue dual carriageway	£155.0 million

Donard Avenue in Newtownards

Mr S Hamilton asked the Minister for Regional Development to outline the timescale for the widening of the cul-de-sacs off Donard Avenue in Newtownards and the estimated cost of this scheme.

(AQW 1685/11)

Minister for Regional Development: My Department's Roads Service has advised that it has no plans to widen the cul-de-sacs off Donard Avenue in Newtownards.

Belfast to Dublin Railway Line

Mr T Burns asked the Minister for Regional Development how much has been spent on (i) repairing; (ii) maintaining; and (iii) upgrading the Belfast to Dublin railway line in each of the last five years.

(AQW 1732/11)

Minister for Regional Development: The table below provides details of both the additional Capital Expenditure (upgrades) and Repair and Maintenance investment carried out on the Belfast to Dublin line in the last 5 years.

Since repair and maintenance are not accounted for separately on Translink's systems, a single figure has been provided for both elements.

Financial Year	2005/06 £'000	2006/07 £'000	2007/08 £'000	2008/09 £'000	2009/10 £'000	Total £'000
Capital Expenditure	-	9	1,192	368	570	2,139
Repair and Maintenance	1,555	967	1,270	1,332	1,392	6,516
Total	1,555	976	2,462	1,700	1,962	8,655

The table above does not include expenditure on Rail Infrastructure and Stations which benefits passengers on the Belfast to Dublin service. Over the last five years this totals £16.2million.

Proposed Track Relay for the Coleraine to Derry Railway Line

Mr T Burns asked the Minister for Regional Development to outline the estimated cost of the proposed track relay for the Coleraine to Derry railway line.

(AQW 1735/11)

Minister for Regional Development: The estimated cost of the proposed project to upgrade the Coleraine to Derry railway line is £75m.

Free Travel Passes for Staff

Mr L Cree asked the Minister for Regional Development whether his Department provides free travel passes to its staff for use by their families; and the costs of providing this benefit in each of the last three years.

(AQW 1739/11)

Minister for Regional Development: I can confirm that my Department does not provide free travel passes to staff for use by their families.

Staff Mileage Claims

Mr A Easton asked the Minister for Regional Development to detail the cost, to his Department, of staff mileage claims in the last financial year.

(AQW 1754/11)

Minister for Regional Development: The amount paid by the Department for Regional Development for staff mileage claims in the last financial year was £2,530,570.

This excludes all overtime mileage and industrial staff standard mileage claims as these are not easily identifiable and could only be provided at a disproportionate cost.

Northern Railway Corridor

Mr P Frew asked the Minister for Regional Development if he can offer an assurance that the development of the Northern Railway Corridor will remain a priority and that bids for funding will be made within the Capital Programme.

(AQW 1820/11)

Minister for Regional Development: You will appreciate the difficult financial context under which we are currently operating. However, as evident from the discussions which followed the completion of the Northern Railways Corridor report, I am committed to developing the Northern Railways Corridor. Capital bids have been made as part of the CSR to fund the Coleraine to Derry track relay and the purchase of 20 new trains, which will provide additional services on the Belfast to Derry line.

Fife Circle Line in Scotland

Mr T Burns asked the Minister for Regional Development what consideration his officials have given to examining the Fife Circle Line in Scotland and whether this would be a suitable template for a circular rail route to serve Belfast, Lisburn, Antrim, Templepatrick and Glengormley.

(AQW 1835/11)

Minister for Regional Development: My officials have not examined the Fife Circle Line in Scotland. My current priority with regards to investment in railways is to maintain, improve and upgrade the existing railway lines in the region.

Given the current constraints on capital funding, there are no plans for a circular rail route to serve Belfast, Lisburn, Antrim, Templepatrick and Glengormley. However, should the economic situation improve I will be open to consider any such proposals to improve public transport here.

Coleraine to Londonderry Track Relay

Miss M McIlveen asked the Minister for Regional Development for an update on the proposed scheme for the Coleraine to Londonderry track relay.

(AQW 1856/11)

Minister for Regional Development: The Economic Appraisal for the Coleraine to Derry Track Renewals project is currently being assessed by DFP to confirm that it demonstrates Value for Money. When that assessment is complete, I will consider giving approval for the project to proceed taking account of available capital funding provided to my department and Executive views on the priority to be attached to this project.

The programme timetable envisages work commencing on site in 2012 and be completed in 2013. The line would be closed during this period. Depending on the timing of the approval, it may be possible to reschedule the work to take account of Derry being City of Culture in 2013.

Rock Face on the A2

Mr G Robinson asked the Minister for Regional Development what plans there are to secure the rock face on the A2 in the vicinity of Downhill to prevent further road closures.

(AQW 1914/11)

Minister for Regional Development: While my Department does not own the cliffs involved in the rock fall, Roads Service has, after discussions with the owner, engaged specialist services to assess the rock face at the location of the latest rock fall in the vicinity of Downhill, and that work has now commenced to remove loose rock from the cliff face. Roads Service will also be considering options for the installation of additional measures to mitigate against further rock falls at this location. Any final proposals will require consultation with the appropriate stakeholders, as any measures proposed along this coastline must consider the impact on this Area of Outstanding Natural Beauty. They will also have to be prioritised against the many other competing demands on Roads Service's work programmes and finite resources.

It is hoped that the road can be re-opened by 15 November 2010. However, this will be dependent on the weather and further examination of the rock face, and the main determining factor informing this decision will be ensuring the safety of road users.

While it is impossible to predict the extent and location of rock falls in this area, Roads Service will continue to adopt a risk based approach to managing the area. The 3km stretch of road adjacent to the cliffs at Binevenagh is inspected for evidence of rock falls twice weekly, and records are kept of all rock fall occurrences. This information is regularly reviewed by Roads Service, and action is taken where there is evidence of recurring activity at specific locations, or where specific assessments recommend protection measures.

Seacoast Road, Downhill

Mr J Dallat asked the Minister for Regional Development why the Seacoast Road, Downhill has been closed for over a week and may be closed for a further two weeks.

(AQW 1957/11)

Minister for Regional Development: My Department's Roads Service has advised that the A2 Seacoast Road at Downhill has been closed due to rock fall in the vicinity of Downhill.

While my Department does not own the cliffs where the latest rock fall occurred, Roads Service has, after discussions with the owner, engaged specialist services to assess the rock face at this location and that work has now commenced to remove loose rock from the cliff face. Roads Service will also be considering options for the installation of additional measures to mitigate against further rock falls at this location. Any final proposals will require consultation with the appropriate stakeholders, as any measures proposed along this coastline must consider the impact on this Area of Outstanding Natural Beauty. They will also have to be prioritised against the many other competing demands on Roads Service's work programmes and finite resources.

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Upgrade of the Shore Road, Ballyhalbert

Miss M McIlveen asked the Minister for Regional Development what works are scheduled for the upgrade of the Shore Road, Ballyhalbert.

(AQW 1981/11)

Minister for Regional Development: My Department's Roads Service has advised that the Shore Road, Ballyhalbert has been identified for inclusion on its future programme of resurfacing works. The timing of this work will depend on the availability of funding and other competing priorities. However, this work is likely to be completed in 2011/2012 financial year.

A2 Seacoast Road, Downhill

Mr G Campbell asked the Minister for Regional Development what action he is taking to (i) expedite the reopening of the A2 Seacoast Road, Downhill; and (ii) to advise motorists and local residents of progress being made in relation to this work.

(AQW 2005/11)

Minister for Regional Development: While my Department does not own the cliffs involved, Roads Service, has after discussions with the owner, engaged specialist services to assess the rock face on the A2 Seacoast Road, Dunhill following the latest rock fall in the vicinity of Downhill. Work has commenced to remove loose rock from the cliff face and officials will also be considering options for the installation of additional measures to mitigate against further rock falls at this location. Any final proposals will require consultation with the appropriate stakeholders, as any measures proposed along this coastline must consider the impact on this Area of Outstanding Natural Beauty. They will also have to be prioritised against the many other competing demands on Roads Service's work programmes and finite resources.

It is hoped that the road can be re-opened by 15 November 2010. However, this will be dependent on the weather and further examination of the rock face, and the main determining factor informing this decision will be ensuring the safety of road users.

With regard to advising motorists and local residents of progress being made, Roads Service fully appreciates the importance of keeping motorists and local residents advised of progress. A media statement was issued to the press on Friday 5 November 2010, advising the public of the position regarding the road closure and diversions. It is anticipated that a further media statement will be issued later this week, when specialist contractors have completed the removal of loose material from the rock face and when it is hoped, a date on which the road can be reopened can be confirmed.

While it is impossible to predict the extent and location of rock falls in this area, Roads Service will continue to adopt a risk based approach to managing the area. The 3km stretch of road adjacent to the cliffs at Binevenagh is inspected for evidence of rock falls twice weekly, and records are kept of all rock fall occurrences. This information is regularly reviewed by Roads Service, and action is taken where there is evidence of recurring activity at specific locations, or where specific assessments recommend protection measures.

Department for Social Development

Community Faiths Forum

Mr S Anderson asked the Minister for Social Development whether any equality proofing was undertaken in line with departmental equality obligations in relation to the appointment of a pilot Community Faiths Forum.

(AQW 546/11)

Minister for Social Development (Mr A Attwood): The DSD pilot Community Faiths' Forum is an initiative launched in May 2010 and managed by the Churches Community Work Alliance (Northern Ireland) (CCWA (NI)), a regional organisation with whom DSD has an ongoing funding relationship to promote social action by local church and faith based organisations.

This is a time-bound (23 months) project involving a very modest budget of approximately £25,000 per year with forum members formally invited to participate by CCWA (NI).

An EQIA was considered but not deemed necessary. An Equality screening exercise indicates that in consulting with and beyond the four main denominations, working closely with CCWA (NI) and leaders of faith groups actively involved in social action projects, and colleagues in OFMdFM in relation to potential minority faith members, officials are content that, given the pilot nature of this limited and innovative exercise of engagement with the faith sector, that there are no adverse equality issues or negative impacts upon any section of the community.

It is worth noting that the pilot forum members will consider issues arising from consideration of membership and representation should the pilot forum be extended or expanded following the period of the current pilot. In the meantime the forum will welcome participation from all/any recognised faith groups, whether they have or have not affiliation to any individual forum member, to share or make a presentation on their work at future forum meetings. To avail of such an opportunity individuals or

groups should contact the Community Faiths' Forum manager at CCWA (NI) or officials in the Voluntary & Community Unit of DSD. I am willing to develop the membership of the Pilot Forum but believe that it should work quickly given its initial 23 months time-frame.

External Research Bodies

Mr P Weir asked the Minister for Social Development how much the Housing Executive has spent on commissioning external research bodies in each of the last five years; and to list the external research bodies which were used.

(AQW 1321/11)

Minister for Social Development: The figures detailed below show the amount spent by the Housing Executive on commissioning external research bodies in each of last five financial years and the research bodies commissioned are also listed.

Period	Total Spend	Amount of this which is spent on the House Condition Survey
2005/06	£574,023	
2006/07	£1,362,379	£880,153
2007/08	£534,000	£213,392
2008/09	£507,674	£31,288
2009/10	£1,057,325	£652,441

Research into housing conditions is a statutory requirement for the Housing Executive and this is mainly undertaken through House Condition Surveys. The majority of this is accounted for by employing qualified chartered surveyors and Environmental Health Officers on short term contracts to undertake the necessary surveying/supervising work for the House Condition Survey – they are perhaps not external bodies as such – but have been included in the above figures for the sake of completeness.

External research bodies commissioned were as follows:

Adrian Jones Social research
 Building Research Establishment
 Chinese Welfare Association
 Council for the Homeless Northern Ireland
 Design for Homes
 Erics Ison
 Fiona Boyle associates
 Healthy Cities
 Integer
 Integrated Marketing Solutions
 (Ipsos) Mori Ireland
 Jo Lavis
 MacBride International
 Millward Brown Ulster
 National Energy Services
 North Harbour Consulting
 Northern Ireland Statistics and Research Agency
 Perceptive Insight
 Property News
 Queen's University of Belfast
 Research and Evaluation Services
 RPS
 Rural Community Network
 Social Research Centre

Solutions Together
 STEP
 Travellers Support Group
 University of Birmingham
 University College Dublin
 University of Glasgow
 University of Ulster
 University of York

Staff Awaydays

Mr P Weir asked the Minister for Social Development to detail the cost to the Housing Executive of staff away-days in each of the last five years, broken down by (i) conference rooms; (ii) travel; (iii) accommodation; and (iv) food and subsistence costs.

(AQW 1325/11)

Minister for Social Development: The information is not available in the format requested as the Housing Executive cannot disaggregate the cost of conference rooms, accommodation and food as these are negotiated as a package. The table below details the aggregate cost for accommodation/conference rooms, food, travel and subsistence costs:

Year	Accommodation/ Conference facilities/ Food £	Travel £	Subsistence £
2005	15,723.33	4,217.72	8.77
2006	11,588.38	901.81	0.00
2007	19,061.57	3,336.50	14.98
2008	40,195.52	6,589.37	4.91
2009	38,336.73	4,983.78	34.49

Note

Away days are classed as Business Planning and include a training element.

The increase in events in 2008 and 2009 is due to the Modernising Programme.

Housing Executive Awaydays

Mr P Weir asked the Minister for Social Development how many Housing Executive away-days in each of the last five years have been held in (i) Housing Executive premises; and (ii) hotels or conference centres.

(AQW 1326/11)

Minister for Social Development: Dependant on the numbers of staff involved and the availability of rooms, the Housing Executive will use internal accommodation, community conference facilities or hotels for away days. The number of away days over the last five financial years are as follows:

Year	Total days	Days In-House Venue	Days External Venue
2005	39	3.5	35.5
2006	28.5	11	17.5
2007	42	9.5	32.5
2008	71	11.5	59.5

Year	Total days	Days In-House Venue	Days External Venue
2009	88	24.5	63.5
Total	268.5	60	208.5

Note

Away days are classed as Business Planning and include a training element.

The increase in events in 2008 and 2009 is due to the Modernising Programme.

Comprehensive Spending Review

Mr P Weir asked the Minister for Social Development what assessment he has made of the financial effect of the proposed benefit changes announced in the Comprehensive Spending Review.

(AQW 1600/11)

Minister for Social Development: The financial effects of the benefit reforms announced in the Comprehensive Spending Review are currently being considered. It may be that hundreds of millions of pounds will be cut in benefits in Northern Ireland as a result of the Chancellors two budgets. A full assessment will be made on an ongoing basis and when the forthcoming White Paper is published.

I have already raised my concerns about the particular difficulties we face in Northern Ireland, during recent discussions and meetings with Iain Duncan Smith, Lord Freud and Chris Grayling and will continue to do so. I have grave concerns about proposals which will have adverse consequences for anyone who, through no fault of their own, is unable to find a job, bearing in mind the particular economic climate and other circumstances which are particular to this region.

I have instructed officials to establish a Strategy Working Group, comprised of officials and key stakeholders from the Voluntary, Community and Advice Sector, to assist me in determining what the likely impact of the proposed reforms may be. We will also explore how benefit reforms can be delivered to ensure the maximum benefit to people in Northern Ireland, develop operational flexibilities, identify if proposals should be implemented or how they might be phased, mindful of parity.

Development Site at Foyle Street in Derry

Ms M Anderson asked the Minister for Social Development, pursuant to AQW 1030/11, how much money his Department has spent on the development site at Foyle Street in Derry in the last ten years.

(AQW 1693/11)

Minister for Social Development: My Department has spent £1,053k on the Foyle Street site over the past 10 years. This figure is broken down in the following table:

Reason for Expenditure	Amount (£k)
Compensation/legal costs	674.7
Service Diversions	214.2
Additional land purchase	100.0
Rates & Maintenance	51.6
Preparation of development brief and site marketing	8.9
Completion of Due Diligence	3.8

In 1999 the Department was forced to take legal action against the Development Company which it had granted a licence to construct a hotel on the site in 1996 following the company's failure to progress the scheme. This was resisted by the company leading to protracted legal action in both the High Court

and Lands Tribunal which ended with the Department successfully repossessing the site in 2005. However the total cost of this, which included compensation of £557k and legal fees, was some £675k:-

The expenditure on the site also includes the purchase of an additional portion of land from DRD Roads Service and the relocation of BT and NIE services to enhance the site and make it more attractive to prospective developers. These costs will be recovered in the premium obtained for the site when it is marketed.

A further £134k will be spent in the current financial year to create a shared space which will include a small urban park. This will form an important link between the new public realm in the Guildhall Square and the Peace Bridge.

Supported Living Accommodation

Mr P McGlone asked the Minister for Social Development for a breakdown of the provision of Supported Living Accommodation for people with severe mental health conditions in each District Council.

(AQW 1745/11)

Minister for Social Development: The table below details the provision of accommodation based support services by District Council area delivered through the Housing Executive's Supporting People programme:-

District Council	Accommodation Based Services	
	Contracted Units	Number of Services
Antrim	85	11
Ards	8	1
Armagh	53	5
Ballymena	30	1
Ballymoney	12	1
Banbridge	22	4
Belfast	233	24
Carrickfergus	12	1
Castlereagh	47	5
Coleraine	29	2
Cookstown	6	1
Craigavon	62	4
Derry	141	12
Down	19	2
Dungannon	7	1
Fermanagh	31	4
Larne	19	3
Limavady	20	2
Lisburn	21	3
Magherafelt	15	1

District Council	Accommodation Based Services	
	Contracted Units	Number of Services
Moyle	2	1
Newry & Mourne	38	7
Newtownabbey	48	5
North Down	44	6
Omagh	59	6
Strabane	10	1

Regeneration of Limavady

Mr J Dallat asked the Minister for Social Development when he will publish plans for the regeneration of Limavady; and if he will make a statement on the matter.

(AQW 1771/11)

Minister for Social Development: My Department in partnership with Limavady Borough Council, DOE Planning Service and DRD Roads Service has appointed the RPS Group to prepare a regeneration master plan for Limavady town centre. The project began on 10 May 2010 with the master plan due for completion by 31 March 2011.

This confirms that DSD acknowledges the need to develop an agreed regeneration strategy, in respect of which I will comment, when the plan is published.

Staff Mileage Claims

Mr A Easton asked the Minister for Social Development what was the cost to his Department of staff mileage claims in the last financial year.

(AQW 1800/11)

Minister for Social Development: The cost to my Department of staff mileage claims in the last financial year totalled £962,941 which amounts to approximately £128 per staff member per annum based on 7,498 staff.

Regeneration of Dromore Town Centre

Mr P Givan asked the Minister for Social Development what plans he has for the regeneration of Dromore town centre.

(AQW 1839/11)

Minister for Social Development: There are no current plans in place for the regeneration of Dromore town centre. However, a meeting with officers of Banbridge District Council is planned to discuss the possibility of future regeneration projects. Approval of funding for any project will of course depend on the amount of capital funding for urban regeneration which can be secured by the Department and on the outcome of an appraisal of any proposed scheme.

My Department previously funded an environmental improvement scheme for the square in the town centre in 2008, at a cost of £174k.

Masterplan for Shaftesbury Square

Ms A Lo asked the Minister for Social Development what were the outcomes of the discussion the Department had with the South Belfast Area Partnership in relation to developing a further masterplan for Shaftesbury Square and its surrounding neighbourhoods.

(AQW 1862/11)

Minister for Social Development: My officials are actively seeking a meeting with the South Belfast Partnership Board on this issue. I believe that Shaftesbury Square and its local neighbourhoods could benefit from the new approach to area planning introduced by the Concept Masterplans and I look forward to hearing the outcome of these discussions. I have asked my officials to provide you with an update following a meeting.

Northern Ireland Assembly Commission

Assembly Staffing

Mr D Kinahan asked the Assembly Commission to detail the number of people currently employed in each Assembly Directorate, broken down by grade and pay scale.

(AQW 1630/11)

The Representative of the Assembly Commission (Mr P Ramsey): The number of permanent full-time equivalent (FTE) employees is detailed in Table 1 below:

TABLE 1: PERMANENT SECRETARIAT FTE STAFF AT 30 SEPTEMBER 2010

Directorate	Assembly Grades									Grand Total
	AG1	AG2	AG3	AG4	AG5	AG6	AG7	AG8	AG9	
Clerking & Reporting		1	3	20.2	2	36.7		42.3	22	127.2
Director General's Office	1	2	1	7	3	5.8		6.8	3	29.6
Engagement		1		8	24.4	13.2	6.8	8	12	73.4
Facilities		1			4	6	2	10	80.8	103.8
Resources		1	1	4	6	13.8	8.8	16	17	67.6
Grand Total	1	6	5	39.2	39.4	75.5	17.6	83.1	134.8	401.6

At 30 September 2010 a further 14 agency staff were in also post across the organisation.

For each grade below Assembly Grade 1, a pay scale applies with members of staff on differing pay points. The pay scales that apply to each of these grades are given in Table 2. Based on the audited accounts for 2009/10, the pay for the Clerk / Director General (AG1) was in the range £110,000 to £115,000.

TABLE 2: ASSEMBLY PAY SCALES FROM AUGUST 2009

	Min	Max
AG 2	£65,798	£80,111
AG 3	£53,927	£62,407
AG 4	£41,661	£50,796
AG 5	£32,913	£38,893
AG 6	£28,034	£30,520
AG 7	£23,336	£26,086
AG 8	£20,285	£22,988
AG 9	£16,312	£20,799

Assembly Secretariat Expenditure

Mr D Kinahan asked the Assembly Commission to detail the costs incurred by each Assembly Directorate in each year since May 2007.

(AQW 1631/11)

The Representative of the Assembly Commission (Rev Dr R Coulter): Expenditure for the Assembly Secretariat is broken down into four distinct categories which are used for expenditure reporting namely Staff Salaries, General Administrative Expenditure (GAE), Non Cash Costs and Capital. Capital projects often encompass more than one Directorate so their costs are not attributed to a specific Directorate. Similarly, Non Cash Costs (such as depreciation of assets and notional charges) are not allocated to a specific Directorate.

The tables below are based on the current structure for the Assembly Secretariat (which was introduced in April 2008). Costs associated with Members (such as Members' salaries or allowances) are excluded except those costs which are incurred on Committee Business. The summary table shows the total Non-Cash Costs and Capital for the period.

ASSEMBLY SECRETARIAT EXPENDITURE MAY 2007 – 31 MARCH 2008

Directorate Name	Salaries	GAE	Total
Director General's Office	£1,529,869	£822,560	£2,352,429
Clerking & Reporting	£3,706,554	£163,698	£3,870,252
Resources	£1,638,108	£480,378	£2,118,486
Engagement	£1,396,266	£1,032,429	£2,428,696
Facilities	£1,860,460	£5,746,672	£7,607,131
Total	£10,131,256	£8,245,737	£18,376,993

ASSEMBLY SECRETARIAT EXPENDITURE APRIL 2008 – 31 MARCH 2009

Directorate Name	Salaries	GAE	Total
Director General's Office	£1,237,428	£409,236	£1,646,664
Clerking & Reporting	£4,634,726	£299,409	£4,934,135
Resources	£2,087,421	£578,348	£2,665,769

Directorate Name	Salaries	GAE	Total
Engagement	£2,007,423	£1,919,926	£3,927,349
Facilities	£2,449,306	£4,912,876	£7,362,181
Total Resources	£12,416,303	£8,119,795	£20,536,098

ASSEMBLY SECRETARIAT EXPENDITURE APRIL 2009 – 31 MARCH 2010

Directorate Name	Salaries	GAE	Total
Director General's Office	£1,387,594	£185,867	£1,573,461
Clerking & Reporting	£4,819,592	£357,288	£5,176,879
Resources	£2,724,879	£760,587	£3,485,466
Engagement	£2,683,770	£2,047,412	£4,731,182
Facilities	£2,651,047	£4,406,541	£7,057,588
Total	£14,266,881	£7,757,696	£22,024,577

ASSEMBLY SECRETARIAT EXPENDITURE APRIL 2010 – 31 AUGUST 2010

Directorate Name	Salaries	GAE	Total
Director General's Office	£631,642	£53,788	£685,431
Clerking & Reporting	£2,182,578	£120,778	£2,303,356
Resources	£1,233,669	£282,266	£1,515,935
Engagement	£1,355,353	£759,094	£2,114,446
Facilities	£1,255,222	£2,154,634	£3,409,856
Total	£6,658,463	£3,370,560	£10,029,023

ASSEMBLY SECRETARIAT EXPENDITURE MAY 2007 – 31 AUGUST 2010

Directorate Name	Salaries	GAE	Total
Director General's Office	£4,786,534	£1,471,451	£6,257,985
Clerking & Reporting	£15,343,449	£941,173	£16,284,621
Resources	£7,684,077	£2,101,579	£9,785,656
Engagement	£7,442,812	£5,758,862	£13,201,673
Facilities	£8,216,033	£17,220,723	£25,436,756
Total Current Expenditure	£43,472,904	£27,493,787	£70,966,691
Total Non Cash Costs			£23,954,000
Total Capital			£4,221,000

The organisational entities within each Directorate are as follows;

Directorate	Business Area
Director General's Office	Corporate Policy Unit
	Commission Support & Compliance Unit
	Legal Services
	Internal Audit
	Examiner of Statutory Rules
	Speaker's Office
Clerking & Reporting	Business Office
	Bill Office
	Central Committee Office
	Statutory & Standing Committees
	Official Report (Hansard)
Resources	Finance Office
	HR Office
	Procurement Office
	IS Office
Engagement	Research & Library
	Communications Office
	Outreach & Education
Facilities	Building Services
	Support Services
	Security Services
	Sustainable Development

General Administrative Expenditure

Mr D Kinahan asked the Assembly Commission to detail the amount spent on (i) electricity; (ii) heating; (iii) water; (iv) printed materials; (v) paper; (vi) newspapers and magazines; (vii) repairs and maintenance; and (viii) the purchase and maintenance of electronic devices in each year since May 2007. **(AQW 1632/11)**

The Representative of the Assembly Commission (Mr P Ramsey): These expenditure items fall within the category of General Administrative Expenditure. Expenditure is not routinely recorded under the exact descriptions noted above for all items. The amount of expenditure incurred for each of these categories is detailed in the Table below:

TABLE 1: ASSEMBLY EXPENDITURE

Category of Expenditure	2007/08 (from May 07) £	2008/09 £	2009/10 £	Total £
Electricity	177,949	314,545	214,756	707,250

Category of Expenditure	2007/08 (from May 07) £	2008/09 £	2009/10 £	Total £
Heating – Oil & Fuel	63,104	132,696	79,912	275,712
Water e.g. bottled water/coolers.	21,465	22,492	21,884	65,841
Printed Materials - Publications	90,118	136,359	76,033	302,510
Paper - support services	48,672	59,850	69,191	177,713
Newspapers & Magazines	26,923	33,320	28,499	88,742
Repairs & Maintenance	809,432	779,583	638,681	2,227,696
Purchase & Maintenance of Electronic devices (e.g. computer equipment, cameras, bar-code scanners, etc)	1,173,552	79,348	81,294	1,334,194

Additional Plenary Sitting

Mr K McCarthy asked the Assembly Commission to detail the total cost of the additional plenary sitting on 25 October 2010.

(AQW 1674/11)

The Representative of the Assembly Commission (Mr S Neeson): The Assembly was summoned by the Speaker following notice from the required number of Members. The sitting lasted just over two hours. The current position is that unit costs are not produced for each plenary sitting session of the Assembly. Given that the additional sitting took place during a working week when the building was open and no staff had to be recalled, there were no significant or quantifiable additional costs to the Commission for the sitting on 25 October 2010.

Northern Ireland Assembly

Friday 19 November 2010

Written Answers to Questions

Office of the First Minister and deputy First Minister

Draft Programme for Cohesion, Sharing and Integration

Dr S Farry asked the First Minister and deputy First Minister how many responses have been received to date on the consultation on the Draft Programme for Cohesion, Sharing and Integration.

(AQO 251/11)

First Minister and deputy First Minister (Mr P Robinson and Mr M McGuinness): 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 Committee agreed the draft Programme. The public consultation on the draft Programme for Cohesion, Sharing and Integration was launched on Tuesday 27 July and closed on Friday 29 October 2010.

At present, more than 200 responses to the draft consultation have been received. These responses, along with the wealth of views and material gathered from the 11 public meetings and the 15 targeted sectoral meetings held at a range of venues during September and October, will now be analysed.

We are anticipating that we will receive an initial report on the findings of the consultation before Christmas 2010.

Vulnerable Working Class Communities

Mr G Campbell asked the First Minister and deputy First Minister what progress has been made in the last twelve months in assisting vulnerable working class communities in the Coleraine area following the recent inter-communal problems.

(AQO 252/11)

First Minister and deputy First Minister: In the financial year 2009/10, the Office of the First Minister and deputy First Minister provided Coleraine Borough Council with a grant of £85,969.91 for the provision of good relations services and activities, including the support of the Good Relations Officer's post. The offer was contingent upon an additional minimum, matching contribution of £28,656.64 from Council resources. The funding award was allocated on the basis of the Coleraine Good Relations Plan which was developed from a good relations audit for the area. The good relations audit identified specific good relations issues in the borough including those in working class communities.

In the current 2010/11 financial year, OFMDFM provided an overall grant of £91,351.75 to assist with the provision of good relations services in the Coleraine area. An additional £4,000 has been allocated to the council for the development of a community cohesion plan as an addendum to the main good relations plan.

Through a multiagency approach, work is continuing to challenge beliefs, prejudices, stereotyping and sectarianism among young people as well as building confidence and trust.

The core of the Programme for Cohesion, Sharing and Integration (CSI) was agreed on 23 February 2010. The programme sets out a vision for a new era in which we work together to build a shared and better future, a future where fairness, equality, rights, responsibilities and respect are acknowledged

and accepted by all. Following further development of the draft Programme, including detailed discussions with all Government Departments, the Executive agreed the draft CSI Programme on 22 July 2010.

The public consultation on the draft CSI Programme was launched on 27 July and included 11 public and 15 sectoral meetings. The locations for the public meetings were selected to ensure maximum accessibility and the venues included a consultation at the Lodge Hotel in Coleraine on Tuesday 12th October. The public consultation period closed on 29 October 2010 and the responses will now be analysed.

Community Relations Council

Mr S Anderson asked the First Minister and deputy First Minister, pursuant to AQW 1426/11, whether, as part of the review of core funding or project funding as currently delivered by the Community Relations Council, consideration will be given to the awarding of funding by the CRC for publications such as 'Beyond, Fear, Suspicion and Hostility' which described evangelical churches and groups as extremists. **(AQW 1819/11)**

First Minister and deputy First Minister: It is not currently possible to comment on specific details of future core funding arrangements.

The public consultation on the draft CSI programme, including delivery mechanisms, has now closed and responses are currently being assessed.

Northern Ireland Commissioner for Children and Young People

Miss M McIlveen asked the First Minister and deputy First Minister how the budget for the Northern Ireland Commissioner for Children and Young People compares with those for the equivalent offices in (i) England; (ii) Scotland; and (iii) Wales; and to detail the average annual comparative spend per child. **(AQW 1829/11)**

First Minister and deputy First Minister: The table below shows how the budget for the Northern Ireland Commissioner for Children and Young People compares with equivalent offices. Figures below have been rounded:

	Commissioner for Children and Young People for Northern Ireland	Commissioner for Children and Young People for Wales	Commissioner for Children and Young People for Scotland	Commissioner for Children and Young People for England
Annual Opening Budget 2009/10	£1.8m	£1.8m	£1.32m	£2.9m
Comparative spend per child	£3.74	£2.69	£1.11	£0.25

Efficiency Savings

Mr S Moutray asked the First Minister and deputy First Minister to what extent they intend to prioritise efficiency savings over cuts in preparation for the next Budget. **(AQW 2029/11)**

First Minister and deputy First Minister: The pursuit of public service efficiency has always been a key concern of the Executive and is one of our priorities in the Programme for Government. Nevertheless, the implications of the Spending Review (SR) settlement will be very challenging for all concerned. The Ministerial Budget Review Group is continuing to meet regularly to discuss options on how best to deal with the SR 2010 settlement which will in turn inform the discussion at Executive level.

An effective response to the SR challenge will need a strong drive for even greater efficiency savings, challenging how we do things currently and looking at ways in which we can work smarter, more efficiently and effectively and thereby provide better value for money to the taxpayer.

We will continue to press the Coalition Government to get the best deal we can.

Citigroup

Mr J Craig asked the First Minister and deputy First Minister for an update on the increased investment in Belfast recently announced by Citi Group.

(AQO 497/11)

First Minister and deputy First Minister: Earlier this month, we joined Minister Foster to announce that Citi plans to promote 501 new jobs in a major expansion supported by Invest NI generating over £16 million annually in salaries. The new jobs include 440 new high quality roles in Citi's technology and operations divisions and a further 61 new specialist posts in its legal and compliance division. This is an extremely significant boost for the local economy particularly in terms of job numbers and the high quality of the positions.

When the project is successfully completed, Citi's total employment in Belfast will reach 1,500 and is testament to the strength of the available skills base which we have here.

Maze/Long Kesh: Conflict Resolution Centre

Mr G Savage asked the First Minister and deputy First Minister to outline the site selection process for the proposed Conflict Resolution Centre at the Maze/Long Kesh Site.

(AQO 493/11)

First Minister and deputy First Minister: The unanimous report of the all-party Consultation Panel set up to bring forward advice on the regeneration of the Maze/Long Kesh recommended the location of the Peace Building and Conflict Resolution Centre at the site in its February 2005 Report. It was on this basis that the 2006 Masterplan was prepared by direct rule Ministers.

Building on the recommendation of the Consultation Panel we decided that a development corporation should be created to regenerate the site and that the Peace Building and Conflict Resolution Centre concept should be carried forward and be a key project within a fresh masterplanning framework for the site. A site selection process was therefore not needed or required.

Draft Programme for Cohesion, Sharing and Integration

Mrs D Kelly asked the First Minister and deputy First Minister for their assessment of the responses to the consultation on the draft Programme for Cohesion, Sharing and Integration.

(AQO 492/11)

First Minister and deputy First Minister: The public consultation on the draft Cohesion, Sharing and Integration Programme was launched on 27 July and formally closed on 29 October. The consultation document invited everyone to comment on the range of issues covered within the draft CSI Programme.

Following requests from a number of groups for additional time to complete their responses, officials granted one more week to allow for late returns to be included.

The consultation attracted well over 200 written responses. These are currently being analysed and a thematic report will be produced. This will include the wealth of views and material gathered from 11 public meetings and 15 targeted sectoral meetings which were held at a range of different locations throughout September and October.

Since the consultation has only recently closed, it is too early to offer an assessment of the responses on the draft CSI Programme. We expect the initial report on the findings of the consultation to be with us before Christmas 2010.

We welcome the fact that this work has put a focus on the development of good relations, and created debate on the issue.

We also note the failure of the previous Executive to bring forward a good relations strategy.

North/South Review Group

Mr P J Bradley asked the First Minister and deputy First Minister when the North South Review Group is due to complete its work.

(AQO 495/11)

First Minister and deputy First Minister: Consultation on all aspects of the St Andrews Agreement Review is now underway in both jurisdictions. It is expected that the Review Group will move rapidly to conclude its work when this process is complete.

Reductions in the Size of Government

Mr M Storey asked the First Minister and deputy First Minister whether they have carried out any analysis of where reductions in the size of government could be achieved.

(AQO 496/11)

First Minister and deputy First Minister: The Executive has recently established a Ministerial Budget Review Group which has commissioned a range of information to inform its approach to the major financial challenges we face. As part of this work we will be looking carefully at the scope to achieve greater efficiencies in our public bodies and to yield savings without a loss of vital public services. This will include examining the options for reductions, amalgamations, or greater use of shared services and shared facilities across public bodies.

The St Andrews Agreement indicated that we would appoint an Efficiency Review Panel to examine efficiency and value for money of aspects of the Strand One institutions. We have previously announced that the first task of such a panel would be to examine the number and organisation of Departments in the light of the present financial pressures and the implications of the Review of Public Administration, and to ensure that the departmental structure is best organised to deliver public services in an efficient manner.

The Panel is among the matters under consideration by the Inter-Party Working Group on outstanding issues from the St Andrews Agreement.

There is also a commitment in the current Programme for Government to review the overall number of Government Departments by 2011.

We remain committed to pursuing greater efficiency and effectiveness in the delivery of public services.

Department of Agriculture and Rural Development

Single Farm Payments

Mr G Savage asked the Minister of Agriculture and Rural Development for a breakdown of how the European Commission disallowance in relation to Single Farm Payments was funded.

(AQW 729/11)

Minister of Agriculture and Rural Development (Ms M Gildernew): Disallowances in respect of scheme years 2004-2008 have been accounted for in financial year 2009/10. The sources of funding were as follows:-

- a provision in respect of disallowance held by Defra on behalf of the devolved administrations;
- DARD non-Budget expenditure;

- DARD internal reallocations;
- A bid for additional funding agreed by the Executive, as part of the in-year monitoring process;
- 2009/10 underspends at overall NI Block level that emerged post year-end which were not available for reallocation by the Executive in 2009/10.

Theft of Machinery from Farms

Mr D Kinahan asked the Minister of Agriculture and Rural Development for her assessment of the current level of the theft of machinery from farms; and to indicate which areas are most affected.
(AQW 1700/11)

Minister of Agriculture and Rural Development: I am aware that the instances of theft on farms are increasing with tractors, small and large items of equipment and machinery and livestock being stolen. These thefts are widespread across the north of Ireland but are more prevalent in border counties. I have recently met with the Justice Minister and the Chief Constable to discuss such thefts and other aspects of Rural Crime. I would also encourage farmers to ensure that they secure their properties and take steps to minimise the risk of theft from their farms

Rural Development Programme

Mr P Weir asked the Minister of Agriculture and Rural Development how much funding from the Rural Development Programme has gone to the North Down Borough Council area in each of the last five years.
(AQW 1703/11)

Minister of Agriculture and Rural Development: Grant recipients in the North Down Borough Council area benefited from the NI Rural Development Programme in the years 2009 and 2010, with annual total funding of £15,650.00 and £14,890.61 respectively.

The years immediately preceding 2009 represent the closure of the 2000-2006 funding programme and the development of the 2007-13 programme, where new structures and funding processes were put in place prior to invitation of project applications.

Comprehensive Spending Review

Mr G Savage asked the Minister of Agriculture and Rural Development for her assessment of the likely impact of the Comprehensive Spending Review on the agricultural industry.
(AQW 1707/11)

Minister of Agriculture and Rural Development: The Spending Review announcement means that the NI Executive now knows the aggregate level of budget available for the next four years. Until the Executive has decided how to allocate the available money to departments it is too early to say with certainty what this will mean for the DARD budget and any potential impacts on the agriculture industry. With less money available, the Executive will have to make savings and DARD will be expected to play its part. I will be seeking to protect front line services where possible. The Spending Review does not impact on the Single Farm Payment because it is 100% funded by European money.

The Spending Review sets out a range of other changes to, for example, social welfare, environmental levies, National Insurance Contributions (NICs) and pensions. It is not possible to quantify their likely impacts on the agricultural industry. However, the NIC exemptions for new businesses and the reversal of the previously announced employer NICs rate rise may benefit the agriculture industry generally.

European Common Fisheries Policy

Mr J McCallister asked the Minister of Agriculture and Rural Development, for each of the last five years, to detail the total tonnage of (i) cod; (ii) haddock; and (iii) whiting that was thrown overboard by

fishermen operating from (a) Ardglass; (b) Kilkeel; and (c) Portavogie fishing ports, in order to comply with conditions outlined in the European Common Fisheries Policy.

(AQW 1737/11)

Minister of Agriculture and Rural Development: The total estimated tonnage of cod, haddock and whiting discards for the last 5 years by our Nephrops fleet operating in the Irish Sea is given in the table below.

No discard data was collected in 2005 and the first half of 2006 from the entire fleet and information from the whitefish fleet has been limited since 2005 due to reduced level of fishing activity and therefore reduced sampling opportunities.

	Cod (tonnes)			Haddock (tonnes)			Whiting (tonnes)		
	Under MLS	Over MLS	Total	Under MLS	Over MLS	Total	Under MLS	Over MLS	Total
2005	-	-	-	-	-	-	-	-	-
2006	3.3	0	3.3	510	9	519	485	4	489
2007	3.5	0.9	4.4	212	20	232	534	41	575
2008	2.3	0.5	2.8	93	2	95	496	18	4
2009	9.9	0.1	10.0	239	29	268	621	7	628

The discard levels have been estimated from the Agri-Food and Biosciences Institute at-sea observer sampling programme. Sampling is conducted at fleet or fishery level, rather than port level and therefore port specific discard levels cannot be estimated.

Fish may be discarded for several reasons other than the need to comply with fish quota limits. The majority of discards by our fleet are for fish below minimum landing size (MLS). These fish have no market value as they cannot be legally landed or sold.

The data presented shows relatively low discards of marketable size fish compared to non-marketable size fish.

Staff Overtime

Mr T Elliott asked the Minister of Agriculture and Rural Development how much her Department has paid in staff overtime in this financial year to date.

(AQW 1772/11)

Minister of Agriculture and Rural Development: My Department has paid £1.716 million in staff overtime in the period from 1 April to 31 October 2010.

It must be remembered that my Department provides a large amount of out of hours service for example, 24 hour portal cover and meat inspection cover, Brucellosis and Tuberculosis testing and Flood Prevention.

Staff Overtime

Mr T Elliott asked the Minister of Agriculture and Rural Development how much has been estimated by her Department for staff overtime for this financial year.

(AQW 1774/11)

Minister of Agriculture and Rural Development: The estimated staff overtime costs for the core department and agencies, excluding NDPBs, for the 2010-11 financial year are £2,615,005.00

It must be remembered that my Department provides a large amount of out of hours service for example, 24 hour portal cover and meat inspection cover, Brucellosis and Tuberculosis testing and Flood Prevention.

Farm Inspectors

Mr T Elliott asked the Minister of Agriculture and Rural Development how many farm inspectors are currently being paid overtime.

(AQW 1775/11)

Minister of Agriculture and Rural Development: Since the beginning of October 2010, 17 farm inspectors have claimed overtime payment. Most of this overtime has been worked on Saturdays. Not all inspectors have worked overtime each week. A summary for October is provided:

Week Commencing	Number of staff working overtime
4 October 2010	8
11 October 2010	13
18 October 2010	10
25 October 2010	11

Staff Mileage Claims

Mr A Easton asked the Minister of Agriculture and Rural Development what was the cost to her Department of staff mileage claims in the last financial year.

(AQW 1801/11)

Minister of Agriculture and Rural Development: The cost of staff mileage claims for my department in the last financial year (2009/10) was £2,540,990.

DARD's mileage costs may be higher than other Departments due to the operational needs in meeting business objectives and legislative requirements.

Capital Shortfalls

Miss M McIlveen asked the Minister of Agriculture and Rural Development what plans she has to sell revenue-generating assets to offset any capital shortfalls.

(AQW 1857/11)

Minister of Agriculture and Rural Development: My Department has currently no plans to sell revenue-generating assets to offset capital shortfalls.

Bovine TB in Pigs

Miss M McIlveen asked the Minister of Agriculture and Rural Development, given the increase in the number of reported incidents of bovine TB in pigs in the UK, what discussions she has had with the Department for Environment, Food and Rural Affairs in relation to a new national policy to deal with bovine TB in pigs; and how many incidents of bovine TB have been reported in each of the last five years.

(AQW 1859/11)

Minister of Agriculture and Rural Development: TB in pigs is not considered a significant problem in the north of Ireland. Infection with *Mycobacterium bovis* (M bovis) is a notifiable disease. Therefore if the disease is noted in pigs, it must be reported to DARD.

Whilst no live animal testing is conducted, all pigs are subject to post mortem examination at slaughter. There have been few reported cases here and little evidence at post mortem. M bovis infection has been isolated from only 4 pigs here in the last 5 years as follows:

- 2006 – Nil
- 2007 – 3 pigs
- 2008 – 1 pig
- 2009 – Nil
- 2010 – Nil

Bovine TB is normally not considered particularly contagious amongst pigs. Pigs are considered to be dead-end hosts of bovine TB in that they rarely play a role in further spread of the disease. The vast majority of pigs are kept housed at all times in the north of Ireland, so the opportunities for interaction with cattle and wildlife are minimised. No intensive TB control measures such as those in place for cattle are required.

I have requested my officials to continue to liaise with their counterparts in Defra on this issue and to continue to monitor the situation here.

Public Open Space Land

Dr S Farry asked the Minister of Agriculture and Rural Development how much public open space land is owned by her Department and its associated bodies.

(AQW 1874/11)

Minister of Agriculture and Rural Development: Your office has defined “public open space land” as the area of land managed for access by the public. On that basis, the total amount of open space land managed for public access by my Department, Agencies, NDPBs and North/South body is approximately 68,159 hectares. The majority of this is woodland and associated open land managed by the Forest Service.

Farm Modernisation Programme

Mr P J Bradley asked the Minister of Agriculture and Rural Development whether applicants approved to participate in Tranche 2 of the Farm Modernisation Programme will be eligible to reclaim the VAT charged on purchases associated with the programme.

(AQW 1899/11)

Minister of Agriculture and Rural Development: The VAT registration of farm businesses and their eligibility to reclaim VAT charged on purchases is the responsibility of HM Revenue and Customs (HMRC).

Successful applicants to Tranche 2 of the Farm Modernisation Programme whose farm businesses are VAT registered cannot receive financial support on the VAT element of purchases as VAT is a recoverable tax.

However, as smaller farm businesses may not be registered with HMRC to reclaim VAT, provision has been made within the application process for non-VAT registered businesses to apply for financial support on the VAT element of their project, subject to the financial limits of the Programme. This is explained in the Farm Modernisation Programme Tranche 2 Explanatory Booklet which all farmers interested in applying to Tranche 2 are encouraged to read.

Glenavy: Extreme Weather Conditions

Mr T Burns asked the Minister of Agriculture and Rural Development (i) what measures have been put in place to protect Glenavy from extreme weather conditions, following the floods in 2008; and (ii) if any specific work has been carried out in the Chestnut Glen area and to detail the cost of this work.

(AQW 1936/11)

Minister of Agriculture and Rural Development: Following the flooding in 2008 Rivers Agency performed routine maintenance to the Glenavy River to ensure the free flow of water. This work included tree removal, shoal removal and general bush clearance.

Routine maintenance to ensure the free flow of water in the Chestnut Glen area has also been carried out, and included the removal of a fallen tree in November of this year. We are aware of a NI Water pipe at this location that can reduce the capacity of the bridge when trees etc become trapped by it. We have contacted NI Water and requested this be removed. All these works were carried out as normal maintenance by Rivers Agency staff therefore no additional costs were incurred.

Sudden Oak Death Disease

Rev Dr R Coulter asked the Minister of Agriculture and Rural Development for an update on how Sudden Oak Death disease has affected parts of Northern Ireland; and what action she is taking to curtail the spread of the disease in the North Antrim area.

(AQW 2036/11)

Minister of Agriculture and Rural Development: In August 2010 the fungus like pathogen *Phytophthora ramorum* (sometimes referred to as Sudden Oak Death) was diagnosed for the first time in the north of Ireland on Japanese larch.

There are now eight confirmed outbreaks of *ramorum* disease in larch, seven of these are grouped on the southern half of the Antrim Plateau and the remaining site is in mid Co Down. There are no confirmed cases in Japanese larch in the North Antrim area.

DARD is taking the necessary action to minimise the risk of the spread of the disease, and based on scientific advice, infected Japanese larch on both public and private land is required to be felled. This is the best method for controlling this disease and preventing further damage.

A total of 268 hectares of Forest Service managed woodland and 6 hectares of private woodland is required to be felled by Spring of 2011. To date 79 hectares of Forest Service and 5 hectares of private woodland have been felled.

Bio-security precautions are in place in the infected woodlands to prevent further spread. These apply to forest operators harvesting infected areas and minimise the risk of spreading the disease from infected sites on footwear, clothing, vehicles, tools and equipment. In addition in public forests, signs have been erected to explain to visitors what action they can take to minimise the risk of spreading the disease.

Forest Service has stepped up ground survey of all its larch woodlands, including those in North Antrim, and surveys of 3 km buffer zone were carried out around outbreak sites by DARDs Quality Assurance Branch. In addition a helicopter aerial survey of the whole of the north of Ireland was conducted on 20 September. A number of suspect sites were identified during the aerial survey. All the suspect sites have now been inspected on the ground and samples taken for laboratory tests where appropriate and *Phytophthora ramorum* was not found to be present.

Manure Efficiency Technology Funding

Mr W Irwin asked the Minister of Agriculture and Rural Development whether, under the new round of Manure Efficiency Technology funding, assistance will be targeted towards the 900-1500 gallon slurry tankers as opposed to the more efficient 2000+ gallon tankers.

(AQW 2162/11)

Minister of Agriculture and Rural Development: Under Tranche 2 of the Manure Efficiency and Technology Scheme assistance will not be targeted on the basis of tanker size.

Tankers of 2000+ gallons as well as tankers of up to and including 2000 gallons capacity, fitted with specified spreading systems, will be eligible for funding.

Department of Culture, Arts and Leisure

Staff Mileage Claims

Mr A Easton asked the Minister of Culture, Arts and Leisure what was the cost to his Department of staff mileage claims in the last financial year.

(AQW 1799/11)

Minister of Culture, Arts and Leisure (Mr N McCausland): The Department incurred costs of £113,666 in respect of staff mileage claims in the 2009-10 financial year.

Irish Premier League Clubs

Mr C Lyttle asked the Minister of Culture, Arts and Leisure how much funding has been allocated to each of the current Irish Premier League clubs in each of the last four financial years; and for what purpose the funding was used.

(AQW 1865/11)

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 the last four financial years, SNI has allocated a total of £5,569,075 to the current Irish Premier League clubs. This funding and its purpose is broken down in the table below:

BALLYMENA UNITED

Purpose	2006/07	2007/08	2008/09	2009/10	Totals
Safety Management Improvements	6,690				6,690
Playing Facilities Upgrade				217,035	217,035
Stadia Safety Upgrade	161,636			808,000	969,636
Totals	168,326			1,025,035	1,193,361

CLIFTONVILLE

Purpose	2006/07	2007/08	2008/09	2009/10	Totals
Safety Management Improvements	4,023	900			4,923
Playing facilities upgrade			300,000		300,000
Totals	4,023	900	300,000		304,934

CRUSADERS

Purpose	2006/07	2007/08	2008/09	2009/10	Totals
Safety Management Improvements	2,134				2,134
Playing facilities upgrade				231,631	231,631
Awards for sport – Performance analysis software				8,000	8,000
Places for sport – New 3G pitch				209,075	209,075

Purpose	2006/07	2007/08	2008/09	2009/10	Totals
Totals	2,134			448,706	450,840

DONEGAL CELTIC

Purpose	2006/07	2007/08	2008/09	2009/10	Totals
Safety Management Improvements	3,150	938			4,088
Playing facilities upgrade			186,369		186,369
Stadia Safety upgrade			637,764		637,764
Totals	3,150	938	824,133		828,221

DUNGANNON SWIFTS

Purpose	2006/07	2007/08	2008/09	2009/10	Totals
Safety Management Improvements	2,402				2,402
Playing facilities upgrade				232,000	232,000
Totals	2,402			232,000	234,402

GLENAVON

Purpose	2006/07	2007/08	2008/09	2009/10	Totals
Playing facilities upgrade				347,000	347,000
Totals				347,000	347,000

GLENTORAN

Purpose	2006/07	2007/08	2008/09	2009/10	Totals
Safety Management improvements	11,706				11,706
Glentoran Partnership coach education			10,000		10,000
Totals	11,706		10,000		21,706

LINFIELD

Purpose	2006/07	2007/08	2008/09	2009/10	Totals
Safety Management Improvements	11,628	4,425			16,053
Awards for All – Coaching courses			10,000		10,000
Totals	11,628	4,425			26,053

NEWRY CITY

Purpose	2006/07	2007/08	2008/09	2009/10	Totals
Safety Management Improvements	2,179				2,179
Playing facilities upgrade				231,500	231,500
Awards for Sport – Gym equipment				8,500	8,500
Totals	2,179			240,000	242,179

PORTADOWN

Purpose	2006/07	2007/08	2008/09	2009/10	Totals
Safety Management Improvements	4,995	900			5,895
Playing facilities upgrade				314,495	314,495
Stadia Safety upgrade		800,000			800,000
Totals	4,995	800,900		314,495	1,120,390

Irish Premier League

Mr C Lyttle asked the Minister of Culture, Arts and Leisure whether any funding will be available to the Irish Premier League over and above the £23 million currently set aside for the redevelopment of Windsor Park; and how much.

(AQW 1867/11)

Minister of Culture, Arts and Leisure: The Outline Business Case on the provision of regional stadiums for football, Gaelic games and rugby has been completed, considered within my department and passed to the Department of Finance and Personnel for further scrutiny and approval. Following this it will be necessary to refer the outcomes to the Executive in terms of affordability.

As noted by the Executive in June 2009, the work on stadium development has been predicated on an indicative £110m being available to Government as its contribution towards the overall capital costs. That funding is subject to the normal budgetary and approval processes.

Regional stadium development remains a priority for my department but clearly the outcomes of the Comprehensive Spending Review will be crucial to the approach which can be taken to meeting the strategic needs of all three sports. As this has still to be debated and agreed it is premature to speculate on outcomes or alternatives.

It is recognised that there are pressing needs at the sub-regional stadium level and that consideration needs to be given to how best that sector can be assisted. Here again it will be essential to await the outcomes of the Comprehensive Spending Review to enable fully informed consideration of this issue.

Redevelopment of Windsor Park

Mr C Lyttle asked the Minister of Culture, Arts and Leisure what are the implications for the proposed re-development of Windsor Park if he cannot secure the £23 million pounds in his budget following the outcome of the Comprehensive Spending Review.

(AQW 1868/11)

Minister of Culture, Arts and Leisure: The Outline Business Case on the provision of regional stadiums for football, Gaelic games and rugby has been completed, considered within my department and

passed to the Department of Finance and Personnel for further scrutiny and approval. Following this it will be necessary to refer the outcomes to the Executive in terms of affordability.

As noted by the Executive in June 2009, the work on stadium development has been predicated on an indicative £110m being available to Government as its contribution towards the overall capital costs. That funding is subject to the normal budgetary and approval processes.

Regional stadium development remains a priority for my department but clearly the outcomes of the Comprehensive Spending Review will be crucial to the approach which can be taken to meeting the strategic needs of all three sports. As this has still to be debated and agreed it is premature to speculate on outcomes or alternatives.

It is recognised that there are pressing needs at the sub-regional stadium level and that consideration needs to be given to how best that sector can be assisted. Here again it will be essential to await the outcomes of the Comprehensive Spending Review to enable fully informed consideration of this issue.

Public Open Space Land

Dr S Farry asked the Minister of Culture, Arts and Leisure how much public open space land is owned by his Department and its associated bodies.

(AQW 1872/11)

Minister of Culture, Arts and Leisure: The information requested in respect of DCAL, including associated bodies, is contained in the table below. The answer takes account of definitions provided by Mr Farry and the Department of Finance and Personnel.

Detail	Nature of Open Space Land	Size M ²
Armagh Observatory & Planetarium	1	48,564
Ulster Folk and Transport Museum	1	728,460
Waterways Ireland owns 69 Water related amenities		Land Parcel size at each site is minimal
Inland Waterways owns land at 10 Water Recreation Facilities	4	Unable to determine total size
Ballymacarrett Branch Library	2	90
Ormeau Road Branch Library	2	1,300
Maghera Branch Library	2	60
Braniel Library	2	186
Cregagh Library	2	3,096
Tullycarnet Library	2	703
Bangor Library	2	760
Belvoir Park Library	2	28
Carryduff Library	2	564
Antrim Branch Library	2	50
Whiterock Branch Library	2	1,971
Ballymoney Branch Library	2	35
Finaghy Branch Library	2	3,659

Detail	Nature of Open Space Land	Size M²
Suffolk Branch Library	2	313
Chichester Branch Library	2	50
Donaghadee Library	2	14
Glengormley Branch Library	2	118
Ballycastle Branch Library	2	50
Portaferry Library	2	55
Greystone Branch Library	2	404
Larne Branch Library	2	1,033
Newcastle Library	2	1,135
Strathfoyle Branch Library	2	55
Garvagh Branch Library	2	12
Gilford Branch Library	2	131

Nature of Open Space Land

1. Refers to parkland
2. Refers to grass and hard landscaped areas. Some of this space is only accessible during working hours and some is shared with other Departmental Bodies
3. Title deeds are not held with the Department
4. Includes Lagan Navigation (11miles of towpath) and Coalisland Canal (4.5miles of towpath)

I trust you will find the information provided useful.

Fisheries Act (Northern Ireland) 1966

Mr D Kinahan asked the Minister of Culture, Arts and Leisure for his assessment of the effectiveness of the Fisheries Act (Northern Ireland) 1966.

(AQW 1895/11)

Minister of Culture, Arts and Leisure: The statutory basis for the responsibility for the conservation and protection of salmon and inland fisheries in Northern Ireland is found in the Fisheries Act (NI) 1966.

The Act was drafted to reflect that salmon and inland fisheries were lawfully possessed and enjoyed as such under title. Statutory provisions were drafted to stop poaching (theft) or other activity that might directly and locally impact that property. The Act also introduced a commercial and recreational licensing regime to fund enforcement of these provisions.

Since it was originally drafted, the Act has been subject to considerable amendment to reflect developments in the conservation and protection of salmon and inland fisheries. In many cases this was to enable the Department to implement the requirements of EU Directives and Regulations, such as the Water Framework Directive and the Habitats Directive.

The Act is a comprehensive piece of legislation and provides the Department with sufficient powers to regulate the conservation and protection of salmon and inland fisheries in the DCAL jurisdiction. Given the on-going changes to issues affecting salmon and inland fisheries and the emergence of other

legislation impinging on the aquatic environment, DCAL will ensure that it has effective powers to carry out its functions.

Fisheries and Angling

Mr D Kinahan asked the Minister of Culture, Arts and Leisure for his assessment of the need for his Department and the Loughs Agency to both have responsibility for fisheries and angling.

(AQW 1896/11)

Minister of Culture, Arts and Leisure: The Department of Culture, Arts and Leisure is responsible, under the provisions of the Fisheries Act (NI) 1966, as amended, for the salmon and inland fisheries of Northern Ireland, except the Foyle and Carlingford catchment areas.

The Loughs Agency is an agency of the Foyle, Carlingford and Irish Lights Commission (FCILC), established under the 1998 Agreement between the Government of the United Kingdom and the Government of the Irish Republic. The functions of the Loughs Agency are set out in North/South Co-operation (Implementation Bodies) (NI) Order 1999, the British-Irish Agreement Act 1999, the Foyle Fisheries Act (NI) 1952 (as amended) and the Foyle Fisheries Act 1952 (as amended).

The Loughs Agency has a much broader range of operational responsibilities than DCAL Inland Fisheries Group (IFG). However, the two organisations carry out similar functions based on the same principles of conservation and protection in adjacent operational areas. This is as a consequence of legislation referred to above.

DCAL IFG staff liaise with Loughs Agency staff on aspects of our common functions when necessary.

Fishery Protection Officers

Mr D Kinahan asked the Minister of Culture, Arts and Leisure to detail the provisions for seasonal cover for fishery protection officers and their duties.

(AQW 1897/11)

Minister of Culture, Arts and Leisure: Enforcement activities carried out by DCAL Fisheries Protection Officers are planned in advance and, where possible, operations are intelligence led, taking into account seasonal factors such as fish runs and spawning times. The need for adequate staffing levels to carry out such enforcement activities is taken into account when leave is being approved by management.

The DCAL Fisheries Protection staff are organised in teams covering 4 operational areas across the DC AL jurisdiction. If the operational need arises, officers from one area can be deployed in another to augment staff there.

Northern Ireland Environment Agency

Mr D Kinahan asked the Minister of Culture, Arts and Leisure why his Department and the Northern Ireland Environment Agency have yet to finalise a service level agreement on the process to be followed following a fish kill.

(AQW 1898/11)

Minister of Culture, Arts and Leisure: DCAL and the Northern Ireland Environment Agency (NIEA), an agency within the Department of Environment (DOE), are currently finalising the detail of a Memorandum of Understanding between the two bodies. It is anticipated that this will be completed early in 2011.

While DCAL has responsibility for investigating fish kill incidents, which are generally caused by pollution, lead responsibility for pollution prevention, detection and enforcement rests with the DOE through NIEA.

The DOE, through NIEA, also has responsibility for the protection of the aquatic environment through the regulation of water quality, the conservation of freshwater, marine flora, fauna and hydrological

processes. In performing this duty DOE is required to have regard to the needs of industry and agriculture, the protection of fisheries and the protection of public health.

The Department is working with the NIEA and DOE to assist them to meet their obligations, while also complying with DCAL's commitments under Section 47 of the Fisheries Act (NI) 1966.

Library Service Staff

Mr P McGlone asked the Minister of Culture, Arts and Leisure to detail the current number of staff at each grade within the Library Service.

(AQW 1906/11)

Minister of Culture, Arts and Leisure: The following table shows the current number of staff at each grade employed by Libraries NI;

Grade	Number of Staff
Administrative Officer	38
Assistant Principal Officer	18
Assistant Senior Education Officer	3
Chief Executive Officer	1
Cleaner	99
Clerical Officer	25
Director	3
Education Officer	5
Executive Officer	186
Principal Officer	8
Senior Administrative Officer	5
Senior Clerical Officer	498
Senior Executive Officer	36
Senior Principal Officer 2	3

Safety at Sports Grounds Legislation

Mr C Lyttle asked the Minister of Culture, Arts and Leisure whether the inspectors who certify the grounds listed in the Safety at Sports Ground legislation are the same for soccer, rugby and GAA.

(AQW 1909/11)

Minister of Culture, Arts and Leisure: The deployment of inspectors for the purposes of issuing safety certificates at sports grounds listed in The Safety of Sports Grounds (Designation) (No.2) Order (Northern Ireland) 2009 is not a matter for my Department but entirely the responsibility of district councils. I can confirm, however, that neither The Safety of Sports Grounds (Northern Ireland) Order 2006 nor The Safety of Sports Grounds (Designation) (No.2) Order (Northern Ireland) 2009 contain any provision which requires councils to deploy the same or different safety inspectors for different types of sports grounds.

Capital Projects

Mr D McNarry asked the Minister of Culture, Arts and Leisure to list the all capital projects to be delivered under 4.1.3.1 of his Departmental Business Plan, which aims to deliver £16.8m of capital investment in arts infrastructure through an approved programme of capital projects during 2010-11. **(AQW 2179/11)**

Minister of Culture, Arts and Leisure: The figure of £16.8m quoted in the 2010-11 Departmental Business Plan was based on an assessment of need for the arts sector to deliver its commitments in 2010-11.

The opening arts capital budget for 2010-11 was £16.451m. The current budget position following June and September monitoring rounds is £12.427m. This is sufficient to meet the needs of the projects being undertaken in 2010-11 and ensure that they are progressing as planned.

The arts capital projects which my Department is funding or part funding in 2010-11 are listed below:

- Lyric Players' Theatre
- Metropolitan Arts Centre
- Cultúrlann McAdam Ó Fiaich
- North West Public Art Project
- Arts Council General Infrastructure (includes minor construction projects, public art, equipment and musical instruments for bands)
- Arts Council Minor Capital

Department of Education

Provision within the Curriculum in Relation to Alcohol Abuse

Mr B McCrea asked the Minister of Education to detail (i) the provisions within the curriculum in relation to alcohol abuse; (ii) any guidance and support her Department provides to schools to promote healthy attitudes to alcohol consumption; and (iii) any joint working between her Department and the PSNI, and any other agencies within the criminal justice system, in relation to alcohol abuse and consumption by school age children.

(AQW 1783/11)

Minister of Education (Ms C Ruane):

- (i) Cuimsíonn an curaclam athbhreithnithe Forbairt Phearsanta agus Comhthuiscint ag leibhéal na bunscoile agus Foghlaim don Saol agus don Obair ag leibhéal na hiarbhunscoile agus is ábhar éigeantach é go 16 bliana d'aois. Tugann na Réimsí Foghlama seo deiseanna do dhaoine óga eolas, tuiscint agus scileanna a fhorbairt le go mbeidh siad ábalta déileáil le ceisteanna mar mhí-úsáid alcóil.
- (i) The revised curriculum includes Personal Development and Mutual Understanding (PDMU) at primary level and Learning for Life and Work (LLW) at post-primary level and is compulsory up to age 16. These Areas of Learning provide opportunities for young people to develop the knowledge, understanding and skills to deal with issues such as alcohol abuse. Through the youth work curriculum, health education programmes dealing with issues such as obesity, drugs and alcohol are provided for young people at youth clubs and units managed or supported by the Education and Library Boards (ELBs) or funded by the Youth Council.
- (ii) My Department has taken a number of steps to help schools deliver drugs and alcohol education. In May 2004, the Department issued Circular 2004/09, along with comprehensive guidance produced by a CCEA-led working group, to all schools on drawing up a drugs and alcohol policy and drug and alcohol education programme and on managing suspected drug and/or alcohol related incidents. Schools are supported in the delivery of drugs and alcohol education by the ELBs'

drugs and alcohol education officers who provide training and support for teachers. In addition the Council for the Curriculum, Examinations and Assessment (CCEA) has provided guidance/ resource materials to all schools to support them in their delivery of PDMU/LLW. All guidance and resources are available on the curriculum website, www.nicurriculum.org.uk.

- (iii) DHSSPS leads on the development of policy on drugs and alcohol which is articulated in the “New Strategic Direction for Alcohol and Drugs (NSD). This was developed through joint working across government departments, agencies and relevant organisations, including the PSNI, and one of the key priorities identified is underage drinking. The Department of Education is represented on the NSD Steering Group and relevant advisory groups and has had an active role in agreeing the DHSSPS s Addressing Young People s Drinking Action Plan. Education and Library Boards are also represented in relevant advisory groups.

Furthermore, ELBs work in collaboration with the PSNI Community Involvement Officers to enhance the delivery of the drugs and alcohol programme and are represented in local Drugs and Alcohol Co-ordinating Teams (DACTs) which meet on a regular basis to oversee local priorities and action plans. DACTs also include representatives of the PSNI and Probation Board. The North Eastern ELB has collaborated with the PSNI in producing four short programmes for www.neelb.tv to highlight the problems of alcohol abuse. ELBs liaise closely with several organisations to provide support to young people experiencing difficulties with substance/ drug (including alcohol) misuse. Schools may also invite external agencies and organisations with specialist knowledge to assist in delivering their drug and alcohol education programme.

Transport: Primary Schools

Mr P Weir asked the Minister of Education how many parents are currently receiving financial assistance, from the South Eastern Education and Library Board, for taking their children to and from their nearest primary schools.

(AQW 1784/11)

Minister of Education: Tá Bord Oideachais agus Leabharlainne an Oirdheiscirt ag cur cúnamh airgeadais ar fáil do theaghlach na 557 dalta atá ag freastal ar an Bhunscoil is cóngaraí dóibh faoi láthair.

The South Eastern Education and Library Board is providing financial assistance to the families of 557 pupils who are currently attending their nearest Primary school.

Newbuild for Scoil an Droichead, Cooke Street, South Belfast

Mr A Maskey asked the Minister of Education for an update on the new build for Scoil an Droichead, Cooke Street, South Belfast, and to explain any delays.

(AQW 1786/11)

Minister of Education: Níl Scoil an Droichead mar chuid den Phlean Seachadta um Infheistíocht Chaipitiúil atá ag an Roinn agus chuige sin, níl aon phleananna ann faoi láthair le haghaidh foirgnimh nua don scoil. Tá an Roinn fós i mbun plé leis an scoil agus le hlontaobhas na Gaelscolaíochta le díriú isteach ar cheisteanna cóiríochta na scoile.

Scoil an Droichead is not on the Department’s capital Investment Delivery Plan and as such there are currently no plans for a new build for the school. The Department continues to work with the school and Iontaobhas Na Gaelscolaíochta to address accommodation issues at the school.

Capital Shortfalls

Miss M McIlveen asked the Minister of Education what plans she has to sell revenue-generating assets to offset any capital shortfalls.

(AQW 1855/11)

Minister of Education: Nuair a bhíonn an Roinn ag smaoineamh ar shócmhainní a dhiúscairt, cloíonn na Boird Oideachais agus Leabharlainne leis an treoir polasaí a d'eisigh an Láraonad Comhairleach de Sheirbhísí Talaimh agus Réadmhaoine.

In considering the disposal of assets, Education and Library Boards adhere to the policy guidance issued by the Central Advisory Unit of Land and Property Services. This requires all owners of public sector property to keep their land holdings under continual review and to release surplus property with the least possible delay, subject to the need to realise the best value for the Exchequer.

Public Open Space Land

Dr S Farry asked the Minister of Education how much public open space land is owned by her Department and its associated bodies.

(AQW 1860/11)

Minister of Education: Tá tuairim is 11.72 heicteár talaimh ag na Boird Oideachais agus Leabharlann faoi láthair nach bhfuil suite laistigh de thailte scoile agus níl an talamh seo ar léas ná ar cíós, agus tá 3.44 heicteár as sin atá ar an liosta le haghaidh diúscartha. Tá 14.24 heicteár eile ar léas do chomhairlí áitiúla agus do chlubanna srl. lena n-úsáid féin a bhaint astu.

The Education and Library Boards currently own approximately 11.72 hectares of land that is not within school grounds and is neither leased nor rented, 3.44 hectares of which is currently on the list for disposal. A further 14.24 hectares are leased to local councils and clubs etc. for their use.

Stated Needs

Mr P Weir asked the Minister of Education how many primary school children in the North Down constituency (i) have been stated (ii) have had their stated needs met and (iii) have stated needs that have not been met, including how long they have been awaiting a solution and the reasons for the delay.

(AQW 1883/11)

Minister of Education: Thug Príomhfheidhmeannach Bhord Oideachais agus Leabharlann an Oirdheiscirt an t-eolas seo a leanas dom.

I have been advised by the Chief Executive of the South Eastern Education and Library Board as follows:-

- i. 115 pupils currently have statements of special educational needs and attend primary schools within the North Down Constituency;
- ii. All 115 pupils have their identified special educational needs met;
- iii. None of these pupils have stated needs that have not been met.

Exceptional Circumstances Body

Mr D Bradley asked the Minister of Education to detail the number of appeals to the Exceptional Circumstances Body in each of the last three years and, of these, how many led to pupils being admitted to their school of choice.

(AQW 1886/11)

Minister of Education: Tá an Foras um Imthosca Eisceachtúla i bhfeidhm ó 1 Meitheamh 2010. Tá tugtha le fios ag Rúnaíocht an Fhorais dom go bhfuair an Foras 120 iarratas ó thuismitheoirí sa tréimhse go dtí 5 Samhain 2010.

The Exceptional Circumstances Body has been in operation since 1 June 2010. The Secretariat to the Body has advised me that in the period up to 5 November 2010 the Body received 120 applications from parents. These 120 applications led to 100 hearings (20 applications were withdrawn by the applicant). The work of the Body is ongoing because there is no deadline by which applications must be submitted by parents.

Of the 100 applications scheduled for a hearing 97 have been completed, with 3 cases pending. Of the 97 applications heard by the Body 42 have resulted in the Body directing the admission of the child to the school specified in the application.

Exceptional Circumstances Body

Mr D Bradley asked the Minister of Education to detail the name and the number of pupils admitted to each school as a result of appeals to the Exceptional Circumstances Body.

(AQW 1887/11)

Minister of Education: Tá an Foras um Imthosca Eisceachtúla i bhfeidhm ó 1 Meitheamh 2010. Don tréimhse go dtí 5 Samhain 2010, tá tugtha le fios ag Rúnaíocht an Fhorais dom go bhfuil 42 ordú tugtha ag an Fhoras mar fhreagra ar 97 iarratas, a d'éiligh ar an scoil a ainmníodh san iarratas iontráil a thabhairt don pháiste a ndearnadh an iarratas ar a son nó ar a shon.

The Exceptional Circumstances Body has been in operation since 1 June 2010. The Secretariat to the Body has advised me that in the period up to 5 November 2010, and in response to 97 applications, the Body made 42 directions requiring the school named in an application to admit the child on whose behalf the application was made.

The names of the children concerned for data protection reasons cannot be provided, but the table below shows the schools in respect of which the Body made these 42 directions. Where the number of children involved is fewer than 5, and in accordance with DE policy, the number is not given in order to prevent the disclosure of information that may identify individuals.

Name of School	Pupils Admitted
Antrim Grammar School	*
Ashfield Girls' High School, Belfast	*
Assumption Grammar School, Ballynahinch	*
Bangor Academy & Sixth Form College	*
Belfast Royal Academy	*
Carrickfergus Grammar School	*
Dalriada School, Ballymoney	*
Down High School, Downpatrick	*
Drumragh Integrated College, Omagh	5
Foyle and Londonderry College	*
Lumen Christi College, Derry	*
Nendrum College, Comber	*
New-Bridge Integrated College, Loughbrickland	*
Our Lady And St Patrick's College, Knock	*
Regent House, Newtownards	*
Sacred Heart College, Omagh	*
Saint Genevieve's High School, Belfast	*
Saintfield High School	*
Slemish College, Ballymena	*

Name of School	Pupils Admitted
St Cecilia's College, Derry	*
St Colman's College, Newry	*
St Louis Grammar School, Ballymena	*
St Mary's College, Derry	*
St Patrick's Grammar School, Downpatrick	*
St Paul's High School, Bessbrook	5
St Paul's College, Kilrea	*
Strangford College, Carrowdore	*

Exceptional Circumstances Body

Mr D Bradley asked the Minister of Education to detail (i) the start-up costs of the Exceptional Circumstances Body; and (ii) how much, in total, has been paid to members of the Exceptional Circumstances Body to date.

(AQW 1888/11)

Minister of Education: The Department of Education incurred expenditure of approximately £10,000 in setting up the Exceptional Circumstances Body. This relates to expenditure incurred in developing the regulations that set out the remit of the Body, the recruitment of members to the Body and the preparation of information leaflets and application forms for parents to use.

San iomlán, tugadh tuairim is £45,000 do chomhaltaí an Fhorais um Imthosca Eisceachtúla as an obair a rinne siad go dáta ar éisteacht le hachomhairc.

In total, members of the Exceptional Circumstances Body have been paid approximately £45,000 for the work they have carried out to date in hearing appeals.

Spending on Legal Fees and Compensation

Mr P McGlone asked the Minister of Education, pursuant to AQW 1512/11, to provide a breakdown of the spending on (i) legal fees; and (ii) compensation.

(AQW 1919/11)

Minister of Education: Tugtar sonraí ar an chaiteachas a chaith an Roinn Oideachais ar sheirbhísí dlí agus ar chúiteamh i ngach bliain le cúig bliana anuas ó 2005-06 go 2009-10 sa tábla thíos.

Details of expenditure that the Department of Education has coded to legal services and compensation in each of the last five years from 2005-06 to 2009-10 are provided in the table below.

	Legal Fees £	Compensation £	Total £
2005-06	(91,505.50)	9,308.69	(82,196.81)
2006-07	(9,334.12)	10,249.59	915.47
2007-08	996,593.85	20,230.87	1,016,824.72
2008-09	281,076.67	1,874,466.32	2,155,542.99
2009-10	(2,240.67)	42,001.96	39,761.29

In years where a number of cases are withdrawn and the associated accounting provision for legal fees is reversed, this can result in an overall negative cost for the year.

Economic Appraisal for Minor or Capital Works

Mr M Storey asked the Minister of Education to detail the number of schools for which an economic appraisal for minor or capital works is out of date and needs to be revised, broken down by (i) Education and Library Board; and (ii) sector.

(AQW 1961/11)

Minister of Education: An Economic Appraisal is required for all major capital works (i.e. those over £500k) but not for minor works. The economic appraisal is an ongoing process and needs to be continually reviewed up to the date of commencement of the capital building project in line with NI Guide to Expenditure Appraisal and Evaluation (NIGEAE)

There are a total of 181 major capital schemes (covering 209 schools) for which Economic Appraisals are at various stages of development. These schemes fall into 2 categories:

1. Schemes on the Investment Delivery Plan (IDP) – 67 schemes for 72 schools; and
2. Unannounced schemes – 114 schemes for 137 schools.

Economic Appraisals for 18 schemes remaining on the IDP and one Economic Appraisal (for one school) for an unannounced scheme are currently completed or in the final stages of completion in line with NIGEAE requirements.

Sonraítear sa tábla thíos na 187 scoil atá fágtha a bhfuil forbairtí nó athbhreithnithe á ndéanamh orthu ar aon dul le NIGEAE agus iad miondealaithe de réir boird agus earnála.

The table below details the remaining 187 schools which are being developed or are under review in line with NIGEAE broken down by board and sector.

Board	Schools in Schemes on IDP	Schools in Unannounced Schemes	Total Schools
BELB			
Controlled	5	1	6
Maintained	1	14	15
VGS	2	3	5
Integrated		2	2
Irish-medium	1		1
Special	2	1	3
Total	11	21	32
NEELB			
Controlled	1	18	19
Maintained		16	16
VGS	1	7	8
Integrated	1	5	6
Irish-medium			0
Special		1	1
Total	3	47	50

Board	Schools in Schemes on IDP	Schools in Unannounced Schemes	Total Schools
SEELB			
Controlled	6	6	12
Maintained	1	6	7
VGS		2	2
Integrated	1	1	2
Irish-medium			0
Special	1		1
Total	9	15	24
SELB			
Controlled	3	8	11
Maintained	7	16	23
VGS	3	1	4
Integrated		2	2
Irish-medium		2	2
Special		0	0
Total	13	29	42
WELB			
Controlled	6	7	13
Maintained	4	13	17
VGS	1	2	3
Integrated	1	0	1
Irish-medium		2	2
Special	3	0	3
Total	15	24	39
5 Board Total	51	136	187

Investment Delivery Plan

Mr M Storey asked the Minister of Education to list the schools that are not included in her Department's Investment Delivery Plan, broken down by (i) Education and Library Board; and (ii) sector. **(AQW 1962/11)**

Minister of Education: Glacaim leis go mbaineann do cheist le scoileanna a bhfuil infheistíocht caipitil le haghaidh foirgnimh scoile nua á lorg acu, ach nach bhfuil mar chuid den Phlean Seachadta um Infheistíocht.

I assume your request relates to schools which are seeking capital investment for a new school build but which are not on the current Investment delivery Plan.

There are 114 projects (comprising 137 schools) which are at an early stage in planning and have yet to be announced for capital investment. These are schools that have been identified by the school managing authorities as requiring new accommodation. The table attached gives a breakdown of these projects by area board and sector.

Schools identified as requiring new accommodation not currently on the IDP

PRIMARY

Board area	School Name	Sector	School ref
BELB	Edmund Rice CB Primary School and Star of the Sea Primary School	Maintained Maintained	103-0329 103-6464
BELB	Holy Cross Boys' Primary School Holy Cross Girls Primary School Mercy Primary School	Maintained Maintained Maintained	103-0194 103-0331 103-6041
BELB	Holy Trinity Primary School	Maintained	103-6623
BELB	Holy Family Primary School	Maintained	103-6566
BELB	Our Lady of Lourdes Primary School	Maintained	103-0313
BELB	St Aidans CB Primary School St Bernadette's Primary School Vere Foster Primary School	Maintained Maintained Controlled	103-0316 103-0317 101-0321
BELB	St Anne's Primary School	Maintained	103-0868
BELB	Bunscoil Bheann Mhadagain	Irish-medium	104-6596
BELB	St Gerard's Education Resource Centre	Special (Age 4-16)	133-6548
BELB	St John the Baptist Primary School	Maintained	103-6688
NEELB	Anahorish Primary School, Toomebridge	Maintained	303-2257
NEELB	Crossroads Primary School St Columba's Primary School, Kilrea	Maintained Maintained	303-2218 303-6147
NEELB	Glenravel PS, Martinstown St Mary's PS, Cargan	Maintained Maintained	303-3311 303-0625
NEELB	Millquarter Primary School,	Maintained	303-0438
NEELB	New Row Primary School, Castledawson	Maintained	303-2109
NEELB	St Joseph's Primary School, Crumlin	Maintained	303-6026
NEELB	St Mary's on the Hill Primary School	Maintained	303-6046
NEELB	St Mary's Primary School, Glenview	Maintained	303-6039
NEELB	St Patrick's Primary School, Portrush	Maintained	303-0547
NEELB	Kilcoan Primary School Mullaghdubh Primary School	(Other) Maintained Controlled	304-0451 301-0760
NEELB	Antrim Primary School	Controlled	301-0829
NEELB	Ballyclare Primary School	Controlled	301-0631

Board area	School Name	Sector	School ref
NEELB	Ballymena Primary School	Controlled	301-0875
NEELB	Kilmoyle Primary School, Ballymoney	Controlled	301-0878
NEELB	Straid Primary School, Ballyclare	Controlled	301-0570
NEELB	The Thompson Primary School, Ballyclare	Controlled	301-0779
NEELB	Whiteabbey Primary School	Controlled	301-0846
NEELB	Woodburn Primary School, Carrickfergus	Controlled	301-0696
NEELB	Braidside Integrated PS, Ballymena	Integrated	306-6551
NEELB	Corran Integrated Primary School, Larne	Integrated	306-6561
NEELB	Millstrand Primary School, Portrush	Integrated	306-6544
NEELB	Castle Tower Special School	Special	331-6676
SEELB	Ballynahinch Primary School	Controlled	401-1567
SEELB	Ballywalter Primary School	Controlled	401-1566
SEELB	Downpatrick Primary School	Controlled	401-6235
SEELB	Killinchy Primary School	Controlled	401-6396
SEELB	Bangor Central Primary School	Integrated	405-1680
SEELB	Convent of Mercy Primary School and St Patrick's Boys' Primary School	Maintained Maintained	403-1384 403-1644
SEELB	St Joseph's Primary School, Crossgar	Maintained	403-1550
SEELB	St Luke's Primary School and St Mark's Primary School	Maintained Maintained	403-6081 403-6134
SELB	Abercorn Primary School	Controlled	501-1594
SELB	Hart Memorial Primary School	Controlled	501-1129
SELB	Iveagh Primary School	Controlled	501-1611
SELB	King's Park Primary School	Controlled	501-1124
SELB	Foley Primary School St Mary's Primary School, St Michael's Primary School	Controlled Maintained Maintained	503-1172 503-1167 501-0909
SELB	Christian Brothers Primary School Mount St Catherine Primary School St Malachy's Primary School	Maintained Maintained Maintained	503-1110 503-1126 503-1133
SELB	Moneydarragh Primary School, St Joseph's Primary School and St Mary's Primary School	Maintained Maintained Maintained	503-1516 503-1325 503-6001
SELB	St Joseph's and St James' Primary School	Maintained	503-6675
SELB	St Mary's Primary School and St John's Primary School	Maintained Maintained	503-1695 503-1658
SELB	St Patrick's Primary School	Maintained	503-1183

Board area	School Name	Sector	School ref
SELB	St Peter's Primary School, Moy	Maintained	503-6595
SELB	Portadown Integrated Primary School	Integrated	506-6553
SELB	Bunscoil an Iuir, Newry	Irish-medium	504-6597
SELB	Gaelscoil Uí Neill, Coalisland	Irish-medium	504-6637
WELB	Broadbridge Primary School, Derry	Maintained	203-2278
WELB	Bunscoil Cholmcille	Maintained	203-6574
WELB	Craigback Primary School Listress Primary School Mullabuoy Primary School	Maintained Maintained Maintained	203-2277 203-2300 203-3707
WELB	Holy Trinity Primary School, Enniskillen	Maintained	203-6632
WELB	Recarson Primary School, Omagh	Maintained	203-2704
WELB	Rosemount Primary School, St Anne's Primary School St Eugene's Primary School	Maintained Maintained Maintained	203-0364 203-6069 203-6555
WELB	St Mary's Primary School, Newtownbutler	Maintained	203-1869
WELB	St Paul's Primary School, Irvinestown	Maintained	203-1898
WELB	Donemana Primary School	Controlled	201-2711
WELB	McClintock Primary School, Seskinore	Controlled	201-2344
WELB	Omagh County Primary School	Controlled	201-2691
WELB	Gaelscoil Éadain Mhóir, Derry	Irish-medium	204-6646
WELB	Gaelscoil Uí Dhochartaigh, Strabane	Irish-medium	204-6638

POST-PRIMARY SCHOOLS

Board area	School Name	Sector	School ref
BELB	Hazelwood College	Integrated	126-0269
BELB	Malone College	Integrated	126-0294
BELB	St Joseph's College	Maintained	123-0275
BELB	St Louise's College	Maintained	123-0053
BELB	Belfast Royal Academy	Voluntary Grammar	142-0028
BELB	St Malachy's College	Voluntary Grammar	142-0030
BELB	St Mary's CB GS (2 separate schemes)	Voluntary Grammar	142-0021
NEELB	Ballyclare High School	Controlled	341-0008
NEELB	Cambridge House	Controlled	341-0297

Board area	School Name	Sector	School ref
NEELB	Carrickfergus Grammar Carrickfergus College	Controlled Controlled	341-0098 321-0091
NEELB	Coleraine College	Controlled	321-0300
NEELB	Ballycastle High School	Controlled	321-0124
NEELB	Cullybackey High School	Controlled	321-0172
NEELB	Larne High School	Controlled	321-0038
NEELB	Coleraine HS Coleraine Academical Inst	Controlled Voluntary Grammar	342-0032 341-0033
NEELB	Ballymena, Academy	Voluntary Grammar	342-0011
NEELB	Belfast High School	Voluntary Grammar	342-0077
NEELB	Dalriada	Voluntary Grammar	342-0012
NEELB	Dominican College, Portstewart	Voluntary Grammar	342-0068
NEELB	St Louis, Ballymena	Voluntary Grammar	342-0010
NEELB	St Mary's, Magherafelt	Voluntary Grammar	342-0080
NEELB	St Killian's College	Maintained	323-0310
NEELB	Cross and Passion College	Maintained	323-0227
NEELB	St Benedict's College	Maintained	323-0308
NEELB	St Colm's, Draperstown	Maintained	323-0132
NEELB	Crumlin Integrated School	Integrated	325-0149
NEELB	Slemish College	Integrated	326-0289
SEELB	Down High	Controlled	441-0085
SEELB	Saintfield High School	Controlled	421-0063
SEELB	Friends School	Voluntary Grammar	442-0050
SEELB	Wallace High School	Voluntary Grammar	442-0051
SEELB	St Colm's High School, Twinbrook	Maintained	423-0223
SELB	Lismore Comprehensive School	Maintained	523-0213
SELB	St Catherine's College, Armagh	Maintained	523-0218
SELB	St Joseph's High School, Crossmaglen	Maintained	523-0167

Board area	School Name	Sector	School ref
SELB	St Joseph's GS, Donaghmore	Voluntary Grammar	542-0073
SELB	Dromore High School	Controlled	521-0064
SELB	Kilkeel High School	Controlled	521-0016
SELB	Markethill High School	Controlled	521-0083
SELB	Newbridge Integrated College	Integrated	526-0285
WELB	Omagh Academy	Controlled	241-0066
WELB	Omagh High School	Controlled	221-0125
WELB	Strabane Grammar Strabane High	Controlled Controlled	241-0096 221-0164
WELB	Sacred Heart College	Maintained	223-0298
WELB	Portora Royal	Voluntary Grammar	242-0042
WELB	Christian Brothers Grammar School	Voluntary Grammar	242-0064

Bullying in Schools

Mr M Storey asked the Minister of Education what steps she has taken in the last year to reduce the incidence of bullying in schools.

(AQW 1964/11)

Minister of Education: Níl aon leithscéal ná áit don tromaíocht sna scoileanna, is cuma cén fhoirm di atá i gceist nó cén fáth a tharlaíonn sí. Tá an Roinn tiomanta tabhairt faoin cheist seo agus bheith gníomhach agus í ag fiosrú na bealaí leis an tromaíocht a chosc.

Bullying, in whatever form and for whatever reason, has no place in schools. The Department is committed to tackling this issue and is pro-active in examining ways to prevent it.

The Department is an active member of the local Anti-bullying Forum (NIABF) and funds the regional coordinator post attached to the NIABF who is involved in delivering the 3-year Anti-Bullying Strategy which includes an annual anti-bullying week.

This year, Anti-Bullying Week is 15-19 November and aims to determine where bullying takes place in schools and what can be done to stop it. Activities include the dissemination of anti-bullying resource packs for schools and an art and multi-media competition for pupils around the theme. The winning entries will be displayed at the Crescent Arts Centre and the full range of entries will also be displayed at 5 other local venues.

The Inter-Board Group is working to develop a common approach to tackle bullying in schools. In October this year, the Inter-Board group launched a CD-ROM entitled "Let's Stop Bullying". This interactive resource was developed for all primary and special schools and has been made available through the C2K system. The Department provided the funding to produce the localised version of this resource.

The department plans to repeat research undertaken in 2007 and 2002 on "The Nature and Extent of Bullying in Schools in the North of Ireland" to maintain accurate information about what is happening in schools currently. In the last few months, the Department has set up a reference group which has developed terms of reference for this research and the contract to undertake the study will shortly go out to public tender.

The independent schools' counselling service remains available in all grant aided post-primary schools allowing pupils to speak to a trained counsellor about their concerns or fears around bullying. It is expected that this service will shortly be extended to post primary aged pupils in all special schools.

Newbuild for Castle Tower Special School

Mr M Storey asked the Minister of Education, pursuant to AQW 1235/11, when she expects the economic appraisal for a new build for Castle Tower Special School to be completed.

(AQW 1966/11)

Minister of Education: In view of the financial constraints on my Department's capital budget and uncertainty over the level of resources available for the coming years, I cannot provide a timeframe for completion of the economic appraisal in respect of the potential project for Castle Tower Special School.

Mar is eol duit, bhain mé usáid éifeachtach as an chistiú caipitil a bhí ar fáil do mo Roinn agus, má fhaightear go leor cistithe caipitil, leanfaidh mé leis an infheistíocht ar athnuachan an eastáit scoile. Beidh mé ar lorg tacaíochta ó mo chomhghleacaithe sa Choiste Feidhmiúcháin maidir leis seo.

As you are aware I have effectively utilised the capital funding available to my Department and, provided with sufficient capital funds, I will continue to invest in renewing the schools estate. I will continue to seek my Executive colleagues support in this regard.

Entrances of Schools

Mr T Burns asked the Minister of Education to detail the name and address of (i) primary schools; and (ii) secondary schools which have an entrance, used by pupils, situated on a road with a speed limit of (a) 20mph; (b) 30mph; (c) 40mph; (d) 50mph; and (e) 60mph, broken down by Education and Library Board area.

(AQW 1972/11)

Minister of Education: Cé go bhfuil mo Roinn ábalta ainmneacha agus seoltaí na scoileanna ar fad atá san eastát a chur ar fáil, ní choinnítear an t-eolas a d'iarr tú. As siocair go bhfuil freagracht ag an Roinn Forbartha Réigiúnaí as teorainneacha luais ar bhóithre taobh amuigh de scoileanna, mholfainn duit an cheist a chur ar aghaidh chuig an Roinn sin.

While my Department can provide the names and addresses of all schools in the estate it does not retain the information you have requested. As the speed limit on roads outside schools is the responsibility of the Department of Regional Development, I would suggest that your question is redirected to that Department.

Teacher Substitution

Mr J Dallat asked the Minister of Education to detail the cost of teacher substitution, to cover teachers released from their posts for examination duties for which they are remunerated by the examination boards, in each of the last three years.

(AQW 1974/11)

Minister of Education: Ní choinníonn an Roinn an t-eolas seo ach rinneadh teagmháil le Príomhfheidhmeannach na Comhairle Curaclaim, Scrúdúcháin agus Measúnaithe. Sonraítear sa tábla thíos na costais foriomlána a bhaineann le clúdach ionadaithe i leith ollthuarastail, costas na bhfostóirí agus táille chaighdeánach luacha saothair a thugtar do gach múinteoir a théann amach le haghaidh dualgas scrúdúcháin.

The Department does not hold this information and contacted the Chief Executive of the Council for Curriculum, Examinations and Assessment (CCEA). The attached table details overall substitution cover costs in respect of gross salary, employers costs plus a standard remuneration fee which is made to each teacher released for examination duties.

2007/2008	2008/2009	2009/2010
£523,139	£544,142	£541,150

14-19 Statement

Mr C Lyttle asked the Minister of Education for an update on the 14-19 Statement, particularly in relation to careers.

(AQW 1990/11)

Minister of Education: Tá mo Roinn ag obair go dlúth leis an Roinn Fostaíochta agus Foghlama le comhráiteas a ullmhú a leagann amach an chomhobair atá á déanamh ag an dá roinn lena chinntiú go bhfuil na polasaithe agus na cláir atá dírithe ar an aoisghrúpa 14-19 ar aon dul le chéile agus lena chinntiú go gcuirtear a n-aidhmeanna uileghabhálacha in iúl ar bhealach níos soiléire ná mar a tharla san am atá thart.

My Department is working closely with DEL to prepare a joint statement that sets out how the two departments are working together to ensure that policies and programmes aimed at young people in the 14-19 age group are aligned and their overarching aims communicated more clearly than perhaps has been the case in the past. That statement will include a clear focus on providing effective careers education, information, advice and guidance for young people and will also be informed by work being led by the Executive Sub-Committee on the Economy to develop a new economic strategy for the north of Ireland.

Work on the statement is progressing well at official level and I expect to meet the newly appointed Employment and Learning Minister in due course to discuss and agree a final text that will then be brought to the relevant Assembly Committees for consideration before being published.

Efficiency Savings

Mr S Moutray asked the Minister of Education to what extent she intends to prioritise efficiency savings over cuts in preparation for the next Budget.

(AQW 2009/11)

Minister of Education: D'iarr an Céad-Aire agus an leasChéad-Aire cruinniú le Príomh-Aire na Breataine. De dheasca na h-idirbheartaíochta sin, beidh an Coiste Feidhmiúcháin freagrach as Clár don Rialtas agus dréachtBhuiséad a shocrú, a leagann amach pleananna caiteachais na Ranna.

The First Minister and deputy First Minister have requested a meeting with the British Prime Minister. Following those negotiations it is then up to the Executive to agree a Programme for Government and a draft Budget setting departmental spending plans. Until that happens, I will not be in a position to make detailed decisions on future funding for education. When I have details of the draft budget I will, as always, seek to drive efficiencies, cut bureaucracy and protect frontline services as far as possible. The creation of ESA would deliver significant efficiency savings and release a total of some £80 million across the budget period. The ongoing delay is damaging the education system, demoralising staff, obstructing key reforms and wasting scarce resources on unnecessary administration.

Single Education System

Mr M Storey asked the Minister of Education, pursuant to AQW 1466/11, why her answer did not state whether her department has made an assessment of whether educating children in a single education statement would (i) assist; or (ii) hinder the delivery of its community relations policy to 'encourage cross-community interaction and co-operation; to support and develop respect for each other's beliefs and backgrounds; and to encourage mutual understanding, recognition and respect for cultural diversity'.

(AQW 2016/11)

Minister of Education: The answers to AQW 1465/11 and AQW 1466/11 did not state if my department has made an assessment of whether educating children in a single education system

would assist or hinder my department's responsibility to promote good community relations, which is addressed, in part, through my department's Community Relations policy, because it was not clear from the question as to the form of the single education system referred to.

If the single education system referred to is the Education and Skills Authority (ESA), which the Assembly has already voted in favour of, then it is the Department's assessment that the establishment of ESA would assist the delivery of the proposed new Community Relations, Equality and Diversity Policy and the department's responsibility to promote good community relations by bringing consistency to its delivery, allowing resources to be managed centrally and by maximising the linkages between the formal and informal curriculum within a single management structure, as well as allowing opportunities for cross community interaction and co-operation to be maximised.

Má bhaineann na ceisteanna le córas oideachais aonair seachas an ESA, ní dhearna mo Roinn measúnú ar aon chóras teoiriciúil eile oideachais aonair.

If the questions related to any single education system other than ESA, then my department has not made an assessment of any other theoretical system of single education.

Single Education System

Mr M Storey asked the Minister of Education, pursuant to AQW 1465/11, why her answer did not state whether her department has made an assessment of whether educating children in a single education system would (i) assist; or (ii) hinder the delivery of its responsibility to promote good community relations. **(AQW 2020/11)**

Minister of Education: The answers to AQW 1465/11 and AQW 1466/11 did not state if my department has made an assessment of whether educating children in a single education system would assist or hinder my department's responsibility to promote good community relations, which is addressed, in part, through my department's Community Relations policy, because it was not clear from the question as to the form of the single education system referred to.

If the single education system referred to is the Education and Skills Authority (ESA), which the Assembly has already voted in favour of, then it is the Department's assessment that the establishment of ESA would assist the delivery of the proposed new Community Relations, Equality and Diversity Policy and the department's responsibility to promote good community relations by bringing consistency to its delivery, allowing resources to be managed centrally and by maximising the linkages between the formal and informal curriculum within a single management structure, as well as allowing opportunities for cross community interaction and co-operation to be maximised.

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Article 32(4) of the Education (Northern Ireland) Order 1998

Mr M Storey asked the Minister of Education, pursuant to AQW 1470/11, whether or not her plan to amend Article 32(4) of the Education Order (NI) 1998 requires (i) legislation in the Assembly; or (ii) Executive approval. **(AQW 2021/11)**

Minister of Education: Scríobh mé chuig an Choiste Feidhmiúcháin ar an 23 Márta 2010 le cur in iúl dóibh go raibh sé de rún agam deireadh a chur leis an cheanglas reachtach atá ar scoileanna tosaíocht a thabhairt do pháistí atá ina gcónaí i dtuaisceart na hÉireann agus cúnamh iompair a chur ar fáil do dhaltáí atá ag freastal ar scoileanna sa deisceart. Thug mé le fios go mbeadh faomhadh an Choiste Feidhmiúcháin á lorg agam leis na leasuithe sa reachtaíocht a rith tríd an Tionól.

I wrote to the Executive on 23 March 2010 indicating my intention to pursue the deletion of the legislative requirement for schools to give priority to children resident in the north of Ireland and to extend transport assistance to pupils attending southern schools. I advised that I would be seeking the Executive's approval to take the necessary legislative amendments through the Assembly.

Definition of "Bigotry"

Mr M Storey asked the Minister of Education pursuant to her answer to AQW 1238/11, for her assessment of how the statistics quoted in her answer correspond to the dictionary definition of 'bigotry'. **(AQW 2025/11)**

Minister of Education: The statistics quoted in AQW 1238/11 clearly demonstrate that the system of selecting and rejecting children at the age of 10 or 11 through the use of high-stakes tests resulted in higher numbers of those from more affluent areas and backgrounds gaining access to academically selective schools. There was a bias towards those from more affluent areas and discrimination against those from disadvantaged areas. In the dictionary "bias" and "discrimination" are synonyms for "bigotry".

Creidim go bhfuil sé éigeart agus éagórach go mbíonn níos lú seans ag páistí áirithe áit a fháil i scoileanna áirithe mar gheall ar a gcúlra sóisialta nó imthosca an teaghlaigh. Sin an fáth go n-impím ar gach scoil cloí le polasaí mo Roinne ar aistriú iarbhunscoile a bhfuil an comhionannas i gcroílár an pholasaí.

I consider it wrong and unjust that certain children should have less chance of gaining access to certain schools because of their social background or family circumstances. That is why I continue to urge all schools to adhere to my Department's post-primary transfer policy which has equality at its core.

Health and Safety Works

Mr M Storey asked the Minister of Education, pursuant to AQW 1340/11, to list all work that her Department has undertaken in conjunction with the education and library boards to (i) introduce additional fields on the estates database; (ii) capture more specific information on reported health and safety works; and (iii) bring clarity to what constitutes health and safety works. **(AQW 2026/11)**

Minister of Education: The Department has been working with representatives from the Education and Library Boards who are responsible for the development and maintenance of the Manhattan estate management database. As you will be aware, this is the data store for information regarding the condition of the schools' estate and from it is obtained the backlog figure for maintenance of the estate. The work being carried out involves some modifications to database fields to support the efficient interrogation of the data.

The work is not yet complete, but will provide the Department with regular maintenance backlog information from the database and will detail that element of the backlog that is attributable to health and safety matters and therefore deemed to be an urgent priority. It is however anticipated that this figure is likely to be relatively small, as health and safety matters that are deemed to be urgent and considered as having a level of unacceptable risk are normally addressed without delay and do not therefore generally feature in the reported backlog figure.

Mar a bhí sonraithe i m'fhreagra ar AQW 1340/11, tá baint ag an téarma sláinte agus sábháilteacht le cuid mhór ceisteanna cothabhála. De ghnáth meastar cothabháil bheith riachtanach nuair atá codanna den eastát meathlaithe nó millte. Tugtar tosaíocht don obair seo de réir leibhéal riosca an mheathlúcháin sin. Má mheastar an riosca seo bheith do-ghlactha, tugtar faoi láithreach bonn de ghnáth, mar atá sonraithe cheana féin.

As detailed in my response AQW 1340/11, the term health and safety could be attached to many maintenance issues. Maintenance is normally deemed to be required when elements of the estate either deteriorate or are damaged. This work is prioritised according to the level of risk that is attributable to that deterioration. If this risk is deemed to be unacceptable then, as already stated, it is normally addressed immediately.

Bus Passes

Mr C Lyttle asked the Minister of Education (i) to outline the rationale for permitting preference for the six categories of suitable schools when assessing entitlement for free bus passes to travel to school, but not the preference for single sex or co-educational education; (ii) whether she would consider giving parents this preference; and (iii) if any analysis has been carried out to assess the costs involved in making pupils' bus passes more flexible in relation to the preference for single sex and co-educational schools, and if not, whether she would consider carrying out such an analysis.

(AQW 2034/11)

Minister of Education: Historically, education in the North has been associated with the two main religious faiths and has developed over very many years in recognition of the needs and diversities of the whole community. This, coupled with the maintenance of grammar sectors within denominational and non-denominational schools, introduced 4 of our 6 current categories of schools. The integrated and the Irish-medium categories reflect important requirements under Article 64 of The Education Reform (NI) Order 1989, and Article 89 of The Education (NI) Order 1998.

I consistently challenge the basis for the grammar sectors, but otherwise the sectors reflect a recognition that community and individual identity needs to be reflected in the school system. Pupils and parents may have preferences for single-sex or co-educational schools, but their need for either may not consensually be considered as comparable to our children's need for schooling that reflects their community and individual identity.

Ní dheanadh aon anailís ar oideachas aon-ghnéis/ar chomhoideachas a thabhairt isteach mar fhochatagóir bhreise ar na critéir cháilitheachta le haghaidh iompair, nó ar cheisteanna oideachais eile níos leithne ina n-úsáidtear na catagóirí reatha agus níl aon phleananna agam faoi láthair í a dhéanamh. Bheadh sé neamhfhóirsteanach sa timpeallacht eacnamaíoch seo tuilleadh deighilte ar na catagóirí scoile a dhéanamh, rud a d'fhéadfaí costais a ardú.

No analysis has been carried out of the option of introducing single-sex/co-education as a further sub-categorisation of the transport eligibility criteria, or to other wider educational matters where the existing categorisations are used and I have no immediate plans to do so. A further division of school categories, which has the potential to increase costs, is inappropriate in the current economic climate.

Delivery of Telecommunications

Mr M Storey asked the Minister of Education to list all companies currently responsible for the delivery of telecommunications for her Department.

(AQW 2049/11)

Minister of Education: Soláthraíonn na comhlachtaí seo a leanas teileachumarsáid do mo Roinn:

The following companies provide telecommunications for my Department:

- British Telecom
- Eircom
- Orange
- Vodafone

Cost of Calls and Lines Supplied by BT

Mr M Storey asked the Minister of Education to detail the cost of calls and lines supplied by BT to her Department in each of the last five years.

(AQW 2050/11)

Minister of Education: Tugtar sonraí sa tábla thíos ar na méideanna a fócadh le BT agus a bhain le glaonna gutháin agus cíós líne, i ngach bliain le cúig bliana anuas.

Amounts paid to BT and coded to telephone calls and line rentals, in each of the last five years, are provided in the table below.

	Total £
2005-06	22,149.09
2006-07	14,154.69
2007-08	26,327.27
2008-09	19,298.70
2009-10	22,330.94

ey Goudie

Cost of Translating and Publishing Documents in Irish

Mr T Clarke asked the Minister of Education to detail the cost of (i) translating; and (ii) publishing all documents associated with her Department in Irish in each of the last four years.

(AQW 2079/11)

Minister of Education: Sonraítear sa tábla seo a leanas caiteachas na Roinne Oideachais ar aistriúcháin agus ar fhoilsitheoireacht sa Ghaeilge i ngach bliain le ceithre bliana anuas:

The Department of Education's expenditure on translating and publishing documents in Irish in each of the last four years was as follows:

	2006/07	2007/08	2008/09	2009/10
i) Translating cost	£4,136	£13,274	£47,062	£38,830
ii) Publishing cost*	£1,225	£3,039	£20,278	£29,275

* For bilingual documents the total cost of printing is included.

Department for Employment and Learning

Internal Disciplinary Hearings

Mr P Ramsey asked the Minister for Employment and Learning to detail the number of internal disciplinary hearings involving (i) academic staff; and (ii) non-academic staff, in each of the Regional Colleges of Further Education, in each of the last five years.

(AQW 1686/11)

Minister for Employment and Learning (Mr D Kennedy): Under the Further Education (Northern Ireland) Order 1997, each College Governing Body is recognised as an employing authority in their own right. On this basis, all employment related issues, including disciplinary matters and managing sick absences, are a matter for the designated institution. As a result, my Department does not hold this information.

I have therefore asked the six Further Education College Directors to respond to you directly on this issue.

Staff Occupational Health

Mr P Ramsey asked the Minister for Employment and Learning to detail the cost of occupational health for (i) academic staff; and (ii) non-academic staff, in each of the Regional Colleges of Further Education, in each of the last five years.

(AQW 1687/11)

Minister for Employment and Learning: Under the Further Education (Northern Ireland) Order 1997, each College Governing Body is recognised as an employing authority in their own right. On this basis, all employment related issues, including disciplinary matters and managing sick absences, are a matter for the designated institution. As a result, my Department does not hold this information.

I have therefore asked the six Further Education College Directors to respond to you directly on this issue.

Work-Related Stress

Mr P Ramsey asked the Minister for Employment and Learning how much each Regional College of Further Education spent on replacement staff, as a result of sick leave taken for work related stress by (i) academic staff; and (ii) non-academic staff, in each of the last five years.

(AQW 1688/11)

Minister for Employment and Learning: Under the Further Education (Northern Ireland) Order 1997, each College Governing Body is recognised as an employing authority in their own right. On this basis, all employment related issues, including disciplinary matters and managing sick absences, are a matter for the designated institution. As a result, my Department does not hold this information.

I have therefore asked the six Further Education College Directors to respond to you directly on this issue.

Enrolling Foreign Nationals

Miss M McIlveen asked the Minister for Employment and Learning what steps he is taking to assist colleges and universities in addressing the difficulties of enrolling foreign nationals.

(AQW 1744/11)

Minister for Employment and Learning: Whilst my Department has no remit to intervene in the awarding of student visas, it works closely with local further and higher education institutions to ensure that they are aware of issues impacting on students who may require visas to study in Northern Ireland.

To ensure that Northern Ireland related visa issues are considered at a national level my department has representation on the UK Joint Education Taskforce (JET). The JET is made up of representatives from the four devolved administrations with responsibility for work areas linked to the United Kingdom Border Agency's (UKBA) visa system. This forum has been used by officials to help inform local institutions of changes to student visa regulations and to raise issues arising from such changes.

Queen's University

Miss M McIlveen asked the Minister for Employment and Learning to detail the reasons identified by Queen's University for the failure of students to complete courses.

(AQW 1749/11)

Minister for Employment and Learning: Research carried out by the University has identified a range of reasons, common across the higher education sector, as to why students withdraw from their courses. These include poor compatibility between the student, and their course and institution; lack of preparation for the higher education experience; lack of commitment to the course; lack of social integration and poor academic progress. The University's research also found that, whilst a contributing factor, financial hardship is not the primary reason for the failure of students to complete their course.

Officer Training Corps

Mr A McQuillan asked the Minister for Employment and Learning which campuses of our universities recruit for Officer Training Corps in the armed forces; and if not in all campuses, the reason why.

(AQW 1770/11)

Minister for Employment and Learning: There are 19 University Officer Training Corps throughout the United Kingdom, each of which serves the universities in a distinct geographic area.

The Queen's University Officer Training Corps has been in existence since 1908. Membership is open to all third-level students of any Higher Education or Further Education institution in Northern Ireland. This includes students of the University of Ulster, Stranmillis and St Mary's University Colleges. However, for security reasons, it would not be appropriate to outline the number of students from each of these institutions who are members of the Officer Training Corps.

The location of Officer Training Corps facilities is a matter for the Army and, ultimately, the Ministry of Defence. I am, however, strongly supportive of the role of the Queen's University Officer Training Corps and the opportunities it provides to students from across Northern Ireland's higher education institutions.

Staff Mileage Claims

Mr A Easton asked the Minister for Employment and Learning to detail the cost, to his Department, of staff mileage claims in the last financial year.

(AQW 1794/11)

Minister for Employment and Learning: The Department for Employment and Learning incurred £450,526 in the 2009/10 financial year as a result of mileage claims from staff.

Student Dropout Rates

Miss M McIlveen asked the Minister for Employment and Learning what steps universities are taking to address student drop-out rates; and what assistance his Department is providing in relation to this matter.

(AQW 1821/11)

Minister for Employment and Learning: Both Queen's University and the University of Ulster regard the issue of student retention as an institutional priority and have in place a range of mechanisms to address student drop-out rates. Details of these are attached at Annex A.

Northern Ireland's participation rates of young people in Higher Education are now the highest in the United Kingdom and Northern Ireland outperforms the other regions in increased access to higher education for students from disadvantaged backgrounds. However, there is a correlation between widening participation and increased drop-out rates. In recognition of this, my Department pays the higher education institutions around £1.5m per year in the form of a Widening Participation premium to support the recruitment and retention of students from disadvantaged backgrounds. The

issue of drop-out rates among disadvantaged students is also being specifically addressed in the development of the Regional Strategy for Widening Participation in Higher Education.

Annex A

Queen's University, Belfast

In addressing the issue of student retention, Queen's University has in place a comprehensive portfolio of measures for student mentoring and development, which seeks to ensure that all students optimise their potential and leave the University with the best possible academic qualification.

The University's 'Supporting Student Attainment Sub-Group' oversees this portfolio, providing a strategic and coordinated approach to the issue. The portfolio recognises that measures to improve student retention need to start well before entry to university, and continue throughout the first semester, the first year and beyond. Such measures rely on the full involvement of teaching staff and are embedded in programme content and learning, teaching and assessment strategies.

Initiatives that the University has taken to enhance retention rates include:

- Establishing minimum undergraduate student retention targets for each School.
- Developing a prospective student portal, reviewing open days, and developing a range of events for teachers and pupils so that prospective students have a better idea of the demands and rewards of university.

- Reviewing and refining welcome, induction and orientation programmes.
- Introducing a 10% contribution of Level 1 results to the overall degree classification.
- Implementing a Student at Risk policy.
- Introducing Personal Tutors for Levels 1 and 2 students.
- Piloting peer mentoring.
- Establishing, as a single point of contact, the Student Guidance Centre, which houses a number of practical and pastoral services for students—ranging from welfare and finance, to disability and counselling services.
- Establishing a Learning Development Service which provides one-to-one support for students with particular needs, as well as learning support and assistance for Schools.
- Helping new students to identify with their subject area in order to improve student engagement, for example, by including the development of social space within Schools.
- Providing a range of support mechanisms through the Students' Union and Student Accommodation service in order to foster a greater sense of 'student community'.
- Developing and promoting extra-curricular activities through the Degree Plus programme.

Progress against these targets is monitored through the annual performance management reports, produced at both School and corporate level, and are reviewed annually as an integral part of the academic planning process.

University of Ulster

The University of Ulster has conducted research on the multi-factorial nature of student non-continuation and actions that might impact on this through two projects funded by the Department for Employment and Learning. The University has adopted the recommendations of these projects.

As first year students have the highest non-continuation rates, the University has given increased priority to first-year non-continuation and progression in its current Teaching and Learning Strategy, 2008/09-2012/13. The figure for first year early leavers has decreased by 4% over the past four years.

The University monitors non-continuation and progression data on a regular basis and works with faculties to address specific issues identified through this monitoring. The University's Senate reviews non-continuation regularly and has set targets for the reduction of the figure at faculty level year-on-year. Progress towards these targets is reviewed annually.

There have been recent internal audits, by the University's external auditors, of the University's processes for monitoring and managing student non-continuation which found that the processes are operating as intended and are aimed at pro-actively addressing the causes of non-continuation.

Failure of Students to Complete Courses

Miss M McIlveen asked the Minister for Employment and Learning to detail the reasons identified by the University of Ulster for the failure of students to complete courses.
(AQW 1822/11)

Minister for Employment and Learning: The University advises that students fail to complete courses for a variety of reasons, many of them inter-related. These include;

- commuter population – approximately 45% of the University's students live at home and commute to university which can present difficulties in engendering a feeling of belonging and result in students feeling disconnected;
- first generation students – the University of Ulster has a higher proportion of first generation students than other universities, which aligns to its objective of widening participation. These students may lack the wider support network of family and friends that other students may benefit from.

- financial/economic circumstances – the University has a high incidence of term-time employment with 69% of students working whilst studying. Additionally, 63% of students at the University of Ulster work for more than the nationally recommended average of less than 10 hours per week;

The University also cites unrealistic and/or unreasonable expectations of higher education on the part of students as a reason for them failing to complete their course.

Student Finance

Mr P Weir asked the Minister for Employment and Learning what discussions his Department has had with the UK government in relation to student finance, since the publication of the Browne report.
(AQW 1884/11)

Minister for Employment and Learning: Since the publication of the Browne Report on 12 October, and the statements in the House of Commons on the Browne Report and the Comprehensive Spending review, as well as the Government response to the Browne report, officials in my Department have been in regular contact with their counterparts in the Department for Business, Innovation and Skills in England. Officials are also due to engage with their counterparts from all of the UK administrations at a meeting of the Student Finance Quadrilateral Group, to be held later this month.

On 3 November 2010, I had a telephone conversation with David Willetts, Minister of State for Universities and Science, prior to his statement in the House of Commons, in which he set out the UK Government response to the Browne proposals. We have agreed to arrange a formal meeting as soon as possible, to discuss amongst other issues, the Browne report and the issues around higher education funding, tuition fees and student finance. This discussion will, of course, be set in the context of the budget position following the outcome of the Comprehensive Spending review.

Premature Retirement Compensation Scheme

Mr P Butler asked the Minister for Employment and Learning what steps he intends to take to ensure that the six regional colleges adopt a common sector-wide approach when implementing Premature Retirement Compensation severance payments for lecturers in the Further Education sector.
(AQW 1963/11)

Minister for Employment and Learning: Whilst my Department has no statutory role in the operation of any aspect of the Teachers' Premature Retirement Compensation Scheme, it has consistently encouraged the Further Education (FE) sector to adopt a uniform policy, to ensure that lecturers are treated equitably regardless of which college they are employed by.

As a result of my Department encouraging the adoption of a common approach the college employers submitted a 'sector wide' proposal to the Department on 17th September 2010. My Department provided clarification, as requested, on 14th October 2010 that this proposal is within the parameters of the Teachers' Premature Retirement Scheme.

This response also advised College employers that any proposal remains subject to discussion with the recognised Trade Unions, using the established negotiating mechanisms.

Department of Enterprise, Trade and Investment

Integrated Business Survey System

Mr G Savage asked the Minister of Enterprise, Trade and Investment when the integrated business survey system will be operating in his Department; and how many Civil Service jobs will be lost as a result.
(AQW 1935/11)

Minister of Enterprise, Trade and Investment (Mrs A Foster): The build of the new integrated survey system is expected to commence in March 2011, subject to financial approval being obtained as part

of the Budget 2010 exercise. A recent economic appraisal anticipated that this could ultimately release resources equivalent to 12 full time posts.

Limavady Gear Company

Mr J Dallat asked the Minister of Enterprise, Trade and Investment to detail any discussions she had in relation to saving jobs at the Limavady Gear Company.

(AQW 1976/11)

Minister of Enterprise, Trade and Investment: On 22nd October 2010 I was informed by Invest NI that Limavady Gear Company had been placed in Administration. I am saddened by this news and the uncertainty that it brings to the employees and their families. I have discussed the situation with Invest NI and asked them to continue the discussions that have been ongoing with the Company, the Ulster Bank and the Administrators.

Limavady Gear is an important employer in the Limavady area and while it is too early to comment on any outcomes from the Administration process, I will be doing all I can to ensure the best possible outcome.

Queen's Festival

Mr J Spratt asked the Minister of Enterprise, Trade and Investment what potential impact any proposed cuts in funding to the Northern Ireland Tourist Board may have on the Queen's Festival.

(AQO 566/11)

Minister of Enterprise, Trade and Investment: It is proposed that two funding programmes will be available in 2011/12, a National Funding Programme and an International Funding Programme. The Northern Ireland Tourist Board's Events Unit is preparing to open a call for funding events through these programmes in the financial year 2011/2012 in early December 2010.

All applications received will be ranked on merit with the highest scoring events receiving funding until the available funds are exhausted. At this stage it is not possible to predict the outcome of an open and transparent application process on the Belfast Festival at Queens should an application be submitted.

Department of the Environment

Car Dismantling Yards

Mr D McKay asked the Minister of the Environment what action he is taking to ensure that owners of car dismantling yards which operate illegally and without a Waste Management licence are prosecuted.

(AQW 1773/11)

Minister of the Environment (Mr E Poots): The Northern Ireland Environment Agency's Environmental Crime Unit continues to investigate all intelligence it receives on serious and persistent environmental offending, including the operation of unlicensed vehicle breakers' yards. Investigations are carried out in the most serious cases. Prosecution cases are submitted to the Public Prosecution Service, which bases its decisions on the evidence presented by NIEA and consideration of public interest and sufficiency of evidence.

Master Plans for Town Centres

Ms M Ritchie asked the Minister of the Environment for his assessment of Masterplans for town centres.

(AQW 1956/11)

Minister of the Environment: I welcome the work being led by DSD in preparing Masterplans for town centres in Northern Ireland. I believe Masterplanning is an important tool in assisting the regeneration of our town centres and I have encouraged my officials to work closely with DSD officials in taking it forward. I believe the delivery of the reform of local government and the transfer of land use planning

and regeneration to the new 11 councils will enable Masterplanning to be even more effective as it will be joined up with mainstream planning under local councils.

Review of Planning Fees

Mr C Lyttle asked the Minister of the Environment to outline the timescale for his review of planning fees. (AQW 1989/11)

Minister of the Environment: A public consultation paper, "Planning Fees in Northern Ireland: Proposals for Change", was published on 8 November 2010 and the consultation will run until 4 January 2011. My Department will carefully consider any responses received and draft appropriate subordinate legislation.

Subject to the Assembly process it would be my intention to bring forward this legislation within the life of this current Assembly.

Houses in Multiple Occupation

Mr G Campbell asked the Minister of the Environment what consideration he has given to adopting the principles underlying the Houses in Multiple Occupation Subject Plan for the Belfast area to towns on the north coast, where there is a high density of Houses in Multiple Occupation. (AQW 2006/11)

Minister of the Environment: As you will be aware my Department sought to address the issues arising from houses in multiple occupation (HMO) in certain parts of the Coleraine Borough through the preparation of a HMO Subject Plan for the Borough.

Unfortunately work on the HMO Subject Plan had to be suspended due to the ongoing problems experienced by the Department following a series of judicial reviews relating to the process of Strategic Environmental Assessment (SEA) which needs to accompany the preparation of a development plan.

My Department will keep the situation under review, particularly in light of further developments with regard to the SEA issue. Given the financial pressures currently facing my Department however I am not able to give any assurance at this time in relation to specific areas of work that will be taken forward.

Local Council Staff

Mr D Hilditch asked the Minister of the Environment to detail the number of local council staff who are paid a salary of £40,000 or more, broken down by each of the 26 local councils. (AQW 2007/11)

Minister of the Environment: The information requested is not held in precisely the format requested. Councils, as directed by my officials, record numbers of staff earning £50k or more in their annual accounts. Details of the number of staff in each council earning £50k or more in the last financial year is detailed in the table below.

Information about the number of staff in the salary band £40k to £50k may be available from any individual council in which you have an interest.

NUMBER OF STAFF EARNING £50K OR MORE

Council	2009/10 £
Antrim	3
Ards	5
Armagh	7
Ballymena	6

Council	2009/10 £
Ballymoney	7
Banbridge	5
Belfast	52
Carrickfergus	5
Castlereagh	4
Coleraine	8
Cookstown	6
Craigavon	4
Derry	21
Down	4
Dungannon & S Tyrone	6
Fermanagh	7
Larne	5
Limavady	4
Lisburn	6
Magherafelt	5
Moyle	2
Newry & Mourne	8
Newtownabbey	5
North Down	6
Omagh	9
Strabane	6
Total	206

Efficiency Savings

Mr S Moutray asked the Minister of the Environment to what extent he intends to prioritise efficiency savings over cuts in preparation for the next budget.

(AQW 2013/11)

Minister of the Environment: During the current financial year, my Department has faced significant budgetary pressures, most notably arising from a substantial reduction in the level of income from planning applications. In seeking to address this pressure, I have ensured that all necessary steps have been taken to minimise the impact of this funding shortfall on the delivery of frontline services.

In respect of the outcome of the Budget 2010 process, my priority will be to continue to protect frontline services and, where possible, seek to deliver savings through more efficient and effective service provision.

Illegal Dumping at Ballyhornan Road, Downpatrick

Mr B Wilson asked the Minister of the Environment for an update on the investigation into illegal dumping at Ballyhornan Road, Downpatrick.

(AQW 2077/11)

Minister of the Environment: A full investigation into an incident of illegal dumping at Ballyhornan Road, Downpatrick has been conducted by the NIEA Environmental Crime Unit and a file will shortly be submitted to the Public Prosecution Service.

Tree Preservation Orders

Mr B Wilson asked the Minister of the Environment what action has been taken to enforce the Tree Preservation Orders on the trees felled at Myrtle Lodge, Newcastle.

(AQW 2078/11)

Minister of the Environment: The Department has taken legal advice and is currently considering its position in relation to enforcement action regarding the felling of trees covered by the Tree Preservation Order.

Details cannot be disclosed at this time due to data protection issues and to avoid any prejudice to legal action by the Department.

Income from Leisure Services

Mr T Burns asked the Minister of the Environment how much money has been raised as income from leisure services in each District Council in each of the last five years.

(AQW 2090/11)

Minister of the Environment: The information requested for the five financial years 2005/2006 to 2009/2010 is set out in the table below.

COUNCIL INCOME FROM LEISURE ACTIVITIES

Council	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010
Antrim	676,041	805,268	837,860	1,022,074	1,208,350
Ards	1,849,118	1,743,779	1,869,740	1,891,839	1,916,105
Armagh	792,745	860,275	488,749	595,144	1,034,281
Ballymena	573,434	663,540	802,099	774,207	853,481
Ballymoney	558,265	577,710	679,764	729,745	782,166
Banbridge	877,971	920,081	966,658	922,135	1,004,505
Belfast	2,746,730	2,968,661	3,329,938	3,518,403	6,618,605
Carrickfergus	485,663	462,977	195,733	167,126	772,893
Castlereagh	4,120,354	4,462,798	4,715,483	4,713,978	4,761,411
Coleraine	603,392	626,607	653,628	602,993	945,169
Cookstown	575,856	644,435	768,102	855,681	928,831
Craigavon	1,273,623	1,731,413	1,511,741	1,867,065	1,825,034
Derry	989,111	932,279	980,678	1,068,660	1,421,974
Down	620,776	646,079	722,623	684,833	1,083,347

Council	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010
Dungannon & S Tyrone	337,662	367,247	346,746	295,713	445,943
Fermanagh	731,161	821,373	848,839	877,798	842,334
Larne	244,959	238,649	623,968	340,293	353,676
Limavady	442,203	580,966	312,444	640,794	774,965
Lisburn	1,822,580	1,885,742	2,162,428	2,033,395	2,479,831
Magherafelt	869,614	807,886	835,388	1,067,971	888,678
Moyle	63,901	61,968	56,676	66,670	77,930
Newry & Mourne	827,378	789,044	828,470	873,253	1,080,870
Newtownabbey	1,072,464	1,084,727	1,405,182	1,803,696	1,921,839
North Down	778,203	814,112	860,745	888,553	948,597
Omagh	802,918	736,706	769,631	711,171	1,029,081
Strabane	393,408	466,175	491,750	541,388	551,335
Total	25,129,530	26,700,497	28,065,063	29,554,578	36,551,231

Early Retirement

Mr P McGlone asked the Minister of the Environment to detail (i) the amount of funding that has been allocated for early retirement within his Department for this financial year; (ii) the number of applications that have been approved to date in 2010/11 in (a) the Department; and (b) the Planning Service; (iii) the number of further applications expected to be approved in 2010/11; and (iv) the grades and ages that can avail of early retirement.

(AQW 2095/11)

Minister of the Environment:

- (i) The terms under which civil servants may retire early on Approved Early Retirement (AER) terms are set out in the NICS HR Handbook. AER under element 'b' enables some staff to retire and take their pension before they reach the age of 60. There is no enhancement of service under element 'b'. The Department has set aside c£250,000 for the funding of AER applications made under element 'b' in 2010-11 but expects this to generate initial net savings of £124,500.
- (ii)
 - a. The Department has approved 22 applications to date in the current financial year;
 - b. 10 of the approved applications relate to staff in the Planning Service.
- (iii) The Department is not in a position to say how many further applications it expects to approve in this current financial year. Each case is considered on its merits, on a value for money basis and following the completion of a detailed cost benefit analysis to determine if any savings will be achieved. However, two cases are under active consideration.
- (iv) The option to apply for AER under element 'b' is open to any officer, irrespective of grade, aged over 55 years with a minimum of 25 years service.

Department of Finance and Personnel

Civil Servants' Salaries

Mr J Dallat asked the Minister of Finance and Personnel how many civil servants in each Department have received salary enhancements or bonuses (i) between £5,000 and £10,000; and (ii) in excess of £10,000, in each of the last three years; and to detail the grade and salary scale point of each recipient. **(AQW 1242/11)**

Minister of Finance and Personnel (Mr S Wilson): The information requested is provided in the attached tables.

1 APRIL 2007 – 31 MARCH 2008

SENIOR CIVIL SERVICE BELOW PERMANENT SECRETARY

Department	Bonus Payment		Salary in £5k Bands
	£5,000 - £10,000	In excess of £10,000	
Dept of Agriculture and Rural Development	Grade 5 x 7 Grade 3 x 2	0	55k – 60k x 2 60k – 65k x 2 65k – 70k x 2 75k – 80k x 1 80k – 85k x 2
Dept of Education & Dept of Culture Arts and Leisure (aggregated)	Grade 5 x 8 Grade 3 x 3	0	65k – 70k x 3 70k – 75k x 3 75k – 80k x 1 80k – 85k x 1 95k – 100k x 1 105k – 110k x 1 110k – 115k x 1
Dept for Employment and Learning	Grade 5 x 5 Grade 3 x 1	0	55k – 60k x 1 60k – 65k x 3 70k – 75k x 1 80k – 85k x 1
Dept of Enterprise, Trade and Investment	Grade 5 x 4 Grade 3 x 2	0	55k – 60k x 1 60k – 65k x 1 70k – 75k x 1 75k – 80k x 1 80k – 85k x 1 95k – 100k x 1
Dept of the Environment	Grade 5 x 5 Grade 3 x 2	0	60k – 65k x 2 65k – 70k x 1 70k – 75k x 1 75k – 80k x 1 90k – 95k x 1 105k – 110k x 1

Department	Bonus Payment		Salary in £5k Bands
	£5,000 - £10,000	In excess of £10,000	
Dept of Finance and Personnel	Grade 5 x 18 Grade 3 x 4	0	55k – 60k x 3 60k – 65k x 7 65k – 70k x 4 70k – 75k x 2 75k – 80k x 2 85k – 90k x 1 90k – 95k x 2 95k – 100k x 1
Dept of Health, Social Services and Public Safety	Grade 5 x 11 Grade 3 x 4	0	60k – 65k x 2 65k – 70k x 1 70k – 75k x 4 75k – 80k x 4 85k – 90k x 1 90k – 95k x 2 110k – 115k x 1
Dept for Regional Development	Grade 5 x 5 Grade 3 x 3	0	60k – 65k x 3 65k – 70k x 2 85k – 90k x 2 95k – 100k x 1
Dept for Social Development	Grade 5 x 6 Grade 3 x 3	0	55k – 60k x 2 60k – 65k x 2 70k – 75k x 1 85k – 90k x 2 90k – 95k x 2
Office of the First Minister and deputy First Minister	Grade 5 x 3 Grade 3 x 2	Grade 5 x 3 Grade 3 x 5	55k – 60k x 4 60k – 65k x 1 75k – 80k x 1 85k – 90k x 7

1 APRIL 2007 – 31 MARCH 2008**NICS GRADE 2 (PERMANENT SECRETARY) AND HEAD OF CIVIL SERVICE (HOCS)**

Department	Bonus Payment		Salary in £5k Bands
	£5,000 - £10,000	In excess of £10,000	
All	Grade 2 & HOCS x 9	Grade 2 & HOCS x 4	95k – 100k x 2 105k – 110k x 2 110k – 115k x 4 115k – 120k x 1 120k – 125k x 2 155k – 160k x 2

1 APRIL 2007 – 31 MARCH 2008
NICS BELOW SENIOR CIVIL SERVICE

Department	Bonus Payment		2007/08 Salary Scale
	£5,000 - £10,000	In excess of £10,000	
All	NIL	NIL	N/A

1 APRIL 2008 – 31 MARCH 2009
SENIOR CIVIL SERVICE BELOW PERMANENT SECRETARY

Department	Bonus Payment		Salary in £5k Bands
	£5,000 - £10,000	In excess of £10,000	
Dept of Agriculture and Rural Development	Grade 5 x 7 Grade 3 x 2	Grade 5 x 3 Grade 3 x 2	55k – 60k x 1 60k – 65k x 5 65k – 70k x 3 75k – 80k x 1 80k – 85k x 1 85k – 90k x 2 95k – 100k x 1
Dept of Education & Dept of Culture Arts and Leisure (aggregated)	Grade 5 x 7 Grade 3 x 3	Grade 5 x 4	60k – 65k x 1 65k – 70k x 4 70k – 75k x 2 75k – 80k x 3 85k – 90k x 1 95k – 100k x 2 115k – 120k x 1
Dept for Employment and Learning	Grade 5 x 3 Grade 3 x 1	Grade 5 x 2 Grade 3 x 1	55k – 60k x 1 60k – 65k x 2 65k – 70k x 2 80k – 85k x 1 95k – 100k x 1
Dept of Enterprise, Trade and Investment	Grade 5 x 6	Grade 3 x 2	55k – 60k x 1 60k – 65k x 3 70k – 75k x 1 75k – 80k x 1 85k – 90k x 2
Dept of the Environment	Grade 5 x 6	Grade 5 x 3 Grade 3 x 2	55k – 60k x 2 60k – 65k x 4 65k – 70k x 1 70k – 75k x 1 75k – 80k x 1 85k – 90k x 1 110k – 115k x 1

Department	Bonus Payment		Salary in £5k Bands
	£5,000 - £10,000	In excess of £10,000	
Dept of Finance and Personnel	Grade 5 x 22 Grade 3 x 5	Grade 5 x 6 Grade 3 x 3	55k – 60k x 6 60k – 65k x 9 65k – 70k x 5 70k – 75k x 4 75k – 80k x 1 85k – 90k x 6 90k – 95k x 3 100k – 105k x 1 105k – 110k x 1
Dept of Health, Social Services and Public Safety	Grade 5 x 10 Grade 3 x 3	Grade 5 x 6 Grade 3 x 1	60k – 65k x 5 70k – 75k x 2 75k – 80k x 4 80k – 85k x 5 85k – 90k x 1 90k – 95k x 1 95k – 100k x 1 110k – 115k x 1
Dept for Regional Development	Grade 5 x 5 Grade 3 x 1	Grade 5 x 3 Grade 3 x 1	55k – 60k x 3 60k – 65k x 2 65k – 70k x 2 75k – 80k x 1 80k – 85k x 1 100k – 105k x 1
Dept for Social Development	Grade 5 x 6 Grade 3 x 2	Grade 5 x 1 Grade 3 x 2	55k – 60k x 1 60k – 65k x 5 75k – 80k x 1 80k – 85k x 2 90k – 95k x 1 95k – 100k x 1
Office of the First Minister and deputy First Minister	Grade 5 x 8 Grade 3 x 2	Grade 5 x 3 Grade 3 x 3	55k – 60k x 3 60k – 65k x 3 65k – 70k x 4 80k – 85k x 1 85k – 90k x 5

1 APRIL 2008 – 31 MARCH 2009**NICS GRADE 2 (PERMANENT SECRETARY) AND HEAD OF CIVIL SERVICE (HOCS)**

Department	Bonus Payment		Salary in £5k Bands
	£5,000 - £10,000	In excess of £10,000	
All	Grade 2 & HOCS x 10	Grade 2 & HOCS x 5	95k – 100k x 1 100k – 105k x 4 105k – 110k x 1 110k – 115k x 2 115k – 120k x 2 120k – 125k x 2 125k – 130k x 1 160k – 165k x 2

1 APRIL 2008 – 31 MARCH 2009
NICS BELOW SENIOR CIVIL SERVICE

Department	Bonus Payment		2008/09 Salary Scale
	£5,000 - £10,000	In excess of £10,000	
All	Nil	Nil	N/A

1 APRIL 2009 – 31 MARCH 2010
SENIOR CIVIL SERVICE BELOW PERMANENT SECRETARY

Department	Bonus Payment		Salary in £5k Bands
	£5,000 - £10,000	In excess of £10,000	
All	Nil	Nil	N/A

1 APRIL 2009 – 31 MARCH 2010
NICS GRADE 2 (PERMANENT SECRETARY) AND HEAD OF CIVIL SERVICE (HOCS)

Department	Bonus Payment		Salary in £5k Bands
	£5,000 - £10,000	In excess of £10,000	
All	Nil	Nil	N/A

1 APRIL 2009 – 31 MARCH 2010
NICS BELOW SENIOR CIVIL SERVICE

Department	Bonus Payment		2009/10 Salary Scale
	£5,000 - £10,000	In excess of £10,000	
All	Staff Officer x 1	0	£25,278 - £30,520

Note: Some data has been aggregated to avoid the identification of individuals and their respective bonus payments in line with data protection principles.

Peace Money

Ms S Ramsey asked the Minister of Finance and Personnel to detail (i) the groups in the greater West Belfast area that have received peace money from his Department in each of the last three years; and (ii) who provides the 35% match funding for each group.

(AQW 1489/11)

Minister of Finance and Personnel: The table below details PEACE III funding awarded to groups in West Belfast in the last three years.

Year	PEACE III Theme	Organisation	Project Title	Total Award (£)
2008/09	1.1	An Eochair	From Prison to Peace: Building on Experience ¹	210,258.00
	1.1	Highfield Prisoners in Partnership	From Prison to Peace: Building on Experience ¹	236,268.81
	1.1	Teach na Failte	From Prison to Peace: Building on Experience ¹	432,307.00

Year	PEACE III Theme	Organisation	Project Title	Total Award (£)
2008/09	1.1	Coiste	From Prison to Peace: Building on Experience ¹	161,665.00
	1.2	Youth Initiatives	Crosslinks Culture Connections (CLCC or Crosslinks)	330,865.00
	1.1	CFNI / Coiste na Nlarchimi	Conflict Transformation from the Bottom up	1,486,528.00
	1.1	CFNI / Tar Anall	Conflict Transformation from the Bottom up	388,254.00
2009/10	1.2	Falls Community Council	Belfast Conflict Resolution Consortium	909,834.24
	1.1	Headliners (UK)	Building Futures ²	21,026.00
	1.1	Interaction Belfast	Interface Reconciliation Project ²	23,340.00
	1.1	Féile an Phobail	Féile Youth Festival ²	20,700.00
	1.1	Belfast City Centre Management Company Ltd	City of Festivals ²	5,775.00
	1.1	Victims and Survivors Trust (VAST)	Ensuring Our Capacity to Achieve Change ²	22,617.00
	1.1	Common Purpose Northern Ireland	Common Purpose Young Leaders Pathways Programme ²	23,985.93
	1.1	Stadium Youth and Community Projects (BRO Lead Partner)	Higher Force Challenge' cross community programme ²	25,000.00
	1.1	Corpus Christi Youth Centre	The Lily and the Poppy ²	25,000.00
	1.1	Falls Community Council	Sharing Contentious History ²	23,527.00
2010/11	1.1	The Bytes Project	Reaching the community ³	29,932.00
	2.1	Apex Housing Association	The Glen Community Complex (Bacon Factory) Redevelopment	3,969,186.00
	1.2	Victims and Survivors Trust (VAST)	3 Tiers Project - Creating pathways for inclusion through active participation	212,836.12
	1.2	Holy Trinity Centre	Out Of Hours Community Counselling Service	171,607.36
	1.2	Corpus Christi Services	Healing The Troubled Past	221,482.80

Year	PEACE III Theme	Organisation	Project Title	Total Award (£)
2010/11	1.2	The Bytes Project	Foundation for Reconciliation	105,927.00
	1.2	Youth Link: NI	Community Capacity Building Strategies	426,005.00
	1.1	Scoil na Fuisseoige	2 Communities into 1 ⁴	29,994.00
	1.2	Institute for Counselling & Personal Development	RENEW -Community Challenge and change for peace & reconciliation	287,270.66
	1.2	Trademark	Consolidating the peace	269,981.40
	1.2	Falls Women's Centre	Training & Support Project	159,627.16

- 1 These projects are sub-projects of the From Prison to Peace: Building on Experience project led by the Community Foundation for Northern Ireland (CFNI)
- 2 These projects are sub-projects of the Belfast City Council Local Peace and Reconciliation Action Plan
- 3 This project is a sub-project of the Newtownabbey Peace and Reconciliation Action Plan
- 4 This project is a sub-project of the Lisburn Council Peace and Reconciliation Action Plan

Funding to PEACE III projects comprises 67.54% EU – from the European Regional Development Fund – and 32.46% match funding. The match funding is provided by the government departments in Northern Ireland and the Republic of Ireland accountable for the relevant PEACE III Programme Themes. OFMdFM is the Northern Ireland accountable department for Programme Themes 1.1, 1.2 and 2.2, DSD for Theme 2.1, and DFP for the programme's Technical Assistance needs.

Civil Servants

Mr T Clarke asked the Minister of Finance and Personnel how many civil servants have applied for (i) voluntary redundancy in the last year; and (ii) early retirement in each of the last three years. **(AQW 1588/11)**

Minister of Finance and Personnel: Full details of applications for early retirement (including applications which were unsuccessful or withdrawn) are not available. Figures provided below are numbers of actual departures on early retirement or voluntary redundancy terms.

NUMBERS OF NICS EARLY RETIREMENTS IN THE FINANCIAL YEARS 2007/08, 2008/09 AND 2009/10

Year	Early Retirement Type					Total
	¹ Voluntary Redundancy/Severance	Approved Early (AER)	Flexible Early (FER)	² Medical Grounds	³ Actuarially Reduced	
2007/08	1	44	3	164	33	245
2008/09	0	29	1	109	33	172
2009/10	2	35	0	102	24	163

Notes:

- 1 There were no compulsory redundancies/severances in the last 3 financial years.

- 2 A retirement certificate must be issued in each case by a Medical Adviser, usually from the NICS Occupational Health service.
- 3 Individuals are entitled to retire under this category without management approval. There is no additional cost to the Exchequer.

Administrative Officers

Mr G Savage asked the Minister of Finance and Personnel, pursuant to AQW 3175/10, how many of the 2,406 Administrative Officers who left the Civil Service during that period did so having completed less than two years reckonable service.

(AQW 1710/11)

Minister of Finance and Personnel: The information requested is set out in the table below.

Period 1 February 2003 - 31 January 2009	Administrative Officer	Administrative Assistant	E02
Less than 2 years Reckonable Service	880	4564	107

Barnett Consequentials

Mr P Weir asked the Minister of Finance and Personnel for his assessment of the impact of the proposed changes in university funding on the Barnett Consequentials .

(AQW 1785/11)

Minister of Finance and Personnel: Changes in UK Government funding for the Department of Business, Innovation and Skills, which may in part reflect changes in government funding to universities in England, impact on the Barnett Consequential for Northern Ireland. There is no hypothecation of Barnett consequentials and it will be a matter for the Employment and Learning Minister to determine the level of funding allocated to universities within the budget allocation eventually agreed for his department.

Administrative Assistants

Mr G Savage asked the Minister of Finance and Personnel, pursuant to AQW 3175/10, how many of the 5,517 Administrative Assistants who left the Civil Service during that period did so having completed less than two years reckonable service.

(AQW 1802/11)

Minister of Finance and Personnel: The information requested is set out in the table below.

Period 1 February 2003 - 31 January 2009	Administrative Officer	Administrative Assistant	E02
Less than 2 years Reckonable Service	880	4564	107

Running Costs of Arm's-length Bodies

Mr A Easton asked the Minister of Finance and Personnel to detail the annual running costs of each Department's arms-length bodies for each of the last three years, broken down by (i) administrative costs; (ii) salaries; and (iii) capital spend.

(AQW 1836/11)

Minister of Finance and Personnel: The running costs of my department's arms-length bodies for each of the last three years are outlined in the table below. This outturn reflects administrative costs only, as the bodies did not incur any salaries or capital expenditure.

Body	2007-08 £000	2008-09 £000	2009-10 £000
Northern Ireland Building Regulations Advisory Committee	1	1	5
Statistics Advisory Committee	-	-	-

My department does not hold this information in respect of other departments' arms-length bodies.

E02s

Mr G Savage asked Minister of Finance and Personnel, pursuant to AQW 3175/10, how many of the 460 E02s who left the Civil Service during that period did so having completed less than two years reckonable service.

(AQW 1841/11)

Minister of Finance and Personnel: The information requested is set out in the table below.

Period 1 February 2003 - 31 January 2009	Administrative Officer	Administrative Assistant	E02
Less than 2 years Reckonable Service	880	4564	107

Technical Grade 1

Mr G Savage asked the Minister of Finance and Personnel how many civil servants were employed at Technical Grade 1 as of 31 January 2007; and how many of these were women.

(AQW 1842/11)

Minister of Finance and Personnel: Information at 31 January 2007 is unavailable. At 1 February 2007 there were 323 civil servants employed at Technical Grade 1, of which 30 were female. This figure includes permanent staff only and excludes staff on career breaks.

Civil Service Pay Bands

Mr A Easton asked the Minister of Finance and Personnel to detail the pay bands for each Grade within the Civil Service.

(AQW 1853/11)

Minister of Finance and Personnel: The information requested has been placed in the Library.

Efficiency Savings

Mr D McNarry asked the Minister of Finance and Personnel to detail (i) the projected efficiency savings in all Executive Departments over the last five years; and (ii) the actual efficiencies achieved, expressed in terms of percentages and absolute amounts.

(AQW 1900/11)

Minister of Finance and Personnel: The tables below set out the efficiency savings targets, the actual efficiencies delivered and the percentage of the target. For 2010-11, the projected efficiencies deemed to be "on track" have been included.

£million

Department	2006-07		
	Target	Actual	%
Agriculture & Rural Development	13.8	15.5	112%
Culture, Arts & Leisure	5.2	14.5	278%
Education	81.2	68.1	84%
Employment & Learning	36.4	36.5	100%
Enterprise, Trade & Investment	14.4	36.2	251%
Finance & Personnel	8.7	26.4	303%
Health, Social Services & Public Safety	156.7	131.6	84%
Environment	7.1	5.1	72%
Regional Development	39.1	31.3	80%
Social Development	27.5	39.9	145%
Office of the First Minister & Deputy First Minister	2.6	3.0	116%
Food Standards Agency	0.1	0.0	0%
Total	392.9	408.1	104%

£million

Department	2007-08		
	Target	Actual	%
Agriculture & Rural Development	21.0	21.7	103%
Culture, Arts & Leisure	7.9	26.4	335%
Education	120.0	97.0	81%
Employment & Learning	53.0	53.0	100%
Enterprise, Trade & Investment	20.6	76.7	373%
Finance & Personnel	16.2	16.6	103%
Health, Social Services & Public Safety	239.2	301.7	126%
Environment	10.3	9.3	90%
Regional Development	48.5	62.0	128%
Social Development	49.5	96.1	194%
Office of the First Minister & Deputy First Minister	2.7	3.4	126%
Food Standards Agency	0.1	0.0	0%
Total	589.0	764.0	130%

£million

Department	2008-09		
	Target	Actual	%
Agriculture & Rural Development	6.2	7.2	116%
Culture, Arts & Leisure	3.2	3.2	100%
Education	63.2	63.2	100%
Employment & Learning	20.3	20.3	100%
Enterprise, Trade & Investment	7.7	7.7	100%
Finance & Personnel	6.1	6.1	100%
Health, Social Services & Public Safety	118.2	118.3	100%
Environment	3.9	3.9	100%
Regional Development	22.4	22.5	100%
Social Development	19.3	19.6	101%
Office of the First Minister & Deputy First Minister	2.4	2.4	100%
Food Standards Agency	0.2	0.8	354%
Total	273.2	275.1	101%

£million

Department	2009-10		
	Target	Actual	%
Agriculture & Rural Development	12.2	12.3	100%
Culture, Arts & Leisure	7.0	6.0	100%
Education	124.5	124.5	100%
Employment & Learning	40.1	40.1	100%
Enterprise, Trade & Investment	15.2	16.1	106%
Finance & Personnel	10.3	11.3	100%
Health, Social Services & Public Safety	232.8	223.5	96%
Environment	7.7	7.7	100%
Regional Development	44.2	44.2	100%
Social Development	38.1	39.8	104%
Office of the First Minister & Deputy First Minister	4.6	4.8	104%
Food Standards Agency	0.4	1.0	231%
Total	537.1	531.3	99%

£million

Department	2010-11		
	Target	Projected as on track	%
Agriculture & Rural Development	18.1	18.1	100%
Culture, Arts & Leisure	10.4	9.8	94%
Education	184.0	184.0	100%
Employment & Learning	59.2	59.2	100%
Enterprise, Trade & Investment	22.5	22.5	100%
Finance & Personnel	14.8	14.8	100%
Health, Social Services & Public Safety	344	306.5	89%
Environment	11.4	11.4	100%
Regional Development	65.3	65.3	100%
Social Development	56.3	56.3	100%
Office of the First Minister & Deputy First Minister	6.8	6.3	93%
Food Standards Agency	0.7	0.5	71%
Total	793.5	754.7	95%

Notes: Totals in above tables may not add due to rounding.

Civil Service Pension Fund

Mr T Burns asked the Minister of Finance and Personnel (i) how much money has been paid out to pension recipients of the Civil Service Pension Fund in each of the last ten years; (ii) how much money was received in contributions from active workers to this fund in each of the last ten years; and (iii) in any years in which there was a surplus, how that surplus was handled, invested or distributed.

(AQW 1965/11)

Minister of Finance and Personnel: The total amounts receivable and payable by the Principal Civil Service Pension Scheme (NI) are set out in the table overleaf.

There was no surplus of contribution over payments, in any of the years.

THE PRINCIPAL CIVIL SERVICE PENSIONS SCHEME (NORTHERN IRELAND)

Financial Year	Contributions		Payments		Net Position
	Employee	Employer	Pensions	Lump Sums	Deficit
	£000	£000	£000	£000	£000
2009-10	18,080	142,413	172,388	38,581	-50,476
2008-9	16,263	136,409	160,291	37,533	-45,152
2007-8	15,079	132,448	148,224	34,899	-35,596
2006-7	15,138	137,097	137,405	27,560	-12,730
2005-6	14,801	133,286	129,104	24,027	-5,044

Financial Year	Contributions		Payments		Net Position
	Employee	Employer	Pensions	Lump Sums	Deficit
	£000	£000	£000	£000	£000
2004-5	13,794	99,031	118,628	23,739	-29,542
2003-4	12,332	92,305	109,362	20,825	-25,550
2002-3	11,979	92,286	103,150	20,229	-19,114
2001-2	10,580	84,967	96,217	16,164	-16,834

Notes

2002-3 - Restated figures following the adoption of FRS 17 in 2003-04

2000-1 Pension Accounts prepared on a different basis and have been excluded.

Civil Service

Mr P Weir asked the Minister of Finance and Personnel to detail the number of (i) retirements from; and (ii) vacancies within, the Civil Service in each of the last five years.

(AQW 2000/11)

Minister of Finance and Personnel: The information requested is set out in the attached tables.

TABLE 1: RETIREMENTS FROM THE NI CIVIL SERVICE IN EACH OF THE FINANCIAL YEARS 2005/06 TO 2009/10

2005/2006	2006/2007	2007/2008	2008/2009	2009/2010
463	668	551	457	427

TABLE 2: VACANCIES WITH THE NI CIVIL SERVICE IN EACH OF THE LAST 5 YEARS (AS AT 1 JULY IN EACH YEAR)

Date	Number of Vacancies
1 July 2006	1504
1 July 2007	2086
1 July 2008	1995
1 July 2009	1399
1 July 2010	891

- Vacancy information obtained from data provided by Departments.
- 2006 & 2007 figures exclude Water Service, which transferred out of the NI Civil Service on 1 April 2008 and vacancy levels were not monitored.
- Figures at 1 July 2010 (latest available) include the Department of Justice and Public Prosecution Service, following devolution of policing and justice.

Impact of the Increase in VAT

Mr S Anderson asked the Minister of Finance and Personnel for his assessment of the relative impact of the increase in VAT from 17.5 per cent to 20 per cent on poorer families compared to more affluent families.

(AQW 2008/11)

Minister of Finance and Personnel: I have made no assessment of these impacts. The Northern Ireland Executive has no responsibility for the rate of Value Added Tax (VAT). This is a reserved matter and setting the rate of VAT and assessing its socio-economic impact is the responsibility of Her Majesty's Treasury.

Impact of the Increase in VAT

Mr S Anderson asked the Minister of Finance and Personnel whether he has made any assessment of the impact on families of the increase in VAT from 17.5 percent to 20 per cent.

(AQW 2010/11)

Minister of Finance and Personnel: I have made no assessment of these impacts. The Northern Ireland Executive has no responsibility for the rate of Value Added Tax (VAT). This is a reserved matter and setting the rate of VAT and assessing its socio-economic impact is the responsibility of Her Majesty's Treasury.

Efficiency Savings

Mr S Moutray asked the Minister of Finance and Personnel to what extent he intends to prioritise efficiency savings over cuts in preparation for the next Budget.

(AQW 2030/11)

Minister of Finance and Personnel: The scale of the financial challenge faced by the Executive means that the first priority must be the pursuit of greater efficiencies in public service delivery. While some cuts in services are inevitable, reducing bureaucracy and administration costs should help to minimise the impact on the public. With this in mind I have proposed an Invest to Save fund in the forthcoming budget, which is designed to encourage and support the actions which underpin long term efficiency with service improvement.

Suicide

Mr T Burns asked the Minister of Finance and Personnel how many people who committed suicide in the last 10 years had their occupation recorded as farmer.

(AQW 2042/11)

Minister of Finance and Personnel: The attached table gives the number of deaths registered due to 'suicide and self-inflicted injury'¹ and 'undetermined injury whether accidentally or purposefully inflicted'² where the deceased's occupation was recorded as farmer³ for each year between 2000 and 2009^P.

- 1 International Classification of Diseases, Ninth Revision codes E950-E959 for 2000 and Tenth Revision codes X60-X84, Y87.0 for years 2001-2008.
 - 2 International Classification of Diseases, Ninth Revision codes E980-E989 for 2000 and Tenth Revision codes Y10-Y34, Y87.2 for years 2001-2008.
 - 3 Farmer occupations have been identified using SOC90 codes 160 and 900 for years 2000-2001 and SOC2000 Codes 1211, 5111, 9111 for years 2002-2009.
- P 2009 data is provisional

TABLE: NUMBER OF REGISTERED DEATHS DUE TO 'SUICIDE AND SELF-INFLICTED INJURY' AND 'UNDETERMINED INJURY WHETHER ACCIDENTALLY OR PURPOSEFULLY INFLICTED' TO FARMERS, 2000 - 2009P.

Registration Year	Number of Suicide Deaths
2000	7
2001	8

Registration Year	Number of Suicide Deaths
2002	8
2003	2
2004	4
2005	11
2006	13
2007	6
2008	8
2009P	6

Civil Service Back Pay

Mr P Weir asked the Minister of Finance and Personnel for an estimate of the cost of paying full back-pay to all retired and current members of the Civil Service to the point at which Equal Pay differentials originated.

(AQW 2071/11)

Minister of Finance and Personnel: The information requested could only be obtained at disproportionate cost.

Cycle-to-Work Scheme

Mr D Bradley asked the Minister of Finance and Personnel what discussions he has had with the Minister for Regional Development about the delay in introducing a Cycle-To-Work Scheme in the Civil Service.

(AQO 563/11)

Minister of Finance and Personnel: While I have not had any direct discussions with the DRD Minister, Conor Murphy, on the NICS introduction of a Cycle to Work scheme, officials from both Departments have been working together on the introduction of a scheme.

There are two issues currently delaying the proposed Cycle to Work Scheme. First, Her Majesty's Revenue and Customs has changed its guidance on aspects of cycle to work schemes, which means that the pilot that was run in DRD is no longer suitable for full roll out across the NICS unless changes are made. DFP need to assess the impact of this.

Secondly and more importantly, introducing a scheme means that changes need to be made to the HR systems. This change sits alongside a range of other important changes that need to be made to our systems, some of them arising from statute and others associated with pay. These take priority.

Spending Priorities

Mr B Wilson asked the Minister of Finance and Personnel whether he intends to consult trade union representatives on spending priorities.

(AQW 2122/11)

Minister of Finance and Personnel: Consultation with Trade Unions has always been an integral part of the devolved budget process. For this current process, my officials met with the Irish Congress of Trade Unions (ICTU) in the pre-consultation phase in August. I personally met with ICTU to discuss the budget as recently as the 2nd November. Once a draft Budget has been presented to the Assembly, it will then be subject to full public consultation, which gives local Trade Unions a further opportunity to contribute to the budget process.

Draft Budget to the Assembly

Mr P Givan asked the Minister of Finance and Personnel what the consequences are of failing to provide a draft budget to this Assembly within the timeframe previously outlined by the Minister.
(AQW 2166/11)

Minister of Finance and Personnel: It is important to stress that the timetable I previously outlined was already constrained due to the decision by HM Treasury to make a late Spending Review announcement in October.

The consequences of not having a draft budget released to public consultation in the next week or so are very serious. Putting aside the significant reputational damage it does to the Executive and Assembly in terms of not being mature enough to determine a draft budget position, it has additional negative impacts on public service delivery.

Organisations in the wider public sector in Northern Ireland such as Education Boards and Health Trusts need to have some degree of certainty in setting their budgets for 2011-12 and beyond. These budgets do not just appear on the 1st April next year. There needs to be sufficient time made available to analyse what resources are being allocated and what services can be provided with those resources.

Furthermore there is a statutory duty imposed on the Executive to undertake meaningful consultation on the draft budget. That cannot be set aside just because some ministers cannot accept their responsibilities in the budget process.

It is also important to give sufficient time to the assembly committees to scrutinise the draft budget allocations and to engage with the various departments on the implications for service delivery.

Delay in setting these budgets would have a negative impact on those who depend on our public services, and that is an unacceptable scenario.

Department of Health, Social Services and Public Safety

Hospital Appointment Letters

Mr J Wells asked the Minister of Health, Social Services and Public Safety how many appointment letters or other communications each Health and Social Care Trust sent to patients in (i) large print; (ii) braille; and (iii) audio format in each of the last three years.
(AQW 1681/11)

Minister of Health, Social Services and Public Safety (Mr M McGimpsey): This information is not readily available and could only be provided at disproportionate cost.

Medical Secretary Redundancies

Mr C Lyttle asked the Minister of Health, Social Services and Public Safety for his assessment of the proposed Medical Secretary redundancies in the Belfast Health and Social Care Trust.
(AQW 1683/11)

Minister of Health, Social Services and Public Safety: I would refer the member to my answer to AQW 149/2011.

Call-outs for Firework-Related Incidents

Mr S Hamilton asked the Minister of Health, Social Services and Public Safety how many (i) ambulance; and (ii) fire engine call outs there were during this Halloween period for firework related incidents; and the total estimated cost of these call outs.
(AQW 1684/11)

Minister of Health, Social Services and Public Safety: The Northern Ireland Ambulance Service has advised that this information is not available as its data relating to emergency call outs records clinical condition only and not social context.

The table below details the Northern Ireland Fire and Rescue Service data for firework related incidents attended over the Halloween weekend and their estimated cost:

Period	Total Mobilised Calls	Average Cost per Mobilised Call £	Estimated Cost for NIFRS Attendance £
29-31 October 2010	9	2,693	24,237

Note: Costs are based on an average NIFRS cost per mobilised incident.

Home-Help Workers

Mr W Irwin asked the Minister of Health, Social Services and Public Safety for a breakdown of the number of Home-Help workers directly employed and out sourced within the Southern Health and Social Care Trust area.

(AQW 1690/11)

Minister of Health, Social Services and Public Safety: The information requested is given in the table below.

NUMBER OF HOME HELPS EMPLOYED IN THE SOUTHERN TRUST AT OCTOBER 2010

Number of Home Helps	Headcount
Directly employed ¹	1,453
Outsourced ²	Not available

Source: Southern HSC Trust

Notes:

- Home Helps are employed on either a minimum guaranteed hours contract or on a "casual" basis. Of the 1,453 Home Helps, 374 are employed on minimum guaranteed hours contracts with a combined WTE of 244.44. The remaining 1,079 staff are employed on a "casual" basis. These "casual" Home Helps do not have a set number of contractual hours therefore they are not allocated a WTE, however it should be noted that a large number of these "casual" Home Helps actually work in excess of 20 hours each week.
- The Southern HSC Trust has contracts with 24 independent sector providers for the provision of Domiciliary Care. The number of staff employed by each of these independent sector agencies is not available.

Free Presbyterian Church

Mr C McDevitt asked the Minister of Health, Social Services and Public Safety to detail the meetings his Department has had with, and the correspondence received from, the Free Presbyterian Church in relation to sexual abuse in (i) 2006; (ii) 2007; (iii) 2008; (iv) 2009; and (v) to date in 2010.

(AQW 1691/11)

Minister of Health, Social Services and Public Safety: The information requested could only be provided at disproportionate costs.

Drug Abuse

Mr G Robinson asked the Minister of Health, Social Services and Public Safety to detail the cost to each Health and Social Care Trust of dealing with drug abuse in each of the last four years.

(AQW 1692/11)

Minister of Health, Social Services and Public Safety: Addiction services based within each of the five Health & Social Care Trust areas are responsible for dealing with both alcohol and drug misuse. It is not possible to disaggregate drug misuse services from those that also deal with alcohol misuse. Details of expenditure by each of the Trusts in relation to addiction services over the last four years are provided in the table below:

HSC Trust	2006/07	2007/08	2008/09	2009/10
South Eastern	1,523,717	1,654,175	1,722,129	1,836,973
Belfast	not available	1,019,130	990,778	874,116
Southern	919,202	1,083,477	1,183,451	1,403,458
Western	not available	1,008,955	1,229,266	1,136,163
Northern	1,918,910	1,931,125	2,189,172	2,256,843

Prevalence of Cancer

Mr C McDevitt asked the Minister of Health, Social Services and Public Safety for an estimate of the prevalence of cancer (i) in Northern Ireland; and (ii) in each Health and Social Care Trust area in each year since 2003; and how the total figures compare with the rest of the UK.

(AQW 1695/11)

Minister of Health, Social Services and Public Safety: Information regarding the prevalence of all cancer patients excluding non-melanoma skin cancer¹ (ICD-10 C00-97 excl. C44) in N. Ireland by Health and Social Care Trust and Year (with a comparison of the UK in 2006) is given for the years 2003 to 2008 in the table below; (This information was provided by the NI Cancer registry and is the most up-to-date available)

Year	Number of Patients						
	Belfast	Northern	South Eastern	Southern	Western	NI	UK
Prevalence ³ (European age-standardised rate ⁴)							
2003	5682 (1455)	6517 (1354)	5067 (1372)	4741 (1449)	3961 (1420)	26321 (1423)	
2004	5850 (1504)	6804 (1391)	5322 (1411)	4902 (1462)	4139 (1450)	27382 (1457)	
2005	5982 (1537)	7070 (1423)	5594 (1450)	5120 (1493)	4235 (1458)	28421 (1490)	
2006	6126 (1568)	7297 (1443)	5900 (1499)	5259 (1500)	4391 (1479)	29390 (1515)	1130715 (1501)
2007	6381 (1628)	7736 (1500)	6171 (1541)	5674 (1581)	4595 (1514)	31011 (1572)	
2008	6565 (1670)	8120 (1548)	6533 (1606)	5881 (1602)	4763 (1540)	32331 (1614)	

- 1 Non-melanoma skin cancer is very common and rarely fatal, it is excluded to reflect better the burden of cancer in the community
- 2 For a listing and explanation of ICD-10 codes see International Classification of Diseases for Oncology, 3rd Edition, World Health Organisation, Geneva, 2000. For an explanation of ICD-10 codes see: http://en.wikipedia.org/wiki/List_of_ICD-10_codes.

- 3 The total number of patients whose first ever cancer diagnosis (non-melanoma skin cancer not considered) was in the ten years up to 31st December of year of prevalence, and who were still alive on 31st December of year of prevalence.
- 4 Rate (per 100,000) is an European age standardised rate, i.e. each five-year age group crude rate is weighted to the European Standard Population and then all are summed.

Cancer

Mr C McDevitt asked the Minister of Health, Social Services and Public Safety how many people (i) in total; and (ii) in each Health and Social Care Trust area were diagnosed with cancer in each year since 2003; and how the total figures compare with the rest of the UK.

(AQW 1698/11)

Minister of Health, Social Services and Public Safety: Information regarding the incidence of all cancers (excluding non-melanoma skin1 cancer - ICD-102 C00-97, excluding C44) in Northern Ireland and each of the Health and Social Care Trusts is given for the years 2003 to 2008 in the table below;

Year	Belfast	Northern	South Eastern	Southern	Western	NI	UK
Incidence (rate ³)							
2003	1639 (405.7)	1776 (361.8)	1304 (346.0)	1250 (377.1)	1019 (364.2)	7052 (374.0)	
2004	1623 (405.7)	1859 (374.3)	1379 (357.9)	1228 (358.2)	1055 (369.1)	7197 (376.5)	
2005	1622 (399.2)	1776 (349.3)	1426 (359.3)	1285 (370.5)	1030 (351.3)	7254 (371.8)	
2006	1620 (400.7)	1823 (351.7)	1533 (381.6)	1331 (376.2)	1087 (363.5)	7466 (377.3)	
2007	1714 (426.8)	1997 (381.4)	1498 (371.7)	1462 (405.5)	1128 (372.1)	7924 (397.4)	297991 (377.0)
2008	1749 (435.2)	1992 (373.2)	1653 (400.0)	1430 (382.0)	1164 (374.2)	8068 (396.3)	

- 1 Non-melanoma skin cancer is very common and rarely fatal, it is excluded to reflect better the burden of cancer in the community
- 2 For a listing and explanation of ICD-10 codes see International Classification of Diseases for Oncology, 3rd Edition, World Health Organisation, Geneva, 2000. For an explanation of ICD-10 codes see: http://en.wikipedia.org/wiki/List_of_ICD-10_codes.
- 3 The incidence rate has been age-standardised to the Standard European Population, it gives a comparative measure to the UK figures in 2007; note that incidence numbers and rates exceed persons diagnosed as some people may be diagnosed more than once for separate tumours in a given year

National Institute for Clinical Excellence Guidance

Mr K McCarthy asked the Minister of Health, Social Services and Public Safety what progress his Department has made in the review of its procedures for assessing the applicability of the National Institute for Clinical Excellence guidance in Northern Ireland.

(AQW 1724/11)

Minister of Health, Social Services and Public Safety: My Department has made significant progress on the review of its procedures for assessing the applicability of the National Institute for Health and Clinical Excellence guidance to Northern Ireland. Work is currently ongoing to finalise the details however

once the new process has been finalised, a circular explaining the new arrangements will be distributed to health and social care bodies and published on my Department's website for all to access.

National Institute for Clinical Excellence Guidance

Mr K McCarthy asked the Minister of Health, Social Services and Public Safety whether he will publish the findings of the review of his Department's procedures for assessing the applicability of the National Institute for Clinical Excellence guidance in Northern Ireland.

(AQW 1726/11)

Minister of Health, Social Services and Public Safety: Once my Department has completed the review, and finalised the new procedures for assessing the applicability of the National Institute for Health and Clinical Excellence guidance to Northern Ireland, a circular outlining the new arrangements will be distributed to health and social care bodies and published on my Department's website for all to access.

National Institute for Clinical Excellence Guidance

Mr K McCarthy asked the Minister of Health, Social Services and Public Safety how National Institute for Clinical Excellence guidance, endorsed as relevant for Northern Ireland, is disseminated to Health and Social Care staff.

(AQW 1727/11)

Minister of Health, Social Services and Public Safety: As each piece of NICE guidance is endorsed for implementation in Northern Ireland, my Department issues a circular to the Chief Executives of the HSC Board, HSC Trusts, Public Health Agency, and relevant HSC Special Agencies and Non Departmental Public Bodies, for action and wider distribution within their organisations as appropriate. The circulars provide a brief summary of the guidance and set out my Department's expectations for implementation. The circulars are available on my Department's website for all to access.

National Institute for Clinical Excellence Guidance

Mr K McCarthy asked the Minister of Health, Social Services and Public Safety whether it is mandatory to implement the National Institute for Clinical Excellence guidance, endorsed as relevant for Northern Ireland.

(AQW 1729/11)

Minister of Health, Social Services and Public Safety: Currently the requirement for implementation of NICE guidance, endorsed as relevant for Northern Ireland, varies according to the guidance type. NICE technology appraisals are treated as essential and HSC organisations are expected to put plans in place within three months of Departmental endorsement to facilitate implementation of the guidance. My Department requires HSC organisations to take account of clinical guidelines in the planning and delivery of their services. The clinical guidelines are broader and more complex statements on the appropriate treatment and care of people with specific diseases and conditions and, as such, are regarded as standards that the HSC is expected to achieve over time.

National Institute for Clinical Excellence Guidance

Mr K McCarthy asked the Minister of Health, Social Services and Public Safety how his Department assesses the implementation by Health and Social Care Trusts of National Institute of Clinical Excellence guidance, endorsed for use in Northern Ireland.

(AQW 1730/11)

Minister of Health, Social Services and Public Safety: The Regulation and Quality Improvement Authority (RQIA) is responsible for reviewing clinical and social care governance arrangements in individual HSC Trusts against a range of quality standards on an on-going basis. This includes compliance with best practice guidance concerned with safe and effective care such as NICE guidelines.

Firework-Related Injuries

Mr D Kinahan asked the Minister of Health, Social Services and Public Safety how many people have received hospital treatment for firework related injuries in 2010; and whether any trends exist in terms of ages and types of injuries.

(AQW 1734/11)

Minister of Health, Social Services and Public Safety: It is assumed that this question refers to the number of people reporting to Emergency Care with firework related injuries. This information is collected over a four week period covering the end of October and the start of November each year (Halloween period) and is available from:

http://www.dhsspsni.gov.uk/index/stats_research/stats-activity_stats-2/emergency_care-3/firework_statistics-3.htm

Cancelled Operations

Mr P Givan asked the Minister of Health, Social Services and Public Safety how many patients in the last year had operations cancelled, whilst in the operating theatre awaiting operation, as a result of an administrative error.

(AQW 1738/11)

Minister of Health, Social Services and Public Safety: Information on the number of operations cancelled due to an administrative error, whilst the patient was in the operating theatre is not available.

Cancelled Operations

Mr P Givan asked the Minister of Health, Social Services and Public Safety how many operations have been cancelled in the last year as a result of patients' notes being lost.

(AQW 1741/11)

Minister of Health, Social Services and Public Safety: Information on the number of operations cancelled as a result of patients' notes being lost, is not available.

Staff Mileage Claims

Mr A Easton asked the Minister of Health, Social Services and Public Safety what was the cost to his Department of staff mileage claims in the last financial year.

(AQW 1743/11)

Minister of Health, Social Services and Public Safety: The cost to my Department of staff mileage claims in the last financial year, 2009/10, was £173,668.

My Department is endeavouring to keep travel expenditure to an absolute minimum by utilising new technologies such as tele/video conferencing and delivering more meetings in-house and this has successfully reduced expenditure by almost 25% from that incurred in 2008/09.

Cost of Drugs

Mr P McGlone asked the Minister of Health, Social Services and Public Safety how much was spent by his Department on drugs in each of the last five years; and what percentage of the Departmental budget this represented.

(AQW 1746/11)

Minister of Health, Social Services and Public Safety: The amounts spent by my Department on drugs in each of the last five financial years, and the percentages that this represented of total departmental expenditure were as follows:

Year	2005/06 £m	2006/07 £m	2007/08 £m	2008/09 £m	2009/10 £m
Total Expenditure on Drugs	423.5	480.8	482.1	496.5	536.1
Total Departmental Expenditure	3,169.7	3,423.6	3,620.2	3,965.0	4,137.4
Drugs as % of total expenditure	13.4%	14.0%	13.3%	12.5%	12.9%

Budget for 2010/11

Ms M Ritchie asked the Minister of Health, Social Services and Public Safety when details of his Department's budget for 2010/11 will be made available.

(AQW 1760/11)

Minister of Health, Social Services and Public Safety: This information has already been made available. I discussed my budget and 2010/11 plans with the Assembly Health Committee on the 23rd September. The Health and Social Care Board and Public Health Agency, as lead commissioners, subsequently presented their joint commissioning plan.

The 2010/11 commissioning plan is available online at www.publichealth.hscni.net/.

Home-Start Charity

Ms M Ritchie asked the Minister of Health, Social Services and Public Safety whether he can give a commitment that the Home Start charity will receive funding from his Department for the next three years.

(AQW 1761/11)

Minister of Health, Social Services and Public Safety: Work is currently under way to agree Departmental Budgets for the four year period commencing in April 2011. You will understand, therefore, that until the outcome of this exercise is known, I am not in a position to give any commitments to any group about future funding arrangements.

Home-Start Charity

Ms M Ritchie asked the Minister of Health, Social Services and Public Safety how many children were supported by the Home Start charity in each Health and Social Care Trust in the last twelve months.

(AQW 1762/11)

Minister of Health, Social Services and Public Safety: The information is not held centrally and can only be provided at disproportionate cost.

Child Residential Care

Ms M Ritchie asked the Minister of Health, Social Services and Public Safety what is the average weekly cost of placing a vulnerable child in residential care.

(AQW 1768/11)

Minister of Health, Social Services and Public Safety: The 2008/09 average weekly cost of Residential Care for a child within the Family and Child Care Programme of Care is £2,662. This takes no account of individual case complexities.

Long-stay Patients in Muckamore Abbey

Mr J Dallat asked the Minister of Health, Social Services and Public Safety when the last long-stay patients in Muckamore Abbey who wish to be repatriated into the community will be discharged.

(AQW 1769/11)

Minister of Health, Social Services and Public Safety: Priority for resettlement has been given at Executive level through the Programme for Government target by 2013, anyone with a learning disability is promptly and suitably treated in the community and no-one remains unnecessarily in hospital.

In reaching this target I am advised that we are on track to meet the Priorities for Action target, that by 2011 we have 120 people resettled from learning disability hospitals. Of those 120 we have already resettled 106.

Progress on the Programme for Government target over the next 2 years will depend largely on the impact of imminent budgetary announcements.

Specialist Neurology Ward at the Royal Victoria Hospital

Mr G Robinson asked the Minister of Health, Social Services and Public Safety for what purpose the single bedded rooms in the Special Neurology Ward at the Royal Victoria Hospital will be used, given that they are no longer used for neurology patients.

(AQW 1777/11)

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. The Trust is currently engaged in a programme of modernisation within the neurology service and this includes a review of bed utilisation.

Issues with regards to patient privacy in terms of gender and age continue to present challenges to most hospital wards throughout the healthcare system in Northern Ireland. The Trust continues to make every effort to ensure the provision of same sex bays in all wards, and the reduction in neurology beds will not impact on this endeavour.

Specialist Neurology Ward at the Royal Victoria Hospital

Mr G Robinson asked the Minister of Health, Social Services and Public Safety how he will ensure patient privacy in the Specialist Neurology Ward at the Royal Victoria Hospital, given that the ward is mixed both in terms of gender and age.

(AQW 1779/11)

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. The Trust is currently engaged in a programme of modernisation within the neurology service and this includes a review of bed utilisation.

Issues with regards to patient privacy in terms of gender and age continue to present challenges to most hospital wards throughout the healthcare system in Northern Ireland. The Trust continues to make every effort to ensure the provision of same sex bays in all wards, and the reduction in neurology beds will not impact on this endeavour.

Hospital-Acquired Infections

Mr T Clarke asked the Minister of Health, Social Services and Public Safety how much extra funding has been allocated in each of the last five years to deal with hospital acquired infections; and for a breakdown of the estimated costs of the current inquiry into the clostridium difficile outbreak in the Northern Health and Social Care Trust.

(AQW 1795/11)

Minister of Health, Social Services and Public Safety: In 2006/07 and 2007/08 respectively, extra funding totalling £550k and £350k was allocated for measures to reduce healthcare-associated infections.

In 2007/08 I increased the funding for tackling HCAs by £2 million. This was a recurrent increase. I added a further £100k to this in April 2010.

The table below gives a breakdown of the actual and estimated costs of the Public Inquiry into the C. difficile outbreak in Northern Trust hospitals.

Category of Expenditure	2009/10 Outturn	2010/11 Estimate
Panel costs	£328.5k	£440k
Secretariat costs	£90k	£163k
Travel & subsistence	£20k	£34.3k
Accommodation services inc. oral hearings & publicity	£105k	£126k
Contracted out services (inc. TOR1 review)	£110.5k	£87.4k
Legal costs including Core Participant / Witness costs and Senior Counsel	£60k	£486.3k
Total	£0.714m	£1.337m

The costs of the Inquiry are being met from the DHSSPS budget, not from HCAI resources.

Outbreak of Clostridium Difficile

Mr T Clarke asked the Minister of Health, Social Services and Public Safety (i) when the Serious Adverse Incident report on the outbreak of clostridium difficile in the Northern Health and Social CareTrust was sent to his Department; (ii) when was it received; (iii) what action was taken in response and on what dates; and (iv) whether a regional alert was issued about the O27 strain of the infection. **(AQW 1797/11)**

Minister of Health, Social Services and Public Safety: The Serious Adverse Incident (SAI) report alerting the Department to the outbreak was sent by the Northern Trust and received by the Department on 8 January 2008.

On 18 January my Department asked the Consultant in Communicable Disease Control (CCDC) in the Northern HSS Board to alert the CCDCs in other Boards about the outbreak. This was done on the same day. Also on 18 January the DHSSPS Permanent Secretary issued a circular to disseminate key learning arising from the Healthcare Commission's reports on outbreaks of Clostridium difficile O27 in Stoke Mandeville Hospital and Maidstone and Tunbridge Wells NHS Trust. On 24 January the Chief Medical Officer issued a circular with guidance to the health service on C. difficile, and re-issued the Health Protection Agency's Good Practice Guide to Control Clostridium difficile which had been issued to the service in Northern Ireland in April 2007.

Serious Adverse Incident Alerts

Mr T Clarke asked the Minister of Health, Social Services and Public Safety to detail (i) the set procedures for responding to Serious Adverse Incident alerts; (ii) the number received in the last five years; and (iii) the subject areas involved. **(AQW 1798/11)**

Minister of Health, Social Services and Public Safety: Since 1 May 2010, Health and Social Care (HSC) organisations have been required to report to the HSC Board any Serious Adverse Incident relating to the services they provide. Prior to that date, incidents were reported to the Department.

The HSC Board, with input as appropriate from the Public Health Agency (PHA) and the Regulation and Quality Improvement Authority (RQIA), reviews each incident and decides whether any immediate action is required over and above that already taken by the reporting organisation. The reporting organisation is required to carry out an investigation into the incident and forward a report within 12 weeks to the HSC Board.

The HSC Board, working with the PHA, considers investigation reports to identify any learning points that have regional application and the most appropriate methods of disseminating the learning information to relevant parts of the HSC and beyond as necessary. The HSC Board also liaises with my Department on the most effective means of disseminating regional guidance that may be identified.

Under arrangements for managing Serious Adverse Incidents prior to 1 May 2010, a total of 1,478 incidents were reported to my Department in the five years from 2005 to 2009.

The information requested in relation to subject areas involved in Serious Adverse Incidents is not available and could only be obtained at disproportionate cost.

Desertcreat College Development

Mr P McGlone asked the Minister of Health, Social Services and Public Safety to detail his Department's financial commitment to the Desertcreat College development.

(AQW 1808/11)

Minister of Health, Social Services and Public Safety: My Department's current financial commitment in respect of the Desertcreat College development is £360.6k in respect of project management, exemplar design and business case advisors.

To date, my Department's expenditure in respect of this project is nil.

The business case for the overall project is being considered and will be subject to approval by the Department of Finance & Personnel.

As you know, my Department is facing huge financial pressures and I am therefore not in a position to confirm further commitment to this project or any other project until the outcome of Budget 2010 is known and I have clarity on affordability.

Admissions to Hospitals

Mr P Givan asked the Minister of Health, Social Services and Public Safety how many patients were admitted to hospital in the last twelve months following assessment in an Accident and Emergency Unit.

(AQW 1825/11)

Minister of Health, Social Services and Public Safety: In 2009/10 (the most recent year for which information is available), there were 125,941 admissions to Health and Social Care Hospitals in Northern Ireland where the patient had been assessed in an Accident and Emergency Unit.

Arts-Related Items

Mr P Givan asked the Minister of Health, Social Services and Public Safety how much each Health and Social Care Trust spent on arts-related items in each of the last five years.

(AQW 1826/11)

Minister of Health, Social Services and Public Safety: The information requested is not held centrally and could only be obtained in full at disproportionate cost.

Prescription Charges

Mr P McGlone asked the Minister of Health, Social Services and Public Safety to detail the total cost, net of prescription charges, to the Health Service of prescribed items in the period 1 January 2010 to 30 June 2010 compared to the same six month period in each of the previous three years.

(AQW 1838/11)

Minister of Health, Social Services and Public Safety: The information requested is laid out in the attached table:

Period	Cost of Prescribed Items £m	Income from Prescription Charges £m	Cost, net of Prescription Charges £m
1st January 2010 to 30th June 2010 Prescription Charges	204.7	1.1	203.6
1st January 2009 to 30th June 2009 Prescription Charges	191.4	2.4	189.0
1st January 2008 to 30th June 2008 Prescription Charges	183.6	6.0	177.6
1st January 2007 to 30th June 2007 Prescription Charges	184.9	5.9	179.0

This information was supplied by the Family Practitioners Services, Information and Registration Unit, HSC Business Services Organisation

Staff Salaries

Mr J Craig asked the Minister of Health, Social Services and Public Safety how many staff in (i) his Department; and (ii) each of its arms-length bodies earn (a) between £50,000 and £100,000; and (b) over £100,000 per annum, including bonuses and performance-related pay.

(AQW 1850/11)

Minister of Health, Social Services and Public Safety:

- (i) In my Department (a) 60 staff earn between £50,000 and £100,000 and (b) 2 staff earn over £100,000.
- (ii) I would refer the member to the details relation to my Department's Arms Length Bodies provided in AQW 1718 /11. There were no bonus payments made in addition to these amounts.

Financial Control Targets

Mr A Easton asked the Minister of Health, Social Services and Public Safety to detail all the fines paid by the Northern Health and Social Care Trust for failing to meet financial control targets, in each year since its formation.

(AQW 1851/11)

Minister of Health, Social Services and Public Safety: Since its formation, the Northern Health and Social Care Trust has not paid any fines for failing to meet financial control targets.

Management Costs for Health and Social Care Trusts

Mr A Easton asked the Minister of Health, Social Services and Public Safety to detail the management costs for each Health and Social Care Trust in each of the last three years.

(AQW 1852/11)

Minister of Health, Social Services and Public Safety: The table below shows the management costs of each HSC Trust for the last three years.

Health and Social Care Trust	2007-08 £000	2008-09 £000	2009-10 £000
Belfast Trust	37,533	41,454	41,966
Northern Trust	17,777	19,875	21,356
Southern Trust	16,600	19,655	20,919
South Eastern Trust	14,012	15,527	15,877
Western Trust	18,628	20,815	18,239
NI Ambulance Service	2,898	3,659	3,745

Increases in expenditure are partly the result of superannuation contributions that rose from 7% to 15.7% in 2008/09 and the ongoing implications of arrears paid to regarded staff under Agenda for Change Terms and Conditions.

Annual Salary for Executive Members of Health and Social Care Trust

Mr A Easton asked the Minister of Health, Social Services and Public Safety to detail the current annual salary for each Executive member of each Health and Social Care Trust.

(AQW 1854/11)

Minister of Health, Social Services and Public Safety: This information is published in the Trusts' Annual Report.

Healthcare for Prisoners

Mr P Givan asked the Minister of Health, Social Services and Public Safety to outline the criteria used to determine how much money will be allocated to the South Eastern Health and Social Care Trust for the provision of health care to prisoners.

(AQW 1894/11)

Minister of Health, Social Services and Public Safety: The level of funding allocated by my Department through the HSC Board to the Trust each year is based on an assessment of the historic costs involved in delivering healthcare services to the prison population, the number of prisoners involved and their healthcare needs.

It will also be influenced by the total resources available to my Department and, if necessary, the need to deliver efficiencies or make service reductions.

Drugs Budget

Mr A Easton asked the Minister of Health, Social Services and Public Safety how much of the total Health budget was allocated to the drugs budget in each of the last three financial years.

(AQW 1901/11)

Minister of Health, Social Services and Public Safety: I refer my colleague to the answer provided to AQW 1746/11 Drugs Budget

Mr A Easton asked the Minister of Health, Social Services and Public Safety what percentage of the drugs budget was spent on generic drugs in each of the last three years.

(AQW 1902/11)

Minister of Health, Social Services and Public Safety: The information requested is set out in the table below:

Financial Year	Generic drugs as percentage of drug budget
2009/2010	19.77%
2008/2009	15.42%
2007/2008	15.31%

Note: Information supplied by the Family Practitioners Services, Information and Registration Unit, HSC Business Services Organisation

It is assumed that the question refers to the total drug budget. The generic figures are, therefore, expressed as a percentage of the total budget which includes proprietary drugs, generic drugs, dressings and appliances, elastic hosiery and trusses and unclassified items.

The volume of generic drugs for the years in question ranged from 56% to 58% of the overall number of drugs dispensed. Generic drugs are however, significantly cheaper than other groups of drugs and so represented only 19% of the total cost of drugs in 2009-10.

Consultants' Bonuses

Mr A Easton asked the Minister of Health, Social Services and Public Safety what was the cost to the Health Service budget of consultants' bonuses in each of the last three financial years.

(AQW 1903/11)

Minister of Health, Social Services and Public Safety: Consultants do not receive bonus payments.

Intensive Care and High Dependency Beds

Mr P McGlone asked the Minister of Health, Social Services and Public Safety to detail the number of (i) intensive care beds; and (ii) high dependency beds at each of the hospitals in the Northern Health and Social Care Trust area during each of the last 12 months.

(AQW 1904/11)

Minister of Health, Social Services and Public Safety: Intensive care and high dependency beds in the Northern Health and Social Care Trust area are located in Antrim Area and Causeway Hospitals. The number of intensive care and high dependency beds in these hospitals during each of the last 12 months is shown below.

Month	Hospital			
	Antrim Area		Causeway	
	ICU	HDU	ICU	HDU
Oct-09	6	2	2	2
Nov-09	6	2	2	2
Dec-09	6	2	2	2
Jan-10	6	2	2	2
Feb-10	6	2	2	2
Mar-10	6	2	2	2
Apr-10	6	2	2	2
May-10	6	2	2	2

Month	Hospital			
	Antrim Area		Causeway	
	ICU	HDU	ICU	HDU
Jun-10	6	2	2	2
Jul-10	6	2	2	2
Aug-10	6	2	2	2
Sep-10	6	2	2	2

Source: Northern Health and Social Care Trust

Public Open Space Land

Dr S Farry asked the Minister of Health, Social Services and Public Safety how much public open space land is owned by his Department and its associated bodies.

(AQW 1910/11)

Minister of Health, Social Services and Public Safety: The following public open space land is owned by the Department and its associated bodies:

Site	Ownership
St Dymphna's Cemetery, Flying Horse Road, Downpatrick	DHSSPS
Football pitches at Bannvale site, Moyallen Road, Gilford, Co Down	Southern HSC Trust
Football pitches at St Luke's site, Loughgall Road, Armagh	Southern HSC Trust

Patients Treated in Other Countries

Mrs D Kelly asked the Minister of Health, Social Services and Public Safety to detail the cost, for the last financial year available, to the Belfast Health and Social Care Trust of the treatment of patients who were treated in (i) Great Britain; (ii) the Republic of Ireland; and (iii) other European Union countries; and the number of patients involved in each case.

(AQW 1913/11)

Minister of Health, Social Services and Public Safety: The table below shows the cost to the Belfast Health and Social Care Trust of the treatment of patients in Great Britain and the Republic of Ireland. No costs were incurred in relation to other EU countries.

	2009/10 Expenditure £m	Inpatient/ Daycase	Outpatients
Great Britain	8.2	1628	3196
Republic of Ireland	4.8	307	0

Patients are treated outside Northern Ireland because in some specialties, such as orthopaedics and cardiac surgery, demand is higher than capacity across the service can manage. The Trust also incurs costs treating a small number of patients who require highly specialised treatment such as eating disorders and specific mental illnesses that are not clinically or economically suitable for provision in Northern Ireland.

Department of Justice

Maghaberry Prison

Mr P Givan asked the Minister of Justice if the agreement reached with separated prisoners at Maghaberry prison in relation to the running of a prison would be in compliance with Home Office guidelines.

(AQW 1751/11)

Minister of Justice (Mr D Ford): The Northern Ireland Prison Service (NIPS) operates under the direction and control of the Northern Ireland Minister of Justice and as such is not subject to policies or guidance issued by the National Offender Management Service (NOMS) an Agency of the Ministry of Justice. Such guidance will not always be useful or appropriate when transposed to a Northern Ireland context. However, in developing and adapting new policies and procedures, NIPS takes account of practice in other jurisdictions and adopts policies and procedures which are deemed to be beneficial.

Roe House in Maghaberry Prison

Mr P Givan asked the Minister of Justice, AQW 1247/11, how much was spent on cleaning in Roe House in Maghaberry Prison following the protest by prisoners which commenced on Easter Tuesday 2010.

(AQW 1813/11)

Minister of Justice: I refer the member to AQW 1247/11 which was answered on 27 October 2010 and is available in Hansard. That answer covered all costs incurred between Easter Tuesday and 12 August 2010.

Protest by Republican Prisoners

Mr P Givan asked the Minister of Justice, pursuant to AQW 1248/11, in relation to the capital works agreed after the recent protest by republican prisoners; (i) how much, in total, it will cost to implement these works; (ii) how much has been spent to date; and (iii) what budget will be used to meet these costs.

(AQW 1814/11)

Minister of Justice:

- (i) The total estimated cost for the programme of work is £550,000.
- (ii) The total amount spent to date is £390,742.69
- (iii) Capital works costs are paid from the existing allocated NIPS Capital Programme Budget.

Proposed Cuts to Counter-terrorism Policing and the British Intelligence Agencies

Mr S Anderson asked the Minister of Justice whether he has had any discussions with his counterparts (i) in the UK government; and (ii) in the Scottish Parliament and the Welsh Assembly about the potential impact of the proposed cuts, to counter- terrorism policing and the British intelligence agencies, on the ability of the criminal justice system in Northern Ireland to address (a) domestic; and (b) international terrorism.

(AQW 1846/11)

Minister of Justice: I met the Home Secretary on 9 and 26 September and raised the importance of ensuring the PSNI is adequately resourced to meet the current level of threat. I have also had a series of meetings with the Secretary of State for Northern Ireland as well as official level meetings to ensure the Department of Justice is able to resource the PSNI adequately. These discussions are continuing.

I met with Kenny MacAskill, Scottish Cabinet Secretary for Justice, in July and September and discussed some specific resourcing concerns, recognising the Northern Ireland situation is not directly comparable to Scotland in counter-terrorism terms. The Welsh Assembly Government has no responsibility for policing and justice and I have not therefore met them to discuss police funding.

Cost to Detain a Prisoner

Mr J Spratt asked the Minister of Justice why it is more expensive to detain a prisoner in Northern Ireland than in the rest of the UK.

(AQW 1847/11)

Minister of Justice: The cost per prisoner place target for NIPS in 2010/11 is £76,500, reduced from over £90,000 in 2006/07.

With only three sites, Northern Ireland Prison Service (NIPS) faces significant challenges in dealing effectively and economically with the diverse population of prisoners. Moreover the Northern Ireland calculation is made using different elements to that in England & Wales and Scotland. (For example National Offender Management Service Agency in England & Wales do not include the cost of the headquarters function and education in their calculation.)

Other factors which serve to increase the differential include the following: In the past staff received higher salaries due to increased risks and in addition the staffing levels were higher than elsewhere; there remains a significant differential;

Separated prisoners accommodation increase running costs disproportionately;

The nature of the Criminal Justice system in Northern Ireland places additional requirements on NIPS;

The headquarters function is required to deliver the same range of functions as its counterparts in England & Wales and in Scotland, so the proportionate costs are more.

Justice Bill

Mr K Robinson asked the Minister of Justice in which sports and regulated matches his Department expects part 4, chapter 2, clause 43, subsection (3) (a) of the Justice Bill to cover; and how much notification the host club will be given.

(AQW 1879/11)

Minister of Justice: Part 4, chapter 2 of the Justice Bill, which incorporates Clause 43, applies to regulated matches in the three main spectator sports in Northern Ireland: Association Football, Gaelic Games, and Rugby Union. Schedule 3 of the Bill provides the detail of the regulated matches within each of the three sports.

Clause 43, subsection (3)(a) provides the ability by order to disapply the offence of possessing alcohol when watching a regulated match inside a ground. Along with subsection (3)(b), which provides the power to adjust by order the time periods during which the offence applies, these provisions allow flexibility with regard to the application of the offence to different sports and changing circumstances. Full consultation with the Justice Committee, the Department of Culture, Arts and Leisure, police, and relevant sports bodies would be carried out before either of these order making powers is exercised.

Public Open Space Land

Dr S Farry asked the Minister of Justice how much public open space land is owned by his Department and its associated bodies.

(AQW 1921/11)

Minister of Justice: The Department does not own any open space land which is accessible to the general public.

Disorderly Behaviour and Associated Offences

Lord Morrow asked the Minister of Justice how many convictions for disorderly behaviour and associated offences were associated with the consumption of alcohol by the perpetrator, broken down by court division, in each of the last three years.

(AQW 1959/11)

Minister of Justice: I regret the information is not available in the format requested. Court conviction data do not contain background information in relation to offences committed and it is therefore not possible to determine the number of convictions for disorderly behaviour which were associated with the consumption of alcohol. It is possible only to provide the total number of convictions for the offence 'disorderly behaviour' and other similar offences which identify alcohol in their offence definition.

Figures are documented in Tables 1 to 3 below. 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.

TABLE 1: NUMBER CONVICTED FOR 'DISORDERLY BEHAVIOUR'¹ AND RELATED OFFENCES² BY OFFENCE AND COURT DIVISION 2004

Court division	Disorderly behaviour	Disorderly behaviour on licensed premises	Simple drunk	Other related offences	Total
Antrim	186	2	10	3	201
Ards	135	5	2	0	142
Armagh and South Down	128	0	5	0	133
Belfast	280	2	12	0	294
Craigavon	83	1	2	0	86
Fermanagh and Tyrone	165	7	5	1	178
Londonderry	216	7	1	0	224
Total	1,193	24	37	4	1,258

TABLE 2: NUMBER CONVICTED FOR 'DISORDERLY BEHAVIOUR'¹ AND RELATED OFFENCES² BY OFFENCE AND COURT DIVISION 2005

Court division	Disorderly behaviour	Disorderly behaviour on licensed premises	Simple drunk	Other related offences	Total
Antrim	226	3	12	1	242
Ards	115	1	1	0	117
Armagh and South Down	126	1	6	0	133
Belfast	248	2	6	0	256
Craigavon	116	0	2	0	118
Fermanagh and Tyrone	223	0	12	0	235
Londonderry	287	2	1	0	290
Total	1,341	9	40	1	1,391

TABLE 3: NUMBER CONVICTED FOR 'DISORDERLY BEHAVIOUR'¹ AND RELATED OFFENCES² BY OFFENCE AND COURT DIVISION 2006

Court division	Disorderly behaviour	Disorderly behaviour on licensed premises	Simple drunk	Other related offences	Total
Antrim	178	5	3	1	187
Ards	152	1	1	0	154
Armagh and South Down	129	0	5	0	134
Belfast	224	1	8	0	233
Craigavon	134	1	4	0	139
Fermanagh and Tyrone	276	7	21	0	304
Londonderry	228	0	6	0	234
Total	1,321	15	48	1	1,385

- 1 It cannot be determined from the court datasets the circumstances surrounding the offence.
- 2 Includes the offences being drunk when in aircraft, behaving in a disorderly manner onboard an aircraft and permitting disorderly behaviour/conduct/drunkenness in licensed premises.

Offences for Public Urination or Defecation

Mr T Burns asked the Minister of Justice to detail (i) the number of offences for public urination or defecation, or similar offences, recorded in each of the last five years, broken down by gender; (ii) for a breakdown of the type of offences; (iii) the number that resulted in conviction; (iv) the total of any fines imposed; and (v) a summary of any other sanctions imposed.

(AQW 1970/11)

Minister of Justice: The information is not available in the format requested. As the member should be aware, there is no specific offence of public urination or defecation

Interpreters

Lord Morrow asked the Minister of Justice how much (i) the Probation Board; (ii) the Court Service; and (iii) each prison, has spent on interpreters in each of the last three years.

(AQW 1977/11)

Minister of Justice: The following tables detail the amount spent on interpreter services for each of the specified agencies in the last three years.

Probation Board for Northern Ireland (PBNI)

Table 1 below details the total expenditure by PBNI on interpreter services in each of the last three financial years.

TABLE 1*

Year	Total Costs £
2007-08	43,901
2008-09	44,702
2009-10	67,546

* Figures provided by PBNI.

Northern Ireland Courts and Tribunals Service (NICTS)

Prior to 2008/9 all court interpreter services in the criminal courts were delivered through the Public Prosecution Service for Northern Ireland (PPS). Funding for 2008/9 and 2009/10 was the shared responsibility of the PPS, the former Northern Ireland Court Service and the NIO.

The answer to AQW6504/10, given on 13th May 2010, set out the total costs of providing interpreter services associated with courts.

Table 2 below sets out the expenditure incurred solely by NICTS for interpreter services in each of the last three financial years.

TABLE 2*

Year	Total Costs £
2007-08	21,562
2008-09	83,044
2009-10	198,170

* Figures provided by NICTS.

Northern Ireland Prison Service (NIPS)

Interpreter services for NIPS are paid for centrally, and the information is not readily available for individual prison establishments. A breakdown of costs by prison establishment could only be obtained at disproportionate cost.

Table 3 below details the total expenditure by NIPS on interpreter services in each of the last three financial years.

TABLE 3*

Year	Total Costs £
2007-08	14,298
2008-09	60,582
2009-10	54,131

* Figures provided by NIPS

Arrest Warrants for Non-appearance at Court

Miss M McIlveen asked the Minister of Justice, in relation to arrest warrants for non-appearance at court, to detail (i) the number issued; and (ii) the number currently outstanding; and (ii) the average cost of issuing and implementing a warrant, in each of the last five years.

(AQW 1983/11)

Minister of Justice: An arrest warrant (Magistrates' Court) or a bench warrant (Crown Court) is issued in order to require the police to bring a defendant before the court.

Information on the number of arrest and bench warrants issued in Northern Ireland was not centrally collated prior to the introduction of a new IT system in October 2006. Consequently, it is not possible to provide the requested information prior to 2007 without incurring disproportionate cost.

The following table details the number of arrest warrants and bench warrants issued in each of the last three years.

Year	Arrest Warrants (Magistrates' Court)	Bench Warrants (Crown Court)
2007	3734	95
2008	3144	77
2009	3330	82
Total	10208	254

Note: A defendant may have more than one arrest or bench warrant issued against him.

As at the 10th November 2010, court records show that a total of 5202 arrest warrants and 109 bench warrants were outstanding. These figures include warrants issued prior to 2007.

Although it is not possible to state an average cost for the process of issuing an arrest or bench warrant the administrative cost is likely to be negligible as the process is managed electronically through the Causeway criminal justice IT system. The costs associated with the implementation (execution) of a warrant are an operational matter for the Chief Constable.

Minimum Sentences

Mr S Anderson asked the Minister of Justice, pursuant to AQW 1296/11, whether his Department has carried out an assessment of the effectiveness of minimum sentences for certain types of offences. **(AQW 2018/11)**

Minister of Justice: There are only a small number of offences which attract minimum sentences including, for example, life imprisonment for murder and automatic disqualification from driving for certain road traffic offences. While I keep the framework of criminal offences under review, adopting such an approach more widely could diminish the fundamental principle that sentences should be determined by the judiciary taking account of all the relevant factors pertaining in individual cases including the culpability of the offender, the effect on the victim and the circumstances of the offence.

I am however currently conducting a public consultation exploring possible options for establishing a sentencing guidelines mechanism which could further support consistency, transparency and public confidence in sentencing. Your views on the consultation would be most welcome.

Outstanding Fines

Mr T Burns asked the Minister of Justice, for each of the last five years, to detail the (i) average value; (ii) maximum value; and (iii) minimum value of outstanding fines, for which fine defaulters have been subject to a custodial sentence.

(AQW 2045/11)

Minister of Justice: Information on fine warrants was not centrally collated prior to the introduction of a new IT system in October 2006. Consequently, it is not possible to provide the requested information prior to 2007 without incurring disproportionate cost.

The table below sets out the average, maximum and minimum values of fines imposed in the last 3 years that were defaulted on and cleared through committal to prison. The figures include all monetary penalties imposed by the court such as compensation, costs and confiscation.

Year	Average value £	Maximum value £	Minimum* value £
2007	201.48	5,010	0.38
2008	186.92	10,000	1.19

Year	Average value £	Maximum value £	Minimum* value £
2009	178.02	5,974.55	0.35

* The minimum values relate to the remainder of fines unpaid following part payments for which a default warrant was issued. In each case, these sums were linked to other fine default warrants and formed part of a larger sum cleared through committal to prison.

Training Within Prisons and Youth Offender Facilities

Dr A McDonnell asked the Minister of Justice to detail (i) the organisations which provide training within prisons and youth offender facilities; (ii) what training is provided; (iii) the cost of each training course; and (iv) the evaluation procedures in place to determine the benefits for prisoners and young offenders. **(AQW 2046/11)**

Minister of Justice: A wide range of both education and training services is available to prisoners and young offenders. Training has been defined as including all specialist trade- based skills and training services that develop soft skills such as positive relationship building, life skills and working in teams.

The majority of training services across the prison estate are provided by qualified NIPS - employed Instructors in specialist workshops.

Training courses are delivered to meet nationally accredited standards as required by the awarding bodies, which are quality assured by internal and external verifiers. Learning and skills services to prisoners and young offenders are inspected regularly through the Criminal Justice Inspection NI (HMCI) and the Employment and Training Inspectorate (ETI) and appropriate actions taken to address any weaknesses identified. A full review and evaluation of all learning and skills services is ongoing and will inform management decisions on the future structure, content and delivery arrangements.

Training provision has been developed to meet the assessed needs of individual prisoners including young offenders and women prisoners. The objective is to equip prisoners with the skills and level of qualifications needed to access employment, education and training opportunities on release. Education, training and employment are recognised Pathways to reducing or preventing reoffending.

A breakdown of training service provision is set out in the table below.

It has not been possible to identify the detailed costs requested in the time allowed. However this information will be forwarded in due course.

Service Provider	Training Provided
NIPS Instructors	Joinery, carpentry and woodworking ; Plumbing; Bricklaying; Horticulture and gardening; Painting and decorating; Industrial and various cleaning skills; Wall and floor tiling; Plastering; Manufacturing; Welding; Engineering; Braille; and Laundry

Service Provider	Training Provided
<p>Other providers:</p> <ol style="list-style-type: none"> 1. INSPIRE Project for women prisoners provided through the Probation Board NI and community based groups and organisations. 2. Niacro 3. Extern 4. Duke of Edinburgh Award (DofE) 5. Lisburn Enterprises 6. Barnardo's 7. Opportunity Youth 	<p>The Inspire Project provides a range of training and support services including: health promotion, life skills, parenting, money management.</p> <p>Accredited employment training pre and post release.</p> <p>Various training services including: recycling, IT skills, health and safety, catering, forklift driving.</p> <p>DofE provides a coordinated service available to prisoners and young offenders that build skills, personal qualities, and teamwork</p> <p>Start-up Your Own Business Course.</p> <p>Presentation Skills for Prisoners Seeking Employment course.</p> <p>Parenting skills.</p> <p>Prince's Trust XL Programme to juvenile offenders. A wide range of accredited programmes ranging from health and social care, creative arts and design to preparations for work.</p>

Police: Lateral Entry

Mr D McKay asked the Minister of Justice if he has raised with his counterpart in Dublin the issue of outstanding barriers to lateral entry between the PSNI and An Garda Siochana.

(AQO 508/11)

Minister of Justice: I am keen for officers to move between the two police services and I know this view is shared by the Chief Constable and the Policing Board. Such movements will benefit both services, both countries and individual police officers in bringing their experience and learning from practices elsewhere, and will build on strong cross-border cooperation already in place.

Over the last few years, a number of temporary personnel exchanges have taken place in both directions, as well as joint training of officers in a number of specific areas. Just as important is the first secondment between the two services which is in place with an officer from the An Garda Siochana currently serving with PSNI.

The legal provisions and agreed protocols required for Lateral Entry are in place in Northern Ireland. I raised the issue with Dermot Ahern at our Criminal Justice Co-operation meeting on Friday and was encouraged by what I was told. A final version of their draft regulations has been approved and will be submitted to representative police associations for consultation. It is recognised that some practical issues may arise for individuals relating to the transferability of police officers' pensions, but these should not in themselves prevent lateral entry being put in place.

The decision to apply for lateral entry remains with individual officers.

Fixed Penalty Notices

Mr A Ross asked the Minister of Justice for his assessment of the impact of fixed penalty notices, as proposed in the Justice Bill, as a deterrent to low level crime.

(AQO 510/11)

Minister of Justice: Fixed penalties are one measure in a wide-ranging framework of disposals dealing with minor offending. They are aimed at delivering a proportionate justice response to isolated incidences of mainly disorderly type offences committed by first time or non-habitual offenders who, having been challenged as to their behaviour by police, are least likely to reoffend.

They enable an offence to be dealt with speedily at the time it is commissioned, not many months later in the courtroom, which could play a role in preventing individuals descending into a spiral of offending.

Recipients of a fixed penalty will be left in no doubt that repeated offending of this nature will be viewed very seriously and is likely to result in prosecution at court and a criminal record on conviction.

The Justice Bill now before the Assembly proposes that fixed penalties be available for 7 offences. Together these could however divert up to 2,000 cases annually from formal prosecution, freeing up the time of front-line police officers to deal with more serious crime.

Peace Walls

Mr S Neeson asked the Minister of Justice what steps his Department is taking to support communities who wish to have peace walls reduced or removed.

(AQO 511/11)

Minister of Justice: In areas where the community has identified scope for progress my Department is already actively engaged in discussions with other government Departments, statutory bodies and community representatives to look at the steps which need to be taken to facilitate change.

Barriers will only be removed or reduced with the agreement of the local community. There is already a huge amount of positive work done at interfaces by community groups to reduce tensions and build greater understanding. I want to recognise that work. My Department will continue to do all it can working with all relevant groups and organisations to support progress.

Many interface areas face multiple difficulties resulting from high levels of social deprivation and economic disadvantage. These social factors are often linked to problems of criminality and anti-social behaviour or the fear of them and cannot effectively be addressed in isolation. These issues can only be addressed by a cohesive Executive-wide approach and my Department will contribute fully to steps in this direction.

Sexual Violence and Abuse

Mrs M O'Neill asked the Minister of Justice what action he is taking to ensure that the findings of the Criminal Justice Inspection report on Sexual Violence and Abuse are implemented so that victims of abuse will have confidence in the criminal justice system.

(AQO 512/11)

Minister of Justice: Sexual violence and abuse are amongst the most serious and damaging crimes the criminal justice system has to deal with. As the Chief Inspector noted in his inspection report, they are also some of the most difficult crimes to investigate and prosecute successfully because often there is no third party or other corroborating evidence.

Whilst highlighting many examples of good practice, the report identifies the challenges which remain for the justice system: encouraging victims to come forward to report offences and seek help and support; to deliver on best investigative practice to help more cases achieve the threshold for prosecution; and to support victims effectively to encourage their continued support for the justice process.

Implementing the recommendations of the CJINI report is one of a range of proactive measures being taken forward through the Regional Strategy on Sexual Violence and Abuse Action Plan for 2010/12. Actions being taken on foot of the Inspectorate's recommendations include: PPS conducting a thematic review of cases submitted with a primary offence of rape where a decision of 'No Prosecution' has been taken; PSNI developing an education and awareness strategy for all call handlers in relation to members of the public reporting sexual crime; and improving communication and provision of progress updates to victims.

Sexual violence is a cross-departmental issue and together with Michael McGimpsey and other colleagues on the Inter Ministerial Group on Domestic and Sexual Violence I will be continually monitoring progress in achieving strategic objectives.

The Sexual Assault Referral Centre – scheduled for early 2012 – is intended to be a supportive gateway for victims to the criminal justice system.

Security

Lord Morrow asked the Minister of Justice for his assessment of the present security situation, including any additional steps to curb the dissident threat and to outline any discussions he has had with the Chief Constable on this matter.

(AQO 514/11)

Minister of Justice: I believe that members will join with me in condemning all recent terrorist activity from both republican and loyalist quarters. Those who carry out such acts have no regard for public safety, they do not care who they injure or kill.

This recklessness was recently witnessed in Belfast when, in separate incidents, police officers were attacked whilst serving the local community and local residents faced pipe bomb attacks. I hope that those who were injured will continue to make a full and speedy recovery.

I commend the PSNI for their recent operations which resulted in a significant number of arrests in relation to both loyalist and republican terrorist activity, including the seizure of firearms and ammunition.

The most recent IMC Report also confirms that paramilitary groupings continue to pose a substantial and potentially lethal threat. The report highlights that there would have been many more attacks leading to deaths, injuries and destruction had it not been for the work done by the PSNI and the Garda Síochána.

I commend these agencies for their continued determination, despite the very real threat they face, to prevent terrorist attacks and to bring those responsible to justice.

For my part, I remain committed to doing all that I can to ensure that the PSNI has the necessary resources to deal with the threat and would encourage the community to give maximum cooperation to the police.

Finally, I regularly meet with the Chief Constable and Senior Officers to discuss a range of issues. I also have mechanisms in place for formal meetings with both the Chief Constable and the Secretary of State to discuss the security situation.

Sentencing

Mr P Ramsey asked the Minister of Justice what plans he has to give the Attorney General the power to refer alleged unduly lenient court sentences in criminal matters to the Northern Ireland Court of Appeal.

(AQO 515/11)

Minister of Justice: Following discussions, the First Minister, deputy First Minister and I have agreed we will bring forward a consultation on the accountability of the Public Prosecution Service.

The issues for consultation will include the appropriate location for the power to refer cases which may be unduly lenient to the Court of Appeal. Since devolution this has rested with the Director of Public Prosecutions.

Department for Regional Development

Belfast Rapid Transit Project

Mr W Humphrey asked the Minister for Regional Development whether the Belfast Rapid Transit project is currently on schedule and on budget.

(AQW 1712/11)

Minister for Regional Development (Mr C Murphy): The legislation required to implement Rapid Transit is contained within the new Transport Bill. This Bill, which was introduced to the Assembly on 21 June 2010, entered the Committee Stage on 30 June 2010. As a result the anticipated timeline for delivery of the legislation within the current Assembly session remains on target.

My Department is in the process of securing external support to complete the Outline Business Case (OBC) for Belfast Rapid Transit. The OBC will identify the preferred options for Belfast Rapid Transit in terms of the network routes, procurement strategy, commercial/business model and fare system. Identifying the preferred options will allow the Department to undertake the necessary public consultation, impact assessments and appraisals on the scheme. The OBC will also provide confirmation of the budgetary requirements and timescales for the identified preferred option.

Survey data collection work has been completed and preliminary designs for all route alignment options are being prepared. The preliminary designs will form part of a public awareness exercise, which is anticipated to take place in 2011, as part of the OBC process. This will give everyone an opportunity to comment on the options for Belfast Rapid Transit, including the route alignment options.

“Welcome to Northern Ireland” Signs

Mr W Humphrey asked the Minister for Regional Development when ‘Welcome to Northern Ireland’ signs will be erected on roadsides of arterial roads connecting Northern Ireland to the Republic of Ireland. **(AQW 1713/11)**

Minister for Regional Development: ‘Welcome to Northern Ireland’ signs are classified as tourist signs and my Department’s Roads Service has an agreed policy in place with the Northern Ireland Tourist Board (NITB) and the local Councils to cover such signage.

More specifically, these signs fall under the ‘Geographical areas of tourist interest’ Section of the Northern Ireland Tourist Signing Policy and they should be considered as part of each border Council’s annual tourism signage plans.

Therefore, the provision of ‘Welcome to Northern Ireland’ signs is Council led, with all enquiries directed to Councils and subsequently considered by the NITB and Roads Service.

Disused Railway Lines

Mr T Burns asked the Minister for Regional Development why Northern Ireland is the only part of the UK which has not implemented a policy to re-open disused railway lines, in order to reduce car journeys and CO2 omissions. **(AQW 1733/11)**

Minister for Regional Development: In line with the Regional Transportation Strategy my Department continues to take steps to encourage the use of public transport and to reduce the dependence on cars. As regards investment in railways, my current priority is to maintain, improve and upgrade existing railway lines.

NI Water

Mr P Givan asked the Minister for Regional Development what discussions he had, with the then Permanent Secretary, when the draft report into the investigation at NI Water was available to his Department. **(AQW 1750/11)**

Minister for Regional Development: Following receipt of the draft report (which I did not see), the then Permanent Secretary met with the Independent Review Team (IRT) to be given a preview of their recommendations. He then advised me by email on 18 February 2010 that the report would be likely to provide clarity about where the responsibility for the governance failures lay and a clear basis for me, the Department and the Chief Executive of Northern Ireland Water to take action going forward. He also advised that the IRT felt the need to revise the draft in light of further information that was provided

and that they were both confident and comfortable that they could justify any changes between their first and final report and that this would of course be their decision.

Chambers Coaches, Moneymore

Mr J Dallat asked the Minister for Regional Development to detail the funding, including grants, subsidies or incentives, allocated to Chambers Coaches, Moneymore, in each of the last five years.
(AQW 1780/11)

Minister for Regional Development: I can confirm that my Department awarded a contract to Chambers Coach Hire Ltd in July 2006 to provide Door-to-Door Transport services in 27 urban areas across the North. The introduction of these specialised services for elderly and disabled people began in September 2006, with all 27 areas operating by May 2007.

Since the services were introduced in the 2006/07 financial year, the Department has provided Chambers with the sums set out below.

Financial Year	Funding Provided (£)
2006/07	292,422.31
2007/08	2,202,574.77
2008/09	1,523,701.53
2009/10	2,052,388.54
2010/11 (to 30 September 2010)	809,528.43

Derry to Belfast Railway Line

Mr J Dallat asked the Minister for Regional Development what steps he is taking to ensure that (i) the Derry to Belfast railway line is upgraded, between Coleraine and Derry, for the City of Culture events in 2013; and (ii) the new Foyle footbridge can be accessed by rail passengers.
(AQW 1781/11)

Minister for Regional Development:

- (i) The Economic Appraisal for the Coleraine to Derry Track Renewals project has very recently been approved by DFP. I have agreed that Translink will issue a Pre Qualification Questionnaire to potential contractors. However a final decision on the affordability of the scheme will have to be taken in the light of agreed budgets. Translink anticipate that a procurement exercise could begin early next year.

Translink advise that the most cost effective way to complete the major works involved in upgrading the line is to close the full line from Coleraine to Derry for approximately a year. They will consider options to speed up the work during procurement but disruption is inevitable in order to complete such a major project. However, my officials are liaising closely with Translink to ensure the disruption is minimal and that the planning process will take into consideration that Derry will be the City of Culture in 2013. By issuing the Pre Qualification Questionnaire at this point Translink can continue planning taking due account of the Culture year timetable.

- (ii) Translink have advised that the Foyle footbridge ties in with the public footpath network which also links to the rail station. I understand that there is also some work being led by Sustrans, which Translink are co-operating with, to seek to construct a more direct footpath from the bridge to the rail station.

Derry to Belfast Railway Line

Mr J Dallat asked the Minister for Regional Development what plans he has to address the frequent rock falls at Downhill which have affected the Derry to Belfast railway line and continue to be a hazard to road and rail users.

(AQW 1782/11)

Minister for Regional Development: I am advised that there have been two significant rock falls at Downhill in the past 12 months, the most recent on 31 October when rock fell onto the road and onto the raised bank between the railway and the road. No material made its way onto railway property. Since being informed of the rock fall Northern Ireland Railways (NIR) has imposed a temporary speed restriction as a precaution.

There was a similar event in November 2009 when material fell onto the road at a different location on the Seacoast Road but not onto NIR property. At that time, Roads Service, with the cooperation of landowners, carried out works to reduce the risk of rocks falling onto the carriageway.

Following the Downhill rock fall and train derailment in 2002, NIR installed a substantial wire rope rock fall protection fence on top of a concrete crash barrier wall at the Downhill slope and this remains in place.

Although my Department does not own the cliffs involved in the rock fall, Roads Service has, after discussions with the owner, engaged specialist services to assess the rock face at the location of the latest rock fall. Works started on 8 November to remove loose rock from the cliff face. Consideration is also being given to the installation of additional measures to mitigate against further rock falls at this location. A number of options are being considered and final proposals will require consultation with appropriate stakeholders. Proposed measures at any location along this coastline must consider the impact on this Area of Outstanding Natural Beauty, and must also be prioritised against the many other competing demands on Roads Service's work programmes.

It is hoped that the road will reopen as soon as possible, but this will depend on weather and further examination of the rock face. However, the main determining factor informing this decision will be ensuring the safety of road users.

The extent and location of rock falls are impossible to predict with any degree of certainty. However NIR and Roads Service continue to work together in sharing information on rock cliffs and Roads Service adopts a risk based approach to managing the area. The three kilometre stretch of road adjacent to the cliffs at Binevenagh is inspected for evidence of rock falls twice weekly and records are kept of all rock fall occurrences. This information is reviewed regularly by Roads Service and action is taken where there is evidence of recurring activity at specific locations, or where specific assessments recommend protection measures. There has been no previous recorded activity at this specific location.

Reservoirs

Mr P Frew asked the Minister for Regional Development for his assessment of the current levels of water in reservoirs.

(AQW 1817/11)

Minister for Regional Development: I have been advised by Northern Ireland Water that the water supplied to customers comes from impounding reservoirs (50%); natural loughs - mainly Lough Neagh (42%); rivers (7%); and borewells (1%). The overall storage in the impounding reservoirs and loughs (excluding Lough Neagh) is currently 94% of total capacity and this is considered a satisfactory position for this time of the year.

Leakage from the Network of Water Pipes

Mr P Frew asked the Minister for Regional Development to detail the current levels of leakage from the network of water pipes and how this compares to levels in (i) 2008; (ii) 2005; and (iii) 2000.

(AQW 1818/11)

Minister for Regional Development: I have been advised by Northern Ireland Water (NIW) that leakage is not measured directly but is calculated based on a recognised water industry methodology. The methodology used to produce the leakage figures was updated for 2008/09 onwards in agreement with both the Utility Regulator and The Reporter. Table 1 details leakage for 1999/2000, 2004/05 and 2007/08 and Table 2 details the leakage for 2009/10 calculated using the agreed methodology for use from 2008/09. The figures in the two tables cannot be directly compared.

Year	Estimated Losses (MI/Day)
1999/2000	267
2004/2005	203
2007/2008	157

TABLE 1: LEAKAGE FIGURES 1999/2000 – 2007/08

Year	Estimated Losses (MI/Day)
2009/2010	187*

TABLE 2: LEAKAGE FIGURES 2009/2010

* Includes the impact of the extreme cold weather conditions experienced from December 2009 to January 2010.

Coleraine to Derry Railway Line

Mr T Burns asked the Minister for Regional Development why work on the track relay on the Coleraine to Derry railway line cannot be completed at night and on Sundays to prevent the line being closed for a year. **(AQW 1832/11)**

Minister for Regional Development: The Economic Appraisal recently approved for this project includes what Translink have put forward as the most cost effective option. This envisages that the contractor employed will optimise working hours to provide Translink with a best price. Thus it is assumed that work will be completed mainly during week days, which does envisage a closure of the line for a considerable period of time. During this time it is planned to provide bus substitution services while the line is closed. This approach is considered to be the most pragmatic planning assumption in the light of known budgetary scenarios.

However, Translink will consider all possible options and alternatives, including shift patterns before work on site commences. Any final decisions will have to take account of resource availability.

Proposed A5 Road Development

Mr T Burns asked the Minister for Regional Development to detail the savings, at current prices, if the proposed A5 road development was postponed to 2016. **(AQW 1833/11)**

Minister for Regional Development: My Department's Roads Service has advised that postponing the A5 dualling project to 2016 would not result in any savings. On the contrary, it is expected that the construction and other related costs would increase significantly, should the scheme be postponed.

Furthermore, a delay to the project would result in the associated benefits of improved road safety and shorter and more reliable journey times, not being realised. It is also likely that there would be a negative impact, in terms of economic regeneration, in the West.

Regional Transport Strategy

Mr T Burns asked the Minister for Regional Development whether the majority of responses to the public consultation on the new Regional Transport Strategy indicated a need to reduce the budget allocated for roads and proportionately increase the budget for public transport.

(AQW 1834/11)

Minister for Regional Development: No public consultation has issued yet on a new Regional Transportation Strategy but I am assuming that the Member is referring to a Discussion document on the review of the existing Regional Transportation Strategy which my Department issued in December 2009 in order to generate discussion and debate on the future for transportation here.

The Department received 37 responses to that Discussion document, 10 of which featured either directly or indirectly the differential expenditure between roads and public transport.

Other views identified challenges around the need for behavioural change, addressing climate change and transport emissions, the availability of funding generally and the affordability of public transport particularly in rural areas.

Tender C 398

Mr G Savage asked the Minister for Regional Development, in light of the Comprehensive Spending Review (i) whether NI Water can provide an assurance that tender C 398 represents best value for money; and (ii) to outline the process followed in carrying out the tender evaluation, including who carried it out and at what level.

(AQW 1843/11)

Minister for Regional Development: I have been advised by Northern Ireland Water that the evaluation of Tender C398 has not been completed therefore the information requested is not yet available.

NI Water

Mr G Savage asked the Minister for Regional Development (i) to outline NI Water's policy and procedures in relation to resolving any discrepancies in mileage claims made by embedded contract staff, engaged under tender C 398; (ii) whether any discrepancies would be viewed as a disciplinary matter; and (iii) whether the standard journey planning software, detailed in tender C 398, will be used to adjudicate on any discrepancies.

(AQW 1844/11)

Minister for Regional Development: I have been advised by Northern Ireland Water that it does not recognise the term "embedded contract staff". The contract for Tender 398 has not yet been awarded and it is not possible at this stage to comment on the issues raised.

Sprucefield and Hillsborough Roundabouts

Mr P Givan asked the Minister for Regional Development what plans Roads Service has to address the traffic congestion at the Sprucefield and Hillsborough roundabouts on the A1 dual carriageway.

(AQW 1845/11)

Minister for Regional Development: My Department's Roads Service has carried out surveys on the A1/Hillsborough Road roundabout, and has measured the delay to the A1 (Sprucefield bound) traffic as approximately 22 minutes in each hour during the morning peak. In addition, other surveys have been carried out which have revealed that approximately 30% of drivers avoid the morning peak Sprucefield bound queue, by diverting from the A1 and travelling through Hillsborough village, re-joining the A1 again at the Hillsborough roundabout.

Roads Service has prepared a preliminary design for the installation of part-time traffic signals at the Old Hillsborough Road approach to the A1 roundabout. This initial design has received approval, in principle, subject to further detailed consideration of some aspects. The current estimate for the

scheme is approximately £100,000. However, with the current level of funding available for such works, the scheme will not be undertaken until, at least, the new financial year.

As you may be aware, the proposals to alter the Sprucefield roundabouts are part of the traffic mitigating measures associated with development at Sprucefield Retail Park. The current proposal is to signalise both the roundabouts and close the right turn access to Eglantine Road. However, an additional access to Eglantine Road is proposed from the A101.

A planning application for Sprucefield Retail Park has been submitted and the proposals, including the associated highway works, are the subject of a Public Inquiry. Until the issues are fully considered and concluded, as part of the Public Inquiry process, Roads Service is unable to confirm that the proposed amendments to the roundabouts and Eglantine Road will be accepted.

At present, Roads Service has no other proposals to improve either of these roundabouts.

Creagh Waste Water Treatment Project

Mr P McGlone asked the Minister for Regional Development to detail the (i) tendering costs; (ii) complete scheme costs; (iii) land valuation costs; and (iv) consulting costs for the Creagh Waste Water Treatment Project.

(AQW 1863/11)

Minister for Regional Development: I have been advised by Northern Ireland Water (NIW) that the costs associated with the Creagh Wastewater Treatment Project are as detailed in the table below:

Category	Cost (£000s)
(i) Tendering Costs	83
(ii) Complete scheme costs (projected)	6,031
(iii) Land valuation costs (projected)	85
(iv) Consulting costs	189

NI Water Tender CO 71

Mr G Savage asked the Minister for Regional Development to detail NI Water's policy and procedures to address harassment and bullying by (i) NI Water staff of embedded contract staff, engaged under NI Water Tender CO 71; or (ii) embedded contract staff of other embedded contract staff, whilst working on or at NI Water properties, and how this is monitored, recorded and implemented and by whom.

(AQW 1889/11)

Minister for Regional Development: I have been advised by Northern Ireland Water (NIW) that it does not recognise the term 'embedded contract staff'. However, for staff employed by contractors engaged by NIW who allege harassment or bullying against an NIW employee, it will investigate and progress each case with any resultant action carried out in accordance with its existing Harassment and Bullying policy. All investigations are undertaken by NIW's Human Resources Directorate and are monitored and recorded in the same manner as is done for allegations of harassment or bullying by one NIW employee or employees against another NIW employee or employees.

NIW's Harassment and Bullying policy does not extend to instances of harassment or bullying by contract staff against other contract staff, whilst working on or at NIW properties.

NI Water Mechanical and Engineering Personnel

Mr G Savage asked the Minister for Regional Development to confirm that NI Water Mechanical and Engineering personnel who use their own private vehicles whilst carrying out NI Water business will not

be remunerated for the first 10 miles of travel from home to the location of the first job and the last 10 miles of travel from the last job to home, on any working day from of 1 January 2011.

(AQW 1890/11)

Minister for Regional Development: I have been advised by Northern Ireland Water (NIW) that Mechanical and Electrical employees who use their private vehicles on company business will be reimbursed in accordance with its rules governing travelling on official business. These rules do not preclude payment of the first 10 miles of travel from home to the location of the first job and the last 10 miles of travel from the final job to home and NIW has no plans to introduce such a provision with effect from 1 January 2011.

NI Water Mechanical and Engineering Personnel

Mr G Savage asked the Minister for Regional Development to confirm that all NI Water Mechanical and Engineering personnel who use their own private vehicles whilst carrying out NI Water business must have their vehicles insured for loss, damage and theft up to a value of £5000 from 1 January 2011.

(AQW 1891/11)

Minister for Regional Development: I have been advised by Northern Ireland Water (NIW) that Mechanical and Electrical employees who use their private vehicles on company business are required to satisfy the existing insurance conditions under its rules governing travelling on official business.

NIW has no plans to change the existing insurance conditions to introduce a requirement that private vehicles should be insured for loss, damage and theft up to a value of £5,000 from 1 January 2011.

NI Water Mechanical and Engineering Personnel

Mr G Savage asked the Minister for Regional Development to confirm that all NI Water Mechanical and Engineering craft personnel will be required to work 37 hours per week, from 1 January 2011 and that the standard working hourly week will be from 8am until 8pm Monday to Friday.

(AQW 1892/11)

Minister for Regional Development: I have been advised by Northern Ireland Water (NIW) that its Mechanical & Electrical Craft personnel are currently required to work a 37 hour week from Monday to Friday. Starting and finishing times are 8.00am to 4.00pm or 8.30am to 4.30pm and NIW has no plans to alter the current working hours or the standard working week from 1 January 2011.

Toome Bypass

Mr T Clarke asked the Minister for Regional Development for his Department's position on the design of the proposed upgrade of the Toome bypass and whether this will affect the roundabout on the Roguery Road, Toome.

(AQW 1893/11)

Minister for Regional Development: My Department's Roads Service has advised that following a public exhibition and consultation in relation to the A6 Randalstown to Toome dualling scheme, it has been decided not to proceed with any changes to the original scheme. Consequently, there are no plans to upgrade the Toome Bypass.

I can further advise that the proposed Randalstown to Castledawson dualling scheme will not affect the roundabout on the Roguery Road, Toome.

Trust Ports Review

Ms M Ritchie asked the Minister for Regional Development to outline (i) the progress of the Trust Ports Review; and (ii) when he expects to bring forward legislation for trust ports.

(AQW 1917/11)

Minister for Regional Development: Primary legislation (a Harbours Bill) and secondary legislation (a series of Harbour Orders) implementing the outcome of the Trust Ports Review have been drafted.

There is insufficient time available to bring forward this new primary legislation during the current Assembly.

Public Open Space Land

Dr S Farry asked the Minister for Regional Development how much public open space land is owned by his Department and its associated bodies.

(AQW 1920/11)

Minister for Regional Development: I can confirm the following in relation to my Department and associated bodies:

Roads Service

Roads Service does not own any public open space land.

Northern Ireland Transport Holding Company

Northern Ireland Transport Holding Company owns public open space at Lands let to Belfast City Council at Corporation Street for use as a skate park - circa 0.42 acres.

Northern Ireland Water

Northern Ireland Water does not hold records of land open to the public due to the fact that some of its ground is leased by other bodies. Areas such as Silent Valley can be clearly defined as open to the public but others leased cannot.

NI Water Mechanical and Electrical Craft Personnel

Mr G Savage asked the Minister for Regional Development if NI Water Mechanical and Electrical craft personnel, who access their daily work schedule from toughbooks, are aware that NI Water may choose to utilise the GPS tracking facility of toughbooks after 1 January 2011.

(AQW 1929/11)

Minister for Regional Development: I have been advised by Northern Ireland Water that it currently has no plans to utilise the GPS tracking facility of Toughbooks after 1 January 2011 for Mechanical and Electrical craft personnel.

NI Water

Mr A McQuillan asked the Minister for Regional Development why NI Water do not accept payments by card over the phone for the emptying of septic tanks.

(AQW 1939/11)

Minister for Regional Development: I have been advised by Northern Ireland Water (NIW) that, at present, payment of bills for water and sewerage services can be made by debit or credit card but this facility has not yet been extended to miscellaneous services such as septic tank desludging. As part of its commitment to improving services to customers, NIW aims to have arrangements in place by April 2011 for payment by debit or credit card for septic tank desludging. NIW carry out up to 27,000 septic tank desludging operations per annum of which just over 300 are chargeable. (Every customer is entitled to one septic tank desludge per annum and only has to pay for subsequent empties).

NI Water

Mr P Weir asked the Minister for Regional Development to detail how much NI Water spent on water and sewage infrastructure in the North Down constituency since May 2007; and the planned spend for 2010/11.

(AQW 1940/11)

Minister for Regional Development: I have been advised by Northern Ireland Water that £21.26 million was invested in the water and wastewater infrastructure in the North Down constituency from April 2007 to March 2010. The planned investment for the area during 2010/11 is £1.78 million.

Roads Infrastructure in the North Down Constituency

Mr P Weir asked the Minister for Regional Development to provide a breakdown of the total investment in the roads infrastructure in the North Down constituency since May 2007.

(AQW 1941/11)

Minister for Regional Development: My Department's Roads Service does not maintain an analysis of its expenditure in the format requested. However, it does hold an analysis of total annual capital expenditure by Council area. For the purposes of reply, details of the total capital expenditure in the Ards and North Down Council areas are set out in the table below.

Roads Service total expenditure on capital includes major capital schemes, minor capital schemes, street lighting renewal, land, capital structural maintenance and other capital activities.

Following the move of the NICS to International Financial Reporting Standards in the 2009-10 financial year, and to comply with International Accounting Standards, the structural maintenance activities of resurfacing, reconstruction, surface dressing and structural drainage were reclassified as capital expenditure. Prior to 2009-10, these activities were classified as resource expenditure. Therefore, in the table below, Capital Structural Maintenance is shown as nil in both 2007-08 and 2008-09.

I should also explain that Roads Service allocates its total budget for capital expenditure on roads across all District Council areas with major road improvements prioritised by taking a broad range of criteria into account. These include strategic planning policy, traffic flow, accidents numbers, potential travel time savings, environmental impact, accessibility and value for money. While the actual spend on a major works scheme may be within one district council area, the benefits of such schemes are not confined to that district council area.

The details of the total capital expenditure for the past three financial years, covering the period 2007-08 to 2009-10 for North Down and Ards Council areas, are set out in the table below:-

District Council	Capital Activity	2007-08	2008-09	2009-10
North Down	Major Capital	Nil	Nil	Nil
	Minor Capital	1,098,000	553,000	279,000
	Road Lighting Capital	552,000	506,000	450,000
	Other Capital	118,000	116,000	115,000
	Land Under Acquisition	2,000	43,000	45,000
	Capital Structural Maintenance	Nil	Nil	1,680,000
	TOTAL CAPITAL	1,770,000	1,218,000	2,569,000
Ards	Major Capital	23,000	7,065,000	2,448,000
	Minor Capital	439,000	784,000	801,000
	Road Lighting Capital	178,000	195,000	230,000

District Council	Capital Activity	2007-08	2008-09	2009-10
Ards	Other Capital	162,000	580,000	106,000
	Land Under Acquisition	1,158,000	43,000	46,000
	Capital Structural Maintenance	Nil	Nil	2,457,000
	Total Capital	1,960,000	8,667,000	6,088,000

Crumlin to Nutts Corner Main Road

Mr T Burns asked the Minister for Regional Development (i) for his assessment of the condition of the main road, out of Crumlin to Nutts Corner, including the Mill Road; (ii) to detail what major repair work has been carried out on this stretch of road in the last five years; and (iii) any plans for major repairs or upgrades.

(AQW 1948/11)

Minister for Regional Development: I have been advised by my Department's Roads Service that a detailed assessment of the A52 route between Main Street, Crumlin and the Nutts Corner roundabout, indicates that two thirds of the road is nearing the end of its useful service life, and would benefit from resurfacing. The cost of these works is substantial and progress will be dependent upon the availability of funding.

No major works have taken place on the road in last five years. The most significant works completed during this period was 2220 sq m of surface dressing on the Mill Road in 2009/10. I can also advise that patching expenditure on the road in last five years amounts to £5,000.

The Member will be aware from the content of Roads Service's report to Antrim Borough Council in May 2010, that Mill Road has been included in resurfacing works planned for this financial year. While resurfacing has been delayed by utility works on this stretch of the road, Roads Service still expects to have it completed before March 2011.

Northern Ireland Railways Fleet

Mr T Burns asked the Minister for Regional Development to detail the current number of trains in the Northern Ireland Railways fleet, and how this compares, per head of population with (i) other parts of the UK; (ii) the Republic of Ireland; and (iii) other EU countries.

(AQW 1968/11)

Minister for Regional Development: There are fundamental differences in organisational structures between NIR and other regional train operating companies in Britain and this makes comparisons difficult. There is a lack of available official statistics on the number of trains in Britain. In the South, whilst CIE publish information on the number of trains, my officials are not currently able to verify these statistics. In the case of the EU, we are not currently aware of official statistics on the number of trains by country.

However, I have provided information on track length, journey numbers and population estimates for Britain and Ireland in the table below. Further information on track length and passenger kilometres for other EU countries is available from

http://epp.eurostat.ec.europa.eu/portal/page/portal/transport/data/main_tables.

	NI	GB	ROI
Track length (km)	340	15,814	1,8891
Passenger Journeys (millions)	10.0	1,274	44.61
Passenger km (millions)	277.2	50,700	1,9761

	NI	GB	ROI
Population Estimates	1,788,896	60,003,100	4,459,300

1 Information only available until 2008. All other data refers to 2009.

Sources: NI Transport Statistics 2009-10, Dept for Regional Development NI
 Transport Statistics Great Britain 2009, Dept for Transport
 Central Statistics Office, Transport 2008
 Office for National Statistics: Population Estimates

Land Adjacent to Cullybackey Train Station

Mr P Frew asked the Minister for Regional Development if he intends to fund the purchase of identified land, adjacent to Cullybackey Train Station, to provide additional car parking space.

(AQW 1991/11)

Minister for Regional Development: Translink are seeking suitable options for further Park and Ride sites in the Cullybackey area. However the provision of any additional car park spaces at NIR stations will be subject to the availability of capital funding.

Tennent Street in North Belfast

Mr W Humphrey asked the Minister for Regional Development if his Department has any plans to resurface Tennent Street in North Belfast.

(AQW 1995/11)

Minister for Regional Development: My Department's Roads Service has advised that major concrete repairs were carried out in Tennent Street, Belfast in 2008.

All resurfacing requests are investigated and assessed within the context of the three-year resurfacing and reconstruction works programme. Consequently, the present carriageway condition does not justify inclusion within the programme, at this time.

In addition, Roads Service carries out inspections of this area on a cyclical basis, and anything which is considered to be hazardous to the public, is identified and programmed for appropriate repair.

Senior Executives' Bonuses

Mr P Maskey asked the Minister for Regional Development to detail the bonuses which Senior Executives in the Northern Ireland Transport Holding Company/Translink are likely to be awarded for this financial year and the next three financial years.

(AQW 2040/11)

Minister for Regional Development: The Northern Ireland Transport Holding Company (NITHCO)/Translink Board have confirmed that no bonuses will be paid in respect of this year (2010/2011). I have directed the NITHC/Translink Board that no bonuses should be paid in respect of last year (2009/2010). I will continue to follow Executive policy on this matter but have indicated to the NITHC/Translink Board that current policy is likely to remain in place.

Meters Installed in Domestic Properties

Mr C McDevitt asked the Minister for Regional Development to detail (i) the number of meters installed at domestic properties since May 2007 and the cost of installing these meters; and (ii) how many meters he expects to install in domestic properties in this financial year and the estimated cost of installing these meters.

(AQW 2134/11)

Minister for Regional Development: I have been advised by Northern Ireland Water (NIW) that the number of meters installed in domestic properties and the associated costs are set out in the table below.

Year	Number of Meters Installed	Installation Cost (£)
2007/08	3,220	154,430
2008/09	11,460	557,870
2009/10	3,945	172,956
2010/11 (estimated)	5,059	186,095
Total	23,684	1,071,351

Flooding: Drains

Mr T Lunn asked the Minister for Regional Development whether his Department prioritises the cleaning of drains in the autumn, when there is a history of flooding.

(AQO 518/11)

Minister for Regional Development: My Department's Roads Service aims to inspect and clean the storm water gullies in urban areas twice per year, and in rural areas once per year. This policy ensures that a reasonable level of maintenance is carried out to the drainage system, whilst taking account of my Department's finite funding and staff resource levels.

Roads Service plans the timing of the second annual cleaning in urban areas, where possible, to coincide with the end of the leaf fall in autumn, therefore optimising the benefits from the cleaning regime and ensuring the most efficient use of staff resources.

In addition, Roads Service has emergency plans to deal with flooding-related incidents to ensure that a 24 hour day, seven days a week, response service is in place when the risk of flooding is greatest.

Roads Service makes preparations in response to early warnings of heavy rain, issued by the Met Office, to ensure, as far as is practicable, that it is ready to deal with the impact of adverse weather.

These preparations include putting operational staff on standby, checking that drainage outlets/culverts at identified locations, where there is a history of flooding, are clear from debris, checking the readiness of emergency equipment and ensuring sufficient stocks of sandbags are available.

Roads: Cookstown

Mr I McCrea asked the Minister for Regional Development what arrangements are being put in place for gritting roads in the Cookstown area during the coming winter, following the closure of the Roads Service depot in Cookstown.

(AQO 526/11)

Minister for Regional Development: My Department's Roads Service has advised that since the closure of the Roads Service depot in Cookstown, the four gritters and gritting operations for the area are now shared between the Magherafelt and Dungannon depots. The salted network in the Cookstown area has not changed, however, some adjustments have been made to individual gritter journeys as the routes now start and end at either the Magherafelt or Dungannon depots.

These arrangements have recently been successfully tested when gritters were deployed on 22 and 23 October 2010.

A2 Carrickfergus to Belfast

Mr S Neeson asked the Minister for Regional Development what progress has been made on the improvements to the A2 between Carrickfergus and Belfast.

(AQO 527/11)

Minister for Regional Development: My Department's Roads Service has advised that it is continuing with the development of the A2 Shore Road Greenisland scheme. A Geotechnical Investigation was completed in 2009, and an Archaeological Investigation was carried out in 2010. However, the final Statutory Notice and the Vesting Order, as well as progression of the scheme to procurement, will be subject to the availability of resources through the normal budgetary process.

In the meantime, Roads Service has commenced a pre-qualification process, to establish a select list of firms that would be considered suitable to be invited to tender for the scheme.

Water Supply: Antrim

Mr T Clarke asked the Minister for Regional Development when NI Water intends to permanently resolve the interrupted water supply to the Milltown Road, Antrim.

(AQO 529/11)

Minister for Regional Development: I have been advised by NI Water that it is aware of the problem with interruptions to the water supply at Milltown Road, Antrim and is proposing to replace the watermain in the area to resolve the issue.

NI Water is unable to confirm a definitive start date for the work at this time, but anticipates that it will have commenced by April 2011.

Public Transport: Fares

Mr T Burns asked the Minister for Regional Development whether he intends to approve any public transport fare increases before the end of the calendar year.

(AQO 530/11)

Minister for Regional Development: As agreed in the NITHC Corporate Plan for 2010/11 there was a public transport fare increase implemented in June of this year. Translink's operating performance to date is generally in line with their financial projections and I do not propose to approve any further public transport fare increases before the end of this calendar year or before the end of the 2010/11 financial year.

Glen 10

Ms S Ramsey asked the Minister for Regional Development to outline his Department's position on the land development zone, Glen 10, in West Belfast.

(AQO 524/11)

Minister for Regional Development: I am aware there are a number of master plans, proposals and initiatives for developments in West Belfast which includes the Glen 10 site (Ard na Ghleanna). These are at different stages of development and are being led by a number of Departments and Lead Organisations.

As the regeneration of this area is cross-cutting my intention is to bring forward a Paper to the Executive seeking endorsement to an Executive led approach to the regeneration of West Belfast, including the Shankill Road. This remains my consistent position and I have conveyed that to DSD.

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Savings

Mr F Cobain asked the Minister for Regional Development when his Department will submit its savings proposals to the Department of Finance and Personnel.

(AQO 528/11)

Minister for Regional Development: As the Executive has not yet agreed savings targets for departments, my Department is not in a position to provide details of its savings proposals at this stage.

The timescale for submitting savings proposals to the Department of Finance and Personnel will therefore be subject to the Executive's agreement of savings targets for departments.

Department for Social Development

Contracts

Mr P Weir asked the Minister for Social Development how many times his Department has removed contracts from contactors working for (i) his Department; and (ii) the Housing Executive because of (a) a breach of contract by the contractor towards their employees; and (b) a failure to comply with TUPE regulations.

(AQW 639/11)

Minister for Social Development (Mr A Attwood): My Department has not removed contracts from any contractors working for the Department or the Housing Executive. The Department of Finance and Personnel's Central Procurement Directorate tender and manage all major Northern Ireland Civil Service contracts.

I am aware of the TUPE issue and met with officials and the Departmental Solicitor's Office recently. While the TUPE obligations of a contractor are ultimately for a Tribunal to determine, I have asked officials to consider:

- (a) if TUPE obligations are an implicit term in contracts involving public monies;
- (b) should an explicit TUPE term be incorporated in contracts involving public monies generally; and
- (c) to assess if existing contracts have an explicit TUPE term in particular.

Compliance with TUPE Regulations

Mr P Weir asked the Minister for Social Development how his Department monitors the compliance with TUPE regulations by contractors working for his Department or any of its arms-length bodies or agencies.
(AQW 641/11)

Minister for Social Development: The Department does not as a matter of practice monitor compliance with TUPE regulations by contractors working for the Department or any arms length bodies or Agencies. The TUPE regulations provide protections for staff and their trade unions which may be

enforced in the Industrial Tribunals or the Courts. The application of TUPE is therefore a matter for contractors and if this can not be resolved by agreement between them then it is a matter for determination by the Industrial Tribunal or the Courts on application by any effected employees. The Department would of course consider any matter which is brought to its attention, subject to the above conditions.

In relation to the TUPE issue, I met with officials and the Departmental Solicitors Office recently. While the TUPE obligations of a contractor are ultimately for a Tribunal to determine, I have asked officials to consider:

- (a) if TUPE obligations are an implicit term in contracts involving public monies;
- (b) should an explicit TUPE term be incorporated in contracts involving public monies generally; and
- (c) to assess if existing contracts have an explicit TUPE term in particular.

Warm Homes Scheme

Mr T Clarke asked the Minister for Social Development, pursuant to AQO 150/11, if his Department will be reviewing the applications of people who applied to the Warm Homes Scheme and were turned away because they were in receipt of rates relief.

(AQW 782/11)

Minister for Social Development: My Department will not be reviewing the applications of people who applied to the Warm Homes Scheme because they were in receipt of rates relief as being in receipt of rates relief only does not qualify an applicant for assistance from the scheme.

In order to qualify for assistance from the Warm Homes Scheme an applicant must be in receipt of a qualifying benefit. Housing Benefit, which can include an element for rates relief, is a qualifying benefit for the Warm Homes Scheme. Applicants who are in receipt of rate relief but not housing benefit cannot satisfy the scheme criterion on that basis.

Procurement of Contracts

Mr A Easton asked the Minister for Social Development what plans he has to ensure that his Department produces better financial results through the improved procurement of contracts.

(AQW 1267/11)

Minister for Social Development: The Department's procurement is channelled through a recognised Centre of Procurement Expertise (CoPE). For the Department this means the Department of Finance and Personnel's Central Procurement Directorate (CPD) and the Northern Ireland Housing Executive as a recognised CoPE. The Department has achieved the Procurement Board target that "at least 95% of all Departments' procurement expenditure is channelled through a Centre of Procurement Expertise". Because of this, one means for better value for money is open competition.

However, I have held two meetings with my Permanent Secretary, Deputy Secretary and senior officials from Central Procurement Directorate on a range of procurement issues. I anticipate there shall be progress around procurement issues in the near future. However, I believe there are a number of core issues that need to be addressed around procurement generally and I continue to actively look at this issue. As an example, following the creation of procurement groups to manage Housing Association business, there has been early evidence of cost savings on consultancy contracts. I have advised the Housing Associations that I am looking for further progress, more collaboration and more savings across the spending categories of Housing Associations.

Housing Repair Contract for West Belfast

Mr P Maskey asked the Minister for Social Development (i) how many companies tendered for the latest housing repair contract for West Belfast; (ii) the scores awarded to each company; (iii) the total value of the contract; (iv) the period covered by the contract; (v) whether the successful tender met

all aspects of the contract; and (vi) whether the successful contractor met all the financial clauses submitted in the tender bid.

(AQW 1520/11)

Minister for Social Development: The Housing Executive has advised that

- (i) five firms met the financial and technical criteria and were invited to tender for the West Belfast contract;
- (ii) four tenders were returned and the combined quality/price scores (out of a possible 1000) awarded were 883.958; 944.841; 910.466; 470.397;
- (iii) the value of the contract was estimated at £1,300,000 per annum;
- (iv) the contract was let for a period of four years from 5 March 2007;
- (v) the successful tenderer's submission satisfied the provisions of the contract as set out in the tender documents; and (vi) the successful tenderer met the financial criteria as detailed in the contract notice and tender documentation.

The Housing Executive monitors contract delivery performance and reports on such on a monthly basis. Where performance does not meet the required Key Performance Indicators as set under the contract the appropriate action will be taken. The Housing Executive Corporate Procurement Unit (CPU) will be reviewing the inclusion of performance indicators within future contracts.

Illegal Signage on Housing Executive Property

Lord Morrow asked the Minister for Social Development what plans are in place to remove the illegal signage on Housing Executive property at Avonmore, Blackwatertown; and when this will be done.

(AQW 1682/11)

Minister for Social Development: I assume the Member is referring to a sign which was erected a number of months ago on a wall owned by the Housing Executive at Avonmore, Blackwatertown. The sign's text is directed against what others refer to as drug dealers, anti-social behaviour, criminal activity and 'death driving'. The Housing Executive's local contractor was anxious about removing the sign given the possible repercussions to his employees working in the area at that time. However, the Housing Executive has been engaged in discussions with Armagh City & District Council and the PSNI on how best to resolve the problem of the illegal signage. Most recently they met at the end of October and following on from that it is believed the sign will be removed at the earliest opportunity.

I do not wish to see staff of any organisation being placed at risk. However, the issue of the illegal erection of memorials and signs is a matter that needs to be addressed and I shall consider how this matter might be addressed as well as the issues regarding the illegally erected plinths in Kilcooley, Bangor, Co Down.

Housing Associations in the Greater Shankill Area

Mr W Humphrey asked the Minister for Social Development what steps he is taking to ensure that Housing Associations in the Greater Shankill area are in a position to build social housing in that area.

(AQW 1714/11)

Minister for Social Development: The Department exercises control and supervision of all Registered Housing Associations in Northern Ireland through its Inspection Programme. Those Associations who fail the inspection may be refused access to grant funding until they can satisfy the Department that they are fit for purpose.

There are a number of Housing Associations who have built the existing social housing in the Greater Shankill area and a number who have proposed new housing schemes in the current Social Housing Development Programme namely Oaklee Housing Association, Helm Housing Association, Fold Housing Association and Clanmill Housing Association.

Two locally based Housing Associations namely Filor Housing Association and Harmony Homes who also have existing and proposed housing schemes in the Greater Shankill area have failed to meet the Departments standards and as a result they are currently suspended from receiving any further funding from the Department until they can demonstrate they have addressed the serious shortcomings identified by inspection.

Northern Ireland Housing Executive Investigation into Work by Red Sky

Ms D Purvis asked the Minister for Social Development if he will publish the Terms of Reference for the Northern Ireland Housing Executive investigation into work being carried out by Red Sky.

(AQW 1716/11)

Minister for Social Development: The Housing Executive commissioned a confidential investigation by external forensic consultants into the work being carried out by Red Sky. It is inappropriate to release the report or any part of the report given the requirements of due process and the constraints imposed by its confidential nature. I will, of course, share with the Social Development Committee, if necessary in private and in confidence, such information that is proper to share, consistent with the standards outlined above.

Cost of Sponsoring Prizes for Events and Award Ceremonies

Lord Morrow asked the Minister for Social Development how much his Department and its arms-length bodies spent on sponsoring prizes for events and award ceremonies in each of the last three years.

(AQW 1766/11)

Minister for Social Development: The information requested on sponsoring prizes for events and award ceremonies is set out in the table below.

2007-08	2008-09	2009-10
-	£7000	£6803

Investigation into Hardcastle Street

Ms C Ní Chuilín asked the Minister for Social Development (i) to outline the result of the investigation into Hardcastle Street; (ii) whether any compensation was paid out as a result of the investigation; and (iii) was any further investigation initiated following the findings of this investigation.

(AQW 1869/11)

Minister for Social Development: The Housing Executive is committed to providing all of its services and functions in a professional manner and to the highest standard.

It should be noted that the Commissioner's investigation is conducted in private and as such remains a confidential matter between the parties until such times as it is published by the Commissioner in accordance with the provisions of the relevant legislation.

This response must recognise those constraints.

The Housing Executive has initiated a review of the issues relating to this case and of governance surrounding land sales. The Housing Executive will take whatever actions are deemed appropriate in light of the Commissioner's Report and the subsequent review. Until that process is concluded it would be inappropriate to make further comments which might impact on, or be prejudicial to, that process.

Independently I directed that a team of qualified people should conduct a short, sharp audit of a range of governance and management issues in the Housing Executive which is ongoing.

I am kept informed as and where appropriate, in relation to relevant, ongoing matters in the Housing Executive.

Nelson Street Site

Ms C Ní Chuilín asked the Minister for Social Development whether, within the last six months, he or any officials from his Department or its arms-length bodies met with any person directly involved in the Nelson Street site owned by Barry Gilligan.

(AQW 1870/11)

Minister for Social Development: I can confirm that no Departmental official and I have been advised that no Housing Executive official has met with any person directly involved in the Nelson Street site within the last six months in relation to the Nelson Street site. I met with Barry Gilligan on 8 September to discuss the future of Crumlin Road Courthouse, given my interest in and proposals in relation to the Lower Shankill Estate, the Lower Oldpark and the Girdwood site which are all adjacent to the Courthouse.

Nelson Street Site

Ms C Ní Chuilín asked the Minister for Social Development whether any members of staff who are part of the Nelson Street investigation are also involved in the Hardcastle Street investigation.

(AQW 1871/11)

Minister for Social Development: Both of the matters referred to here are subject to investigations, one of them by the PSNI. The issues relate to the same division within the Housing Executive.

I am confident that members will appreciate that it would be inappropriate for me to comment any further at this time in order to guarantee the needs of due process and proper procedure.

Housing Benefit

Mr P Weir asked the Minister for Social Development what is the maximum level of Housing Benefit currently awarded on a weekly basis to any family or individual.

(AQW 1877/11)

Minister for Social Development: The Housing Executive has advised that the highest weekly payment with regards to Housing Benefit is currently £204.64.

Public Open Space Land

Dr S Farry asked the Minister for Social Development how much public open space land is owned by his Department and its associated bodies.

(AQW 1911/11)

Minister for Social Development: My Department owns 172.63 acres of public open space land. The Housing Executive has advised that it owns some 4372.44 acres, including a large amount of grassed, planted and hard standing areas of amenity space. The bulk of this land would not be considered suitable for development. The Housing Executive considers that some 856.56 acres of this land to be capable of development.

Housing Executive Properties in the Springfarm Estate, Antrim

Mr T Burns asked the Minister for Social Development how many Housing Executive properties in the Springfarm estate in Antrim have single glazed windows; and when these houses are likely to be renovated and the windows upgraded.

(AQW 1927/11)

Minister for Social Development: The Housing Executive has advised that the majority of their properties in the Springfarm Estate currently have double glazed windows. The exact number of properties that have single glazed windows is not available as during previous planned improvement schemes some Housing Executive tenants refused new windows. Unfortunately the numbers of these properties were not recorded at the time of the scheme work.

Void properties are not included in planned maintenance schemes. However, if those properties are brought back into use new windows are then installed.

Housing Executive Properties in the Springfarm Estate, Antrim

Mr T Burns asked the Minister for Social Development what work is ongoing to upgrade Housing Executive properties in the Springfarm estate in Antrim or to bring derelict houses back into use. **(AQW 1928/11)**

Minister for Social Development: The Housing Executive has planned improvement schemes for the Springfarm Estate as follows:-

2010/11:-

- Springfarm Kitchens Phase 1 36 dwellings £184,000
- Springfarm Kitchens Phase 2 31 dwellings £240,000

2011/12:-

- Springfarm Heating 25 dwellings £162,000
- Springfarm Kitchens 80 dwellings £360,000

The schemes in 2011/12 are subject to funding being available.

The Housing Executive has also advised that 59 ex MOD properties in Springfarm, which need considerable repairs to bring them up to standard, are under consideration for transfer to a Housing Association and a further six vacant dwellings are presently undergoing extensive repairs.

Private Sector Grant Applications

Mr P Weir asked the Minister for Social Development how many private sector grant applications were approved in the North Down constituency in the 2009/10 financial year. **(AQW 1931/11)**

Minister for Social Development: The Housing Executive has advised there were 111 private sector grant approvals for the North Down constituency in 2009/10.

Economic Regeneration Projects in the North Down Constituency

Mr P Weir asked the Minister for Social Development to detail the economic regeneration projects in the North Down constituency funded by his Department in each of the last three years. **(AQW 1933/11)**

Minister for Social Development: Since 1 April 2008, my Department has provided funding of £283,928.61 to economic regeneration projects in the North Down constituency. These include a number of training projects in the Kilcooley estate in Bangor funded through the Neighbourhood Renewal strategy and the salary costs of an economic development worker's post in the Rathgill estate in Bangor, which have been met through the Small Pockets of Deprivation programme. The amounts of funding allocated in each year are as follows:

- 2008/2009 £10,684
- 2009/2010 £24,550
- 2010/2011 £24,795

In October 2009, my Department commissioned a masterplan and transport assessment for Bangor town centre. The Masterplan and supporting transport study will inform my Department's decision making on the promotion, implementation and timing of urban regeneration initiatives in the town centre for the next 15 years.

Housing Executive's Housing Repairs Budget

Mr M Brady asked the Minister for Social Development to detail, for the last available financial year, the underspend, and the reasons for the underspend, in the Housing Executive's housing repairs budget in its Newry office; and what action he is taking to ensure that this situation is rectified.

(AQW 1987/11)

Minister for Social Development: There was not an underspend in the Housing Executive's housing repairs budget in its Newry office. There was, however, an 11% overspend in the response maintenance budget in 2009/10. Reinstating long term voids combined with a particularly severe winter contributed to additional pressure on this demand led budget.

Community Support Programme

Mr P J Bradley asked the Minister for Social Development to outline the criteria for voluntary groups making an application to the Community Support Programme for funding for a village community centre.

(AQW 1998/11)

Minister for Social Development: Under the Local Government Act (Northern Ireland) 1972 Chapter 9 the responsibility for the provision of council community centres rests with District Councils not the Department for Social Development (DSD). However my Department does play a supporting role to Councils through the Community Support Programme.

The Community Support Programme (CSP) is a unique collaborative initiative involving DSD and the 26 District Councils to support local community infrastructure, including community centres, resource centres, advice-giving agencies and local voluntary and community sector organisations. The total annual value of the Programme is approximately £20.52 million with approximately £5.45 million of this from DSD and the remainder from district councils through rate income. The responsibility for CSP funding decisions in relation to Community Centres rests with individual District Councils.

Mountpottinger PSNI Barracks

Mr A Maskey asked the Minister for Social Development, given the imminent demolition of Mountpottinger PSNI barracks, what plans he has for consultation with local community and political representatives in the Short Strand area regarding the future of the site; and if his Department would seek to acquire the land for social housing.

(AQW 2019/11)

Minister for Social Development: I understand that the site of the former PSNI station at Mountpottinger has not yet been formally declared surplus.

The housing need in the area would however support the acquisition of the site and if it becomes available I will instruct the Housing Executive to register our interest in acquiring it.

Efficiency Savings

Mr S Moutray asked the Minister for Social Development to what extent he intends to prioritise efficiency savings over cuts in preparation for the next Budget.

(AQW 2027/11)

Minister for Social Development: The final budgets for next year have not yet been agreed. However, if Departments that provide services to those individuals and communities in need – including the full range of DSD functions, are not given priority, then the Budget will fail one of its essential challenges. I have been assessing how the Department can do its business more collaboratively to reduce costs and protect jobs and services.

Crumlin Road Courthouse

Mr W Humphrey asked the Minister for Social Development if he has any plans to bring the Crumlin Road Court House back into public ownership.

(AQW 2061/11)

Minister for Social Development: I have no such plans and no such proposal has been raised with me, including by Mr Barry Gilligan the owner, who I met on 8 September 2010 to discuss the future of the Court House.

Doors Fitted by the Housing Executive

Mr J Bell asked the Minister for Social Development whether all doors fitted by the Housing Executive in the Strangford constituency are health and safety compliant.

(AQW 2087/11)

Minister for Social Development: I can confirm that all doors fitted by the Housing Executive as part of either response or planned maintenance are in accordance with the relevant Building Standard.

However, new legislation effective from 15 November 2010 places a duty on owners and others in relation to fire safety, carrying out fire safety risk assessments, putting in place necessary fire safety measures and keeping fire safety risk assessments and their outcomes under review. As a result of this, medium rise flat blocks (including those within the Strangford Constituency) will be surveyed by the Housing Executive to assess compliance and where doors do not meet the required standard they will be upgraded. The Housing Executive has advised that the high rise blocks have already been inspected but that the legislation requires that communal areas within medium rise blocks are also addressed.

Homes in the Old St Patrick's Site in Belfast

Ms C Ní Chuilín asked the Minister for Social Development how many of the people who were allocated homes in the old St Patrick's site in Belfast had addresses in the BT15 and BT14 postcode areas.

(AQW 2106/11)

Minister for Social Development: The properties at the old St Patrick's site in Belfast fall within the Common Landlord Area of Carlisle/New Lodge/Henry Street and are owned and allocated by Habinteg Housing Association. A total of 25 allocations were made in October 2010 of which 22 were made to Applicants/Transfers within the BT14 and BT15 areas.

Social Housing: Waiting Lists

Rev Dr R Coulter asked the Minister for Social Development how many people currently on the waiting list for social housing are considered to be in housing stress.

(AQO 532/11)

Minister for Social Development: At the 30 September 2010 the social housing waiting list for Northern Ireland consisted of 39,344 applicants of whom 20,513 were deemed to be in housing stress. In the two years from 2008 we managed to reduce waiting lists by 6%, thanks largely to the work started by my predecessor, Margaret Ritchie, that I am literally building on. Last year, we built the greatest number of new houses in a decade and I plan to go even further this year and start even more. However, whilst that is good news for all of those on the waiting lists, it could be jeopardised if the housing budget in the coming years is not protected. I want to protect the vulnerable and those in greatest need and there can be no more fundamental right than having a home to call your own. That is why I will be doing all I can as Minister to persuade my Ministerial colleagues of the need to place Housing on a firm financial footing and I look forward to the support of the House in making that case.

Affordable Housing: South Antrim

Mr P Girvan asked the Minister for Social Development for an update on the availability of land for affordable housing in the South Antrim constituency and any plans he has to utilise this land over the next five years.

(AQO 538/11)

Minister for Social Development: The Housing Executive currently own thirty six sites in the South Antrim Constituency. Six of these are in areas of current housing need and are being transferred to Housing Associations for social housing; eight have been transferred to the surplus land schedule, while the remaining twenty two are being retained for future use.

With the limited resources available to me I need to do what I can to make my budget go further therefore building on land that we already own makes good economic sense and increases our capacity to deliver more housing to those in greatest need. This is why this year over 1000 units or approximately 33% of the Social Housing Development Programme is on land currently in our ownership.

Green New Deal Housing Fund

Dr S Farry asked the Minister for Social Development for his assessment of the Green New Deal Housing Fund initiative.

(AQO 539/11)

Minister for Social Development: I welcome the proposals contained in the Green New Deal Fund initiative. The objective of the actions proposed will improve the domestic energy efficiency of the Northern Ireland housing stock, thereby helping to alleviate fuel poverty in vulnerable households and reducing our carbon emissions to meet European and U.K. targets. I am presently studying the detail contained in the business case prepared by the group, which I believe has been issued to colleagues.

Green New Deal proposes the establishment of a mutual company, whose role will be to assemble funding to enable the energy retrofit of 100,000 homes over 3 years and 500,000 over 10 years. The total cost of the investment in 100,000 homes is £253 million, of which £72 million is being sought from Government as grant support to householders. The plan is to offer a "one stop shop" service for householders comprising energy saving measures, advice, installation, inspection etc. In Great Britain the coalition government plan to start implementing its Green Deal by the end of 2012, by introducing enabling legislation but no financial commitment. It is to be funded and delivered by a new energy company commitment (CERT), using PAYS mechanism. As part of the new Fuel Poverty Strategy, I am currently examining an area based approach which examines various initiatives to improve the energy efficiency of existing housing and reducing fuel poverty. Green New Deal is currently preparing a proposal for a pilot scheme in the Newry area which will offer energy efficiency improvements for every household in the Barcroft/Loanda area. My officials have met with Green New Deal about the pilot and they have agreed to meet again once a business case has been finalised. I am also meeting with John Woods from Green New Deal on 25th November to discuss the proposal.

Green New Deal Housing Fund

Mr S Hamilton asked the Minister for Social Development for his assessment of the merits of the Green New Deal Housing Fund.

(AQO 540/11)

Minister for Social Development: I welcome the proposals contained in the Green New Deal Fund initiative. The objective of the actions proposed will improve the domestic energy efficiency of the Northern Ireland housing stock, thereby helping to alleviate fuel poverty in vulnerable households and reducing our carbon emissions to meet European and U.K. targets. I am presently studying the detail contained in the business case prepared by the group, which I believe has been issued to colleagues.

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Living Over the Shop Scheme: Cookstown

Mr B Armstrong asked the Minister for Social Development for his assessment of the Living Over The Shops initiative in Cookstown.

(AQO 541/11)

Minister for Social Development: Cookstown was awarded LOTS (Living over the Shops) status in 2006. Since then, nine town centre properties have been brought back into use and 23 new ‘homes’ created above existing retail units. A further six properties creating an additional nine new homes are either under renovation or about to start. I recently visited Cookstown to see all of this good work for myself. My visit coincided with Cookstown reaching the £1 million investment milestone in their Living Over the Shops Scheme. There are now 21 Town Centre Living Initiative Areas across the North with Cookstown considered to be one of the most successful.

Welfare Reform

Mr T Elliott asked the Minister for Social Development what recent discussions he has had with Lord Freud on welfare reform.

(AQO 542/11)

Minister for Social Development: I have had a number of meetings with Lord Freud and with other Ministerial colleagues in Westminster to discuss welfare reform both before and since the Chancellor announced the outcome of the Spending Review. In addition to my meetings with Lord Freud I have met with Ian Duncan Smyth and most recently with Chris Grayling, all with the express intention of putting forward the strongest possible case for those affected by the proposed reforms, particularly the most disadvantaged in Northern Ireland. Another meeting with Lord Freud has been arranged for 29/11/10.

Welfare Reform: Mortgage Payments

Mr W Clarke asked the Minister for Social Development whether the advisory group on welfare reform has met to discuss the consequences of the reduction in mortgage interest payments and to outline any action taken as a result.

(AQO 543/11)

Minister for Social Development: There are a number of interventions that I have spoken about on a number of occasions, both here and elsewhere. First, we have funding for the mortgage debt advice service through the Housing Rights Service, which is a scheme that has helped over 700 people who were heading towards, or were at, the doors of a court for repossession actions.

My Department funds a wide range of advice networks, not just within the Social Security Agency but through the Law Centre, Advice Northern Ireland and the Citizens Advice Bureau (CAB), thereby helping people in local communities when they get into debt issues, including the potential repossession of their properties.

I would like to go further than that. My predecessor and I have made repeated bids to run a mortgage rescue scheme, as operates in parts of Britain. That scheme would not just give best advice on how to avoid repossession; in the event of repossession, it would create the mechanisms to enable people to remain in their houses on a rental basis instead of seeing them surrendered to the building societies or banks. Unfortunately, and I hope that the situation will change in the future Budget, the £5 million bid for a mortgage rescue scheme has not been agreed around the Executive table. So, in all of those ways and more, I will demonstrate over the coming weeks that we are trying to protect those whose houses are at risk.

Development: Clondermot

Ms M Anderson asked the Minister for Social Development how his Department intends to utilise the development site at Clondermot and how this will benefit the local communities.

(AQO 544/11)

Minister for Social Development: My Department purchased the Clondermot site in January 2009 to facilitate the implementation of a redevelopment master plan agreed with Derry City Council, the Western Health and Social Care Trust, North West Regional College and the Waterside Development Trust. Unfortunately neither the Western Health and Social Care Trust nor the North West Regional College can proceed with their proposals due to a lack of finance. The Waterside Development Trust has however now purchased the portion of the site required for its purposes from my Department and will begin construction of an office block in January 2011. When completed in January 2012, this new building will create a high quality site frontage onto the Irish Street entrance and provide purpose built office accommodation for Derry City Council Community Services together with training facilities and Shared Future conference accommodation. Given the withdrawal of the health and education proposals my Department is currently engaging with Derry City Council to jointly develop an interim solution that will upgrade the existing pitches and provide new changing facilities on site for public use.

I remain committed in the longer term to the development of this site for the benefit of local communities. Of course, if DFP and Executive colleagues do not recognise the job for job, pound for pound benefit of urban renewal and regeneration as agreed in the June 2010 monitoring, my ambitions for the site may be prejudiced. I also hope members may make full representations to other Government departments to help resolve the issue.

Housing Executive: Rural Housing

Mr A McQuillan asked the Minister for Social Development for his assessment of the condition of Northern Ireland Housing Executive stock in rural areas.

(AQO 545/11)

Minister for Social Development: The condition of all housing stock across Northern Ireland is considered to be generally good. The Housing Executive's 2009 House Condition Survey estimated unfitness levels of 2.4% (17,500 dwellings) across all housing tenures within Northern Ireland - an improvement on the unfitness rate of 3.4 per cent (24,100 dwellings) in 2006. However unfitness levels continue to be higher within rural areas than within urban areas (4.1% compared with 1.6% within urban areas). However we have already identified a range of actions that should start to close that gap and address the wider issues relating to rural unfitness. For example, last year we built 185 new homes in rural areas and carried out over 2,500 installations under our Warm Homes Scheme.

Revised Written Answers

This section contains the revised written answers to questions tabled by Members. The content of the responses is as received at the time from the relevant Minister or representative of the Assembly Commission, and it has not been subject to the official reporting (Hansard) process or changed.

Revised Written Answers

Employment and Learning

Regional Colleges: Non-Completion of Full-Time Courses

In Bound Volume 54, page WA192, replace the answer to question (AQW 8201/10) asked by Mr Givan with:

Please see table below:

College	Academic Year		
	2006/07	2007/08	2008/09
Belfast Metropolitan	1,416	1,063	1,132
Northern Regional	812	681	748
South Eastern Regional	676	631	466
Southern Regional	574	666	623
South West	516	576	351
North West Regional	975	844	916
Total	4,969	4,461	4,236

Source: Further Education Leavers Survey

Regional Development

NI Water

In Bound Volume 56, page WA199, replace the answer to question (AQW 847/11) asked by Mr McGlone with:

I have been advised by NI Water (NIW) that additional audit support services provided to NIW since it was established on 1 April 2007 have been as follows.

External Audit Services

The following contracts cover the audit of the statutory accounts, the regulatory accounts, the whole of government accounts, and parts of the NI Authority for Utility Regulation (NIAUR) Annual Information Return as specified by NIAUR and the Interim Principal Statement.

- 1 A contract was awarded to KPMG through open competition from 1 April 2007 to 31 March 2010.
- 2 Subsequent to this, a contract was awarded through open competition to KPMG from 1 April 2010 to 31 March 2013 with an option to extend for a further two years.

Prior to 1 April 2007, the external audit service for Water Service was carried out under the direction of the NI Audit Office with no additional support.

Internal Audit Services

1. A contract was awarded through open competition to Ernst & Young LLP for the provision of internal audit services. The contract was for 2 years from 1 April 2007 to 31 March 2009, with an option to extend for a further year to 31 March 2010.
2. During the transitional period when NIW was seeking to establish its own internal audit function, the following staff substitution services were engaged:
 - ASM Horwath – engagement of a staff substitute for a period of 8 weeks from September 2008 to October 2008. This engagement was on the basis of quotations as the total contract value fell below the competitive tendering threshold;
 - FGS McClure Watters – engagement of a staff substitute for a period of 8 weeks from August 2008 to September 2008. This engagement was on the basis of quotations as the total contract value fell below the competitive tendering threshold; and
 - Deloitte – engagement of a staff substitute for a period of 12 weeks from January 2009 to March 2009. This engagement was awarded under the C328 Professional Services Framework Contract. The C328 contract was established in October 2008 following a full competitive tendering exercise.
3. Following the full establishment of its own internal audit function from 1 April 2010, NIW co-sourced from Deloitte - engagement of IT Audit support staff on a staff substitution basis for a total of 8 days between August and October 2010. This engagement was awarded under the C328 Professional Services Framework Contract.

Prior to 1 April 2007, the internal audit service for Water Service was carried out under the direction of DRD Internal Audit function with no additional support.

Office of the First Minister and deputy First Minister

British-Irish Council: Secretariat

In Bound Volume 55, page WA217, replace the answer to question (AQO 125/11) asked by Mr I McCrea with:

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 and Jersey Summit meetings on held on 20 February and 13 November 2009 respectively.

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.

Culture, Arts and Lesiure

Rural Libraries

In Bound Volume 56, page WA115, replace the answer to question (AQO 732/11) asked by Mr Savage with:

In acknowledging the absence of any generally accepted definition of 'rural' in Northern Ireland, an inter-departmental Urban/Rural Definition Group was established to identify and delineate settlements. This group recommended that settlements with a population of less than 4,500 should be regarded as 'rural'.

In relation to this answer the settlements-based definition outlined above has been used and population figures, relating to each library area, were determined from the 2001 census.

The following table shows the recurrent and capital investment in each rural library in each of the last three years.

	2007/08	2008/09	2009/10
Broughshane	£338	£7,233	0
Carnlough	£5,376	£5,840	£4,895
Castleberg	£3,642	£1,302	0
Castlewellan	£4,015	£10,998	0
Crossmaglen	£62	£2,120	0
Crumlin	£102,705	£5,874	0
Cushendall	£487	£6,619	0
Draperstown	£673	£4,760	0
Dromore	£1,537	£19,836	0

	2007/08	2008/09	2009/10
Dungiven	£1,841	£87,686	£427,523
Fintona	£375	£4,793	£5,032
Fivemiletown	£4,699	£3,179	0
Garvagh	£1,300	£7,153	0
Gilford	£1,563	£4,818	£1,159
Irvinestown	£4,065	£1,611	£1,500
Keady	£1,253	£1,215	£106,496
Kells & Connor	£473	£5,358	0
Killyleagh	£2,024	£2,594	0
Kilrea	£423	£5,344	0
Lisnaskea	£3,835	£14,361	£2,100
Maghera	£1,961	£1,859	£500
Moira	£995	£1,514	0
Moneymore	£953	£3,690	£6,161
Moy	£1,471	£2,347	0
Newtownstewart	£43,144	£256,919	£307,328
Portaferry	£4,614	£4,327	£500
Portglenone	£40,308	£4,989	0
Rathfriland	£1,624	£1,000	£2,219
Richill	£1,798	£1,740	£3,756
Saintfield	£4,714	£2,312	0
Tandragee	£6,320	£3,805	£458
Whitehead	£6,517	£23,421	£355,721

There has also been £15,000 spent on mobile library provision in the last three years. Mobile libraries are vital in providing services to rural communities that have limited access to a static library.

Figures for 2009/10 were provided by Libraries NI and figures prior to 2009/10 were provided by the Education and Library Boards

Culture, Arts and Lesiure

Schedule to the Safety of Sports Grounds (Designation) (No. 2) Order (Northern Ireland) 2009

In Bound Volume 56, page WA234, replace the answer to question (AQW 1178/11) asked by Mr K Robinson with:

The table below details the Department of Culture, Arts and Leisure's (DCAL) official estimated capacity (ie number of spectators for which a sports ground has accommodation) of each of the sports grounds identified in the Schedule to the Safety of Sports Grounds (Designation) (No.2) Order (Northern Ireland) 2009. This official estimated capacity has not been changed or reduced since inspections were carried out in 2009 by Sport Northern Ireland (SNI) on DCAL's behalf and in accordance with Article 4(4) of The Safety of Sports Grounds (Northern Ireland) Order 2006.

I am aware, however, that as a result of the introduction of the Safety of Sports Grounds (Designation) (No.2) Order (Northern Ireland) 2009, 17 of the grounds listed in its Schedule have, to date, been issued with safety certificates by their District Council under Article 4 (5) and Article 5 of the Safety of Sports Grounds (Northern Ireland) Order 2006. These certificates specify, subject to certain conditions being satisfied, the number of spectators that the owners of the venues in question may safely admit into the grounds including into terraced and seated accommodation. Information on the numbers of spectators that Councils have determined may be safely admitted at present into these areas is also set out in the table below.

Club	Estimated official capacity	Estimated safe capacity as determined by district council	Estimated safe capacity: terraced accommodation	Estimated safe capacity: seated accommodation
Association Football				
Ballyclare Comrades	5,333	1,800	1,262	538
Ballymena United FC	8,426	1,418*	-	1,418
Cliftonville FC	6,224	2,180	302	1,878
Coleraine FC	13,132	2,496	1,390	1,106
Crusaders FC	5,473	1,977	1,314	663
Donegall Celtic	8,283	2,254	1,479	988
Glentoran FC	26,556	5,056	1,065	3,991
Linfield FC	24,734	12,342 (for domestic games); 15,602 (with temporary seating for internationals)	-	12,342 (for domestic games); 15,602 (with temporary seating for internationals)
Newry City FC	7,949	2,275	1478	797
Portadown FC	5,804	2,227	-	2,227
Gaelic Games – County Grounds				
Co Antrim GAA	32,282	31,661	24,699	6,962
Co Fermanagh GAA	17,202	14,602	8,470	6,132

Club	Estimated official capacity	Estimated safe capacity as determined by district council	Estimated safe capacity: terraced accommodation	Estimated safe capacity: seated accommodation
Secondary Grounds				
Dungannon GAC	12,969	3,945	3,945	-
Irvinestown GAC	27,084	1,880	1,880	-
Owenbeg Complex	5,046	300	300	-
St John's GAC	8,508	865	502	363
Rugby				
Ulster Rugby, Ravenhill	10,541**	11,951	7,934	4,017

* The District Council's estimation of the safe capacity at Ballymena UTD FC is expected to be increased to 3,050 when the Warden St stand opens shortly

** This estimate was made in 2009 when part of Ravenhill Rugby Ground was under reconstruction and certain areas, under construction, had no accommodation (accessible or otherwise) for spectators. The safety certificate issued by Belfast City Council in 2010 post dates this estimate and the completion of these construction works.

It should be noted that SNI, which is responsible for discharging overseeing functions under paragraph 5 of the Explanatory Memorandum to The Safety of Sports Grounds (Northern Ireland) Order 2006, is carrying out assessments of all safety certificates issued by District Councils. Part of the purpose of these assessments is to enable SNI to evaluate the remedial actions, in terms of physical safety and safety management; ground owners may need to take to increase the number of spectators that they may safely admit into their grounds in line with their actual attendance demands.

Education

Transport to Special Schools

In Bound Volume 56, page WA237, replace the answer to question (AQW 510/11) asked by Mr M Durkan with:

I have been advised by the Education and Library Boards that pupils are only transported by taxi where;

- the child has specific needs (behavioural or medical) which deem bus transport unsuitable usually within a statement for special education needs;
- specialist pupil conditions apply, for example sensory sensitivity or autism, which may require individual or small group transport;
- when all space has been utilised on Board buses;
- where no Board or private vehicles operate to certain special schools; and
- where times allocated by the schools are outside of normal school times and there are no Board buses available.

Tá na costais a thabhaigh gach Bord Oideachais agus Leabharlann i leith daltaí a iompar i dtacsaithe ar scoileanna speisialta, i ngach bliain le dhá bhliain anuas dona bhfuil figiúirí ar fáil san fhormaid a iarradh, mar atá soláthraithe sa tábla thíos. Níl na figiúirí don bhliain 2009-10 ar fáil go fóill;

The costs incurred by each Education and Library Board to transport pupils to special schools by taxi, in each of the last two years for which figures are available in the format requested, are as provided in the table below. The figures for 2009-10 are not yet available;

Financial Year	Belfast k	North Eastern k	South Eastern k	Southern k	Western k
2006-07	*n/a	*n/a	*n/a	*n/a	*n/a
2007-08	531	978	542	249	110
2008-09	623	458	464	306	153

Figures in £000s

* not available

The Education and Library's policy states that "escorts are provided, where required, to ensure the safety of children on the recommendation of the Designated Special Education Officer".

As a contractual requirement, all private hire contractors must only supply personnel who have been Access NI checked.

All escorts when present and drivers are also subject to an enhanced Access NI criminal record check.

Finance and Personnel

Staff Salaries

In Bound Volume 57, page WA150, replace the answer to question (AQW 667/11) asked by Mr Craig with:

I replied on 16 October 2010 to your AQW 667/11 in respect of how many staff employed in each Government Department's agencies or arms length bodies are paid between £50,000 and £100,000; and over £100,000 per year.

In order to respond to this question my officials had to request part inputs from all departments. I have subsequently been advised of two errors in the inputs submitted to my Department.

Firstly, the OFMDFM response indicated that their Department's arms length bodies currently have 42 staff earning between £50,000 and £100,000. This figure should have been 43.

The response also included details of staff employed within the Public Prosecution Service. However the PPS is a non-ministerial government department and has no agencies or arms length bodies. Therefore a nil response should have been issued instead of the figures provided.

The original figures for OFMDFM and PPS were given as:

Department	Staff employed in each Department's agencies or arms length bodies paid between £50,000 and £100,000 per year	Staff employed in each Department's agencies or arms length bodies paid over £100,000 per year
Office of the First Minister and Deputy First Minister	42	7
Public Prosecution Service	26	2

The correct figures are:

Department	Staff employed in each Department's agencies or arms length bodies paid between £50,000 and £100,000 per year	Staff employed in each Department's agencies or arms length bodies paid over £100,000 per year
Office of the First Minister and Deputy First Minister	43	7
Public Prosecution Service	0	0

I have copied this letter to the Speaker and all MLAs. A copy has also been placed in the library.

I apologise for any inconvenience caused.

Regional Development

Single Tender Actions

In Bound Volume 55, page WA312, replace the answer to question (AQW 416/11) asked by Mr McGlone with:

- (i) Roads Service has advised that it issued two 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 oversees 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.

Regional Development

Contract Extensions

In Bound Volume 56, page WA318, replace the answer to question (AQW 911/11) asked by Mr McGlone with:

- (i) The cost of Roads Service single tender actions are set out in the table below and were approved.

EXTERNAL CONSULTANT COMMISSIONS LET THROUGH SINGLE TENDER ACTION

Project	Financial Year	Start Date	Value
NISTRM Growth Factors	2007/08	May-07	£2,025
Advice to RS Board on RPA	2005/06	Jan-06	£10,000
Development of Business Case and Economic Appraisal for Moving Traffic Offences	2005/06	Feb-06	£20,000

- (ii) In relation to cost of single tender actions entered into by the Northern Ireland Transport Holding Company (NITHC) I would refer you to AQW 416/11. The contracts referred to in AQW 416/11 dated after September 2007, were formally approved by the Department after considering the justification put forward by NITHC. NITHC received Centre of Procurement Expertise status during 2007.

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