

---

# Northern Ireland Assembly

Monday 6 June 2011

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

*Members observed two minutes' silence.*

## Speaker's Business

**Mr Speaker:** Order. Before we begin today's business, I wish to notify Members that I will be absent from the House tomorrow on official duties.

## Assembly Business

### **Damages (Asbestos-related Conditions) Bill**

**Mr Speaker:** I wish to advise the House on matters relating to the Damages (Asbestos-related Conditions) Bill. In my statement to the House on 16 May 2011, I informed the Assembly that the Attorney General for Northern Ireland had asked the Supreme Court to determine whether clause 3 and clause 4(2) of the Bill would be within the legislative competence of this Assembly. The reference was made on 13 April 2011. On 27 May 2011, at the request of the Attorney General for Northern Ireland, the Supreme Court ordered that the reference be withdrawn. I have, therefore, written to the Secretary of State to advise him of the withdrawal and to request that he arranges for the Bill to receive Royal Assent.

I said that I would keep the House informed as we proceeded with the issue, and that is exactly what I am doing.

### **Public Petition: Down Community Transport**

**Mr Speaker:** Mr Kieran McCarthy has sought leave to present a public petition in accordance with Standing Order 22.

**Mr McCarthy:** Mr Speaker, I wish to thank you for giving me the opportunity, on behalf of the Strangford constituents, to present to you a petition signed by nearly 800 people, asking us all to save their rural community transport.

Down Community Transport recently informed its clients that the Department for Regional Development (DRD) was cutting a massive 50% from the rural transport fund, resulting in many dependent individuals — elderly, disabled and isolated people and those with learning difficulties — and others having no transport. They plead with us all here in Stormont and with the Minister for Regional Development in particular to have this vital service and the rural community transport fund fully reinstated as soon as possible.

*Mr McCarthy moved forward and laid the petition on the Table.*

**Mr Speaker:** I am glad to see the Minister for Regional Development in the House. I will forward a copy of the petition to him, and I will send a copy to the Chair of the Committee for Regional Development.

## Committee Business

### **Statutory Committee Membership: Committee for Regional Development**

**Mr Speaker:** As with similar motions, the motion on Statutory Committee membership will be treated as a business motion. Therefore, there will be no debate.

*Resolved:*

*That Mr Stewart Dickson replace Mr Trevor Lunn as a member of the Committee for Regional Development. — [Ms Lo.]*

## Private Members' Business

### **Domestic Violence**

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

This is the first debate in the Assembly in which we will hear from Mrs Pam Lewis. I remind the House that the convention is that a maiden speech is made without interruption.

**Mrs Lewis:** I beg to move

*That this Assembly calls on the Minister of Justice to ensure that addressing domestic violence is a priority for his Department; and that all the agreed processes and protocols in place are focused on protecting those most at risk.*

I welcome the opportunity to make my maiden speech to the House today, and I thank the people of South Antrim for putting their trust in me in electing me to the Assembly.

We heard a clear message on the doorsteps during the election campaign. People wanted us to move forward, address the issues that matter to them and ensure that we deliver in the best interests of Northern Ireland. However, it gives me no joy to bring to the attention of Members an issue that affects many people in Northern Ireland. Within the next hour, before this debate concludes, another three victims and families will be affected by this scourge on our society. I refer to domestic violence.

The motion calls on the Minister to ensure that addressing domestic violence is a priority for his Department. Some people may be sceptical of such wording and believe that other criminal justice issues merit higher priority. Unfortunately, domestic violence is not viewed by some as one of the most high-profile problems in Northern Ireland today. Sadly, it is prevalent and on the increase. It takes place behind closed doors.

The research is startling. One in four women and one in seven men are affected by domestic violence in their lifetime. Last year in Northern Ireland, seven women were killed as a direct result of domestic violence. That figure does not include the many others who have died as a result

of suicide, drug and alcohol misuse or long-term illness or chronic disabilities acquired as a result of their experiences of violence and abuse.

In 2009-2010, the PSNI responded to 24,482 incidents of domestic abuse. That is almost 70 a day. That is the magnitude of the problem that domestic violence is in Northern Ireland. That is why this must be a priority for the Justice Minister and this Assembly. We must remember that only around 25% of women ever report their worst assault to the police, and, on average, a victim is assaulted 35 times before reporting the incident or seeking support. In reality, we do not know the full extent of the problem.

Another consideration is the effect that domestic violence has on children. Children are the hidden victims of domestic violence. In 90% of violent incidents, children are in the same or next room. They witness the attack and often feel compelled to intervene. The statistics that cover domestic violence in Northern Ireland for the past year are startling, with more than 100,000 children affected; 1,077 women and 854 children accommodated in refuges; 2,938 women and 3,617 children supported to remain in their home in the community; and an astounding 32,349 calls made to the domestic violence helpline, which is a 17% increase on the previous year. Therefore, the issue affects many people, both male and female, not to mention many thousands of children and entire family circles.

There are also the economic costs. Domestic violence undermines our economic output owing to victims' absence from work because of injury or disability, and it impacts on the time taken by criminal justice agencies and support agencies to seek alternative housing, financial and schooling solutions for victims and their children. Those are just a few of the critical realities and choices that victims face when they seek to escape or address violence and abuse in their own home.

Domestic violence also significantly impacts on the cost to our Health Service and our policing and justice system, and it is estimated that the cost to the Northern Ireland economy is £180 million. That is not insignificant, nor can it be ignored, particularly at a time of budgetary cuts and economic recession. It is clear that that is a significant sum of money and another reason, if one is needed, why it is important for the issue to be a priority for the Minister of Justice.

It should be stressed, however, that the primary reason for dealing with this blight on our society should be to end the nightmare. We must support the victims and bring to justice those who are responsible for this crime, because a crime is exactly what it is. In a recent PSNI circular, 'What do you want most from your police service?', it was revealed that the number of arrests for domestic violence was second only to those for drink-driving and that it ranked far above the number for antisocial behaviour and burglary. That demonstrates that, although it may be something that is not openly spoken about, domestic violence is an issue that people want dealt with.

At this time, it would be remiss of me not to mention the work of Women's Aid. During the past year, I had the honour of being Antrim's first female mayor. One of my chosen charities was Women's Aid, and I had the opportunity to see at first hand the fantastic work that it does. It is right and proper that the House should pay tribute to Women's Aid today and thank it for the work that it does. It is at the forefront of providing care and support to the victims of domestic violence, who must be at the centre of all that we do in that area. It is the victims who need to be protected and supported, and I call on the Minister to ensure that victims and those who are at risk are at the centre of all that he does as the Minister of Justice.

I am well aware that the problems cannot be solved overnight. Addressing the issue of domestic violence will not be easy, and it will require a great deal of hard work and co-operation. However, I hope that the motion before the House today and the debate that we will have on it will send the clear message to people in Northern Ireland that domestic violence is never acceptable. It is my sincere desire that those who are suffering abuse will realise that the Assembly takes the matter seriously and that we will use the powers available to us to ensure that those who are at risk are protected, so that those who are guilty of the crime will have no hiding place in this society.

**12.15 pm**

**Ms Ruane:** Go raibh maith agat, a Cheann Comhairle. Táimid ag tabhairt tacaíochta don rún.

I commend Pam on her maiden speech, and I am very pleased that this motion is before the House. For too long, our society has tolerated

and excused violence, whether emotional, sexual or physical, against women and children. For too long, we have heard the excuses: "He only does it when he has a few drinks", "He was driven to it", "For better, for worse, she made her bed, let her lie in it", or "We cannot interfere — they're neighbours. Let someone else deal with it".

Ar feadh ró-fhada, chuir ár sóchaí suas leis bhforéigean agus rinne leithscéal ar a shon, "ní dhéanann sé é ach nuair a bhíonn braon istigh aige", "Tugadh air é a dhéanamh", "Le maith nó le holc," "Chóirigh sí a leaba, luíodh sí uirthi", "Níor chóir dúinn ár ladar a chur isteach."

Violence against women, children and men is always about power. It is about the abuse of power, whether it happens in the home or on the streets and whether it is emotional, sexual or physical.

Bíonn sé i gcónaí faoi chumhacht agus faoi mhí-úsáid cumhachta, cuma cé acu a tharlaíonn sé sa bhaile nó ar na sráideanna agus cuma cé acu mí-úsáid mhothúchánach, ghnéasach nó fhisiceach atá ann.

Violence blights lives, is a major factor in poor educational outcomes and affects generations unless the cycle is broken and interventions are carried out. We need a joined-up approach across all Departments. During my term as Minister of Education, I funded a new programme with Women's Aid that trained teachers in early intervention. I share with Pam respect for the work that Women's Aid does.

Also during my time as Minister I chose to support two charities: one was Women's Aid, and the other was Aware. The Member is absolutely right when she talks about the link between suicide prevention, depression and many other mental health issues for women who suffer, and that is also the case for the children. It is very difficult for children to attain in the way that they should educationally when they are suffering violence in the home or on the streets.

We need a joined-up approach, and that is one of the issues that we raised with the Policing Board during the week. We need the Health Department, the Department of Education, the Department for Social Development (DSD), the Office of the First Minister and deputy First Minister (OFMDFM) and, obviously, the Department of Justice to work together. Indeed, all Departments must work together, because

this affects all our areas, urban and rural, right across the island of Ireland.

We need a range of supports in every county in Ireland. We need early intervention in schools, the Health Service and the community. We need emergency intervention when women and children are being attacked in their home. We need post-trauma interventions and supports, including psychological and emotional support. We need the prosecution and jailing of perpetrators. For too long, our legal system has sent out the wrong message: "It should not happen, but it is not a real crime". That is where I absolutely agree with the Member who spoke previously: violence is a crime against women and against children and has to be treated as such.

All Governments made commitments at the Beijing conference in relation to violence against women and children, including the Irish and British Governments. I was fortunate to spend two weeks in Beijing in 1995 at the non-governmental organisation (NGO) conference, and, in every session I went to, whether the women were from Palestine, North America, South Africa, Ireland, Latin America or any European country, the biggest theme was the high level of violence against women and children.

Rinne gach rialtas tiomantas ag Comhdháil Beijing maidir le foréigean i gcoinne mná agus páistí, lena n-áirítear rialtas na hÉireann agus na Breataine. Chaith mé dhá sheachtain i Beijing i 1995 ag an gcomhdháil NGO.

We need a culture of change in our legal system. There was and still is a reluctance to understand the effect that violence has on victims' lives. It is seen as a lesser crime. In many cases, sentences are far too lenient and conviction rates far too low. Victims have to relive their trauma far too many times before they get near a court, and, in many cases, when they do they are faced with ignorance and prejudice.

**Mr Campbell:** Does the Member understand the difficulty that some people might have with her talking about the trauma of victims being revisited in the week that is in it, when her party colleague appointed a person who gave trauma revisited to a victim of some 37 years ago?

**Mr Speaker:** The Member has an extra minute.

**Ms Ruane:** First of all, go raibh maith agat for the extra minute.

This is a debate for another day. None of us should play politics with victims in this House. It is unfortunate that the Member has chosen a debate on violence against women and children to play politics with victims and legacy issues.

*[Interruption.]*

**Mr Speaker:** Order.

**Ms Ruane:** Anyway, I will continue. We need a culture change in our legal system. There was and still is a reluctance to understand the effects that violence has on victims' lives. Tá athrú cultúir de dhíth orainn inár gcóras dlí. Bhí, agus tá go fóill, leisc a thuiscint cad mar a théann an foréigean i gcion ar shaol na n-íobartach.

This is an issue for women and men. There can be no sitting on the fence. As a society, we need to give out a clear message.

**Mr Speaker:** Before I call Mrs Sandra Overend to speak, I remind Members that this is the first time that the House will hear from her. Once again, I ask Members for no interruptions.

**Mrs Overend:** I take the opportunity, in my maiden speech, to say that it is a great honour to stand in the House to represent the constituency of Mid Ulster. I thank the good people of Mid Ulster for their support, and I pay tribute to my predecessor, Billy Armstrong, who was a dedicated, hard-working and honourable Ulster Unionist MLA for 13 years. I am privileged to follow in his footsteps, and the fact that those footsteps are my father's makes me even more proud to do so.

I welcome the opportunity to speak on the motion, and I thank the Members who tabled it. The scale of domestic violence in Northern Ireland must not be underestimated, with one incident reported every 21 minutes. As the proposer said, the terrible fact is that, on average, victims will experience 35 incidents of abuse before they make a call for help. It is, therefore, absolutely vital that victims of domestic violence have as much support as possible.

Domestic violence comes in a variety of forms, and, although it mainly impacts on women and children, it also affects men. It occurs regardless of age, gender, class, sexuality or religion. For those reasons, it is absolutely right that the issue of domestic violence is a priority for the Department of Justice.

I want to mention specific areas that the Justice Minister should consider in relation to the processes that are in place to deal with domestic violence. First, the process of multi-agency risk assessment conferences (MARAC) needs to be looked at closely by the Justice Minister to ensure that it is tightly focused on protecting those most at risk. In a conference of that kind, local agencies meet to discuss the highest-risk victims in their area. Information about the risks faced by those victims, a suitable action plan to ensure their safety and the resources that are available locally are all issues that are discussed and used to create a risk management plan that involves all agencies. The aim is to decrease the risk of domestic violence as much as possible for the most at-risk individuals. It must be said that those conferences have been generally successful in ensuring that the appropriate action is taken in each case where the risk of domestic abuse is high. However, I call on the Justice Minister to ensure that partnership working within MARACs is as effective as it can be and that the MARAC process is reviewed on an ongoing basis to facilitate continual improvement.

An important improvement to the MARAC process would be the provision of independent domestic violence advisers (IDVA). Such advisers could provide advice and support to victims of domestic violence and would complement the MARAC process. IDVAs could help to bridge the gap between victims and MARACs. The Criminal Justice Inspection Northern Ireland report into domestic violence and abuse highlighted the need for a properly resourced IDVA service in Northern Ireland as a matter of urgency.

Domestic violence protection orders are also an example of an additional safeguard that would undoubtedly make the process for domestic violence cases more focused on the victim. Those orders require suspected perpetrators of interpersonal violence to leave the address of the victim and/or prevent contact with the victim. Domestic violence protection orders allow the space that is often required in the aftermath of a domestic violence incident, and the Justice Minister should look at the potential merit of those orders with a view to legislating for them.

Finally, legal aid rules for domestic violence cases are also very important. It

is commendable that the Justice Minister announced changes in December of last year to allow victims of domestic abuse easier access to the courts. I urge him to continue to ensure that victims of domestic violence get the help they need from legal aid.

Domestic violence is a serious issue, and we, as Assembly Members, can play our part too. I have been in regular contact with Women's Aid and, not so long ago, attended an event to launch its Safe Place charter. We can each commit to providing a safe place for victims of domestic violence, signposting them to appropriate services. However, it is clear that there are processes and protocols that the Justice Minister should consider making more focused on those most at risk. For that reason, I support the motion.

**Mrs D Kelly:** On behalf of the SDLP, I support the motion. Unfortunately, it is an issue on which we have spoken in the House on previous occasions and in previous mandates. One would hope that there has been an improvement in the fate of those who suffer domestic violence since then; however, I am not overly confident that that is the case. I know that the police and the Policing Board looked at the issue of domestic violence and established protocols and some procedures for dealing with vulnerable people, and those are to be welcomed. However, much more is required. That is in the interest not just of the women and children — some 11,000 children and one in four women in the North — who experience domestic violence but of wider society.

As the Minister may well know from his previous work as a social worker, there is also a need for us to break the cycle of domestic violence. After all, we all know that children learn what they live. There is a lot to be done to provide better education and better support mechanisms for families right across society. We all know that many families are experiencing great difficulty, particularly in the face of economic recession and job losses. That does not excuse domestic violence, but it does give added impetus to our need to address domestic violence.

As has always been the case, many victims do not feel that there is sufficient support within the criminal justice system, and time and again reports and inspections have highlighted that fact. People need to feel that they will be protected and that their complaint will be taken

seriously. Greater help and support must be made available to encourage victims to come forward so that we can see the true scale of domestic violence. We need to understand clearly the issues around domestic violence and abuse when incidents occur, so that we learn the lessons, remedial action can be taken and we can try to prevent that cycle occurring.

The police record incidents of domestic abuse, but those do not often tell the full story. Many victims of domestic crime do not report incidents, as they believe that the current systems may not help them sufficiently. There is a great need to improve consistency of services across the Police Service when dealing with such incidents.

There is also a need for a cross-departmental approach. It is not just a matter between agencies in the criminal justice system. We also need to ensure that accident and emergency departments, for example, have a highlighting system, just as they do for childcare cases. If there are women and children coming through A&E and there are concerns about domestic violence, we have to look at how that information is recorded and collated and what is done with it, bearing in mind, of course, that people are adults and can make decisions for themselves. Many would argue that those people are vulnerable adults and they need a level of reassurance and support in order to come forward.

The other agency that has a significant role to play is the Social Security Agency. Many women believe that they need help to process their claims and payments much quicker. These are all concerns that people have. If and when they do go to get help, what happens to the children and to their responsibilities to provide a safe and warm home and practical things such as food for those children? People consider all those facts when deciding what action to take next.

### 12.30 pm

As others have said, the Criminal Justice Inspection has also made recommendations. Its report underscores the importance of an effective police response to domestic violence. However, it also implies that the Public Prosecution Service (PPS) should take more care in how it makes decisions about prosecutions for domestic violence.

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

**Mrs D Kelly:** That report's recommendations must be put into action as soon as possible. Domestic abuse is a growing and very serious concern, as we can see from the number of women who have lost their lives as a result of it.

**Mr Dickson:** On behalf of the Alliance Party, I commend the proposer of the motion on her maiden speech and welcome the opportunity to speak on this important issue.

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

Domestic violence is an important issue not just for the Assembly but for our society. It says much about the society we live in, but, of course, it is most important to the victims. The use or threat of violence is unacceptable in any context — full stop. The fact that it takes place behind closed doors does not excuse it in any way nor lessen the impact that it has on our community. Indeed, domestic violence does not always take place behind closed doors. It can, and often does, spill out into the wider family and, indeed, the street.

Domestic violence is complex and multifaceted. It does not affect just women. It can, and does, apply to men. Domestic violence does damage not only to the target of the abuse but to children, the wider family, their community, their neighbours and their friends. As other Members said, according to PSNI figures, an incident of domestic violence happens in Northern Ireland every 21 minutes.

The work of Women's Aid in Northern Ireland and other organisations that provide support to victims and projects designed to reduce the incidence of domestic violence, from whatever direction that violence comes, needs to be supported. That is why one Member referred to cross-departmental issues. I encourage the Minister to examine all the ways in which his Department can work with other Departments, whether in relation to health, social security or education, as many children talk to their teachers. A listening ear is a very important ear when it comes to domestic violence issues.

I know that there are excellent working relationships between the statutory agencies, such as the PSNI and social services, and the voluntary sectors that work in this field. As a former member of the Carrickfergus District

Policing Partnership, I can attest to the excellent work that Women's Aid does on the ground. I pay tribute to Brenda Leslie and her team in Carrickfergus for the work that they do tirelessly on behalf of many women and families in that community. We need to ensure that those groups are given appropriate financial support so that victims feel comfortable and safe in coming forward and, most importantly, have the confidence to come forward and report incidents of domestic violence.

The use of threatening and controlling behaviour is often underestimated in the domestic circumstance, but that can be a way in which people start to condition victims to accept the abuse that is being meted out to them. It is important that people who are subjected to that kind of controlling and abusive behaviour feel confident and secure in bringing it to the attention of the appropriate authorities at an early stage. Often, part of the abuse comes in the control of family or domestic finances.

We need to ensure that, if victims do come forward, the action that is taken will protect them. Whether it is the PSNI domestic violence unit, Women's Aid, some other charity or group, or social services working in the community, we must ensure that the priority is protection of the victim and their family and those who are most vulnerable. That may include, if necessary, the provision of safe places, such as refuges, because these people are literally in fear of their lives. That sends out a strong message to people that they cannot be sent back into the same situation a few months later, having received little or no practical support, whether it comes from the statutory or voluntary sector. It is vital that, when safe haven is given, it is meant as safe haven for as long as is needed to resolve the issues in a relationship.

As I said at the beginning of my speech, the issue of domestic violence against men is often overlooked and significantly unreported. A recent study by the campaign group PARITY revealed that in excess of 40% of domestic violence cases in the UK may be against men. Men who are subjected to domestic abuse often find it difficult to talk about. It is, therefore, important that adequate time and effort —

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

**Mr Dickson:** It is important that adequate time and effort are put into ensuring that mechanisms

exist to support victims of domestic violence. I commend the proposer of the motion.

**Mr Givan (The Chairperson of the Committee for Justice):** I am pleased to be able to speak on the motion. I commend my colleagues, Pam Lewis and Paula Bradley, for tabling the motion, using their maiden speeches to speak on the issue and giving a voice to people who are often unable to voice their concerns.

Statistics are often used to highlight an issue or make a particular point. It is important that we do not forget that behind every statistic is an individual or family affected by it. Other Members have mentioned some of them. In 2010-11, the police responded to 24,482 domestic violence incidents. Put another way, one domestic violence incident was reported every 21 minutes. Of those incidents, 9,903 were recorded as crimes. It is estimated that almost 11,000 children live with domestic violence in their home. Every day, five women and children turn to a refuge for help, and many other families help a brother or sister involved in a relationship or marriage in which domestic violence, sadly, is commonplace.

I have no doubt, therefore, that the Committee for Justice will want to ensure that domestic violence is a priority for the Minister of Justice and the Department of Justice. However, it is important to state that the responsibility for tackling domestic violence, as other Members said, does not sit solely with the Department of Justice. Often, the Department of Justice and the police deal with the aftermath of incidents. It is important that the Assembly and the Executive have their statutory bodies working together to try to prevent those incidents from happening in the first place. When they do, however, there must be a co-ordinated approach and response to this important issue.

If this issue is to be addressed effectively, it will require a range of Departments and organisations, particularly the Department of Health, Social Services and Public Safety (DHSSPS), to work in partnership to tackle it. As other Members pointed out, there is also a duty on the community, neighbours and families no longer to sit by and tolerate abuse taking place.

People should have enough confidence in the government and the systems in place to report such incidents. They should be confident that their reports will be taken forward and the incidents tackled effectively. I welcome some

recent changes, supported by the previous Committee for Justice, which will help to deliver fairer treatment for the victims of domestic violence. A change to the law replaced the partial defence to murder of provocation by loss of control. That defence can be used when the loss of self-control is attributable to a fear of serious violence, and it can be applied to years of abuse, whereas the previous law focused only on spur-of-the-moment actions. Many people will know that domestic violence and abuse can occur over a long period and is not just a one-off.

Members highlighted the change to the legal aid rules that provides increased assistance to victims of domestic violence. That should ensure that no victims of domestic violence need worry about the financial implications of seeking a non-molestation order. Again, the point is made that there cannot be any barriers that prevent or discourage people from reporting domestic violence. Victims need to have confidence in the ability of the state to respond effectively.

The Committee for Justice will wish to ensure that further progress is made, and we will want to consider carefully the proposals to tackle domestic violence in the new community safety strategy, which was touched on in Committee just last Thursday, where it was highlighted that a major issue often at the heart of domestic violence but for which there is absolutely no excuse is alcohol and drug abuse. The Assembly needs to consider seriously the devastating impact that alcohol abuse is having on our society. We have talked about introducing a minimum pricing policy, because it cannot be right that, in supermarkets, it is cheaper to buy alcohol than it is water or milk. There is no doubt that alcohol abuse is a major problem in domestic violence, so we need to think seriously about how to address it, because it impacts on so many aspects of society. Again, I make it clear that alcohol abuse is no excuse whatsoever for domestic violence ever taking place in the first place.

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

**Mr Givan:** I know that these issues are important to Members. As Chairperson of the Justice Committee, I assure Members that we will ensure that tackling domestic violence is a priority for the Department and the Minister. I commend the motion to the House.



**Mr McCartney:** Go raibh maith agat, a LeasCheann Comhairle. Beidh Sinn Féin ag tabhairt tacaíochta don rún.

Sinn Féin supports the motion. Indeed, we welcome it, particularly because the two Members who tabled the motion are, as the Chairperson of the Justice Committee said, making their maiden speeches. We welcome the fact that the issue is being raised in that way.

Unfortunately, domestic violence is prevalent in society, and perhaps there are gaps in the way in which it is addressed in the justice system, which, at times, allows other offences to take place when they could be avoided. Indeed, as Members have already said, the Criminal Justice Inspection pointed out in its report that there are more than 100 incidents a day, and many more are not reported. There is a sense that there are gaps in the system, which the Criminal Justice Inspection examined, so I hope that the Minister will in some way address how those gaps are being filled.

Victims of domestic violence are of every age and class, and the majority are women. Most incidents happen in a family setting, and a high number of children are affected as a result.

**Ms Gildernew:** Does the Member agree that isolation can perpetuate the problems of domestic violence in rural areas, where it is often hidden or less obvious and where more opportunities exist for threatening, abusive and controlling behaviour? I have asked the Minister to work with Executive colleagues to look at the particular challenges of supporting victims of domestic violence in rural areas, looking, for example, at the work of Fermanagh Women's Aid, which has done sterling work, particularly in schools, to create awareness of domestic violence. As Minister of Agriculture and Rural Development, I tasked young farmers' clubs to work with Women's Aid to create awareness of the issue in rural communities.

**Mr McCartney:** I thank the Member for her intervention. Indeed, people who live in an urban setting sometimes think that domestic violence is prevalent only in cities, but, as the Member outlined, it affects every geographical location. The type of work that community groups carry out is important in dealing with domestic violence and, indeed, raising public awareness of it.

I was making the point that most domestic violence takes place in a family setting, and I was about to describe its impact on children in particular. Some children are actually subjected to violence, but, even when they are not, domestic violence is well known to have a detrimental impact on them socially, educationally and mentally. Furthermore, it has a very negative impact in the long term, and, because of the setting in which children find themselves — sometimes repeatedly — they do not get an opportunity to reach their full potential.

The motion calls on the Minister and his Department to make tackling domestic violence a priority, and I welcome the fact that the Minister is here to respond. From the Committee's work in the previous mandate, we know that tackling domestic violence is a priority, so I have no doubt that the Minister will state that it is a priority. Perhaps he will outline in practical terms how that priority is being realised and demonstrate practically how he can make it a stronger priority.

#### 12.45 pm

We have to show that there is a trend. That is a task for all of us, particularly the Minister. More and more women are reporting abuse, and we have to see more and more convictions. People reporting this type of crime should be able to see that, when they come out the other side of the system, they will get a result. We know from other crimes that a lack of success acts as a deterrent to coming forward. Women might ask: what is the point? We have to try to ensure that that does not happen.

Other Members mentioned the work of Women's Aid. Each of us has seen in our own constituencies how that has been of great benefit, particularly in raising awareness and ensuring that domestic violence is not a crime that is committed behind closed doors. Sometimes, the atmosphere or environment that is created leads to a feeling that domestic violence can be tackled only in particular settings. Women's Aid brought domestic violence out into the open, and we all now feel that we have a responsibility to try to deal with it.

Other groups, particularly those in the voluntary sector and women's groups in local areas, provide a platform and, sometimes, an escape route. Many women find themselves trapped economically or by other circumstances. Women say that one of the reasons why they do not

walk away from a violent relationship is that they have nowhere to go, so they remain trapped in it. We have to ensure that the structure around voluntary groups is supported.

One other thing that we must do is examine the need for a register, and the Women's Aid Federation has publicly articulated that view. I would like to hear the Minister's views on this issue, and I have tabled a question on it. We have the sex offenders register, and there is absolutely no doubt that that plays a fundamental role in alerting people to offenders' whereabouts and the potential for an offender to be in a particular location, et cetera. Women's Aid is articulating the view that some consideration should be given to having a similar register for serial domestic violence offenders and people who have been convicted of domestic violence offences. Criminal Justice Inspection, Women's Aid and PSNI documents show that, when women walk into violent relationships, often many people around them know that they are doing so, but, legally, no one can warn them off. People can warn the woman anecdotally or on a friend-to-friend basis, but we need a legal protection.

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

**Mr McCartney:** I hope that that is one of the issues that the Minister will address. Go raibh míle maith agat, a LeasCheann Comhairle.

**Lord Morrow:** I welcome the opportunity to speak on the motion and commend Pam Lewis and Paula Bradley for securing the debate and bringing it before the House.

In my constituency of Fermanagh and South Tyrone, domestic violence is sadly prevalent. However, I suspect that Fermanagh and South Tyrone does not differ much from the other 17 constituencies of Northern Ireland in that respect. I took the time and trouble to look at the court lists, which cover the next week at the local Magistrate's Court. The number of domestic violence-related cases is extremely high and very worrying. Special days are often set aside to hear such cases because of the number coming before the courts. The court system finds it difficult to cope. This week alone, 38 cases of domestic violence are moving through the court system in my constituency. Of those, three allege assault causing actual bodily harm, two allege grievous bodily harm, a further two allege wounding with

an offensive weapon, one alleges a sexual assault, one is for attempted murder and one is for murder. Members can see that a pattern has been established right across the spectrum of violence. There are also numerous breaches of non-molestation orders that were put in place to protect the victim or potential victim from further violence.

Seeing that list grow in recent years is a double-edged sword. Whereas the prosecution of domestic violence cases is to be commended, we must never lose sight of the fact that the underlying problem appears to be becoming more endemic. It is difficult to say whether more cases are making their way to court or whether the problem is increasing. However, the overall message that must be conveyed is that this crime will not be tolerated. Additional measures have to be put in place to tackle this ever-increasing problem.

More victims are coming forward in an effort to break free of the control that is exerted by perpetrators of domestic violence. However, as Pam Lewis said, statistics indicate that it takes some 30 attacks before action is taken. Police are more engaged with victims in these circumstances, and specialist domestic violence officers are appointed who are committed to dealing entirely with such cases. Bail terms for those who are charged are ever more tailored to protect the victim from further violence or emotional trauma and, indeed, to keep away the power of the perpetrator of using persuasive tactics to get the victim to drop the charges.

During the previous session of the Assembly, I submitted to the Justice Minister a question for written answer that asked for the number of domestic assaults in each of the past three years. I also sought to know the age groups of victims and offenders in an effort to identify any specific trends. The Minister was unable to differentiate between the types of assaults that were on record; they were listed simply as convictions for assault, and there was no way of separating them into categories where there was domestic motivation. I find that disturbing, because domestic violence is very different. Perhaps the Minister will look again at how his various units keep records and what details they record. That is important.

I also wrote to the Chief Constable in February to ask how many domestic disputes involved the

consumption of alcohol by the perpetrator. The reply was:

*"We do not routinely record the information requested."*

Again, that is disappointing, and Paul Givan, the Chair of the Justice Committee, mentioned the part that alcohol plays in domestic violence. I believe that it plays a significant part and that public representatives and Departments do not concentrate on that. For some unknown reason, they do not want to name the elephant in the room. Alcohol is one of the curses on our society, and, in turn, it affects families, society and education. It is a cancer in our society, yet we seem to take a benign attitude to it.

Mr Deputy Speaker, I see that you are going to tell me that my time is up.

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

**Lord Morrow:** That is unfortunate, because I got halfway through my —

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

**Lord Morrow:** Yes, I will give way.

**Mr Givan:** Does the Member agree that this issue needs to be tackled seriously by all government Departments?

**Lord Morrow:** I can answer that. It certainly does, and that is my final word. Thank you for your tolerance, Mr Deputy Speaker.

**Mr B McCrea:** It is good to see that Mr Givan has got the hang of parliamentary procedure here and, no doubt, he will help me out if I need an extra minute.

**Mr Storey:** He is not that generous.

**Mr B McCrea:** I was about to pour kind words on Mr Storey, because I know that he is particularly interested in this issue and is wearing a white ribbon. I add my congratulations to the proposers of the motion. It is an appropriate topic to be discussed, and I realise that, when making a maiden speech, Members are comfortable speaking on something about which they feel strongly.

However, it is important to realise that the issue is not one only for women. Abuse and violence happens to all genders, and all genders have to take responsibility for it. I have engaged

over a large number of years with Women's Aid and other bodies, and one of the things that I was most pleased to do at the Assembly last year was to host a ball to celebrate the work of Women's Aid. Unfortunately, some of the footage from that ball is on YouTube, and it does not do me any great favours. It serves the necessary — *[Interruption.]* Some people left a little earlier, Mr Storey.

I urge Women's Aid to bring the issue to the fore and explain that this is an important issue that affects all of us, and levity is not required when we talk about the difficulties that face people. It is not only about domestic violence. There are other, more insidious crimes. Domestic abuse is the wider form of it, and that includes things such as withholding money and various other means whereby people abuse their victims. If Lord Morrow will forgive me, although I understand the point he made about alcohol in a general sense, I must say that alcohol alone is no excuse. These are insidious crimes that have been going on for long periods of time, and the people who do them cannot be drunk the whole time.

**Lord Morrow:** I thank the Member for giving way. Had I been able to go on, I would have elaborated on that point. However, he is absolutely right: alcohol alone is not to blame, but the abuse of alcohol is very often the motivator. I maybe would have made that point if I had been allowed a few more minutes.

**Mr B McCrea:** I am grateful to Lord Morrow for that clarification, and I know that he is well across that issue and has done a lot of good work on it. That is part of why we have these debates. With all due respect to the Members who speak here, it is not just about wringing our hands and saying that somebody ought to do something and what a tragedy it all is. We need to see some action, and hopefully the Minister will deal with that issue.

During my previous experience on the Policing Board, we had some strenuous negotiations with the Chief Constable about the targets for the next three years. After a lot of discussion, the only target that we agreed to increase above trend was the target on resolving domestic violence offences. Those offences are not the same as others because, with those offences, the perpetrator is known. You do not have to find out who did it; you know who it is. There is nothing more disconcerting for victims of

crime, when they have the courage to bring those horrendous events to court, than to not get a satisfactory outcome. That is why I am very pleased to see the proposed introduction of IDVAs. However, I really want the Minister of Justice to concentrate on how we make sure that the criminal justice system recognises the difficulties that victims of such crimes face and ensures that they are protected and looked after.

I have spoken to two Lord Chief Justices about the issue. They want to look at the matter and see if they can come up with an appropriate way of dealing with it. However, it is not enough to just deal with it behind closed doors within the closeted system of the criminal justice system. Those discussions must take place out in the open and be totally scrutinised. All Members of this House must look at the issues and say what type of legislation they want for this most heinous of crimes. Fifty per cent of all murders in Northern Ireland have an underlying domestic nature.

I will conclude on this matter. I thank my colleague Sandra Overend, who made an excellent maiden speech. I know that the issue is particularly important to her, and I know that she has attended many briefings and events run by Women's Aid. I encourage all Members of this House, male and female, those who are new and those who have been here previously, to please get involved and please tackle the issue. This is a unifying issue, and we can show all the people of Northern Ireland —

**Mr Deputy Speaker:** Bring your remarks to a close.

**Mr B McCrea:** — that this Assembly will actually do something about it.

**Ms J McCann:** Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to speak in this debate. We have had debates on this issue in the Assembly before, and, as other Members said, the impact of domestic violence on families is absolutely devastating. When we talk about estimates and statistics, it is very important that we realise that there are real people behind those statistics.

It is estimated that one quarter of all women experience some form of domestic abuse at some stage in their lives and that almost half the women who are murdered in the North of Ireland are killed by their partners. That is a startling statistic for anyone to read. The recent

report from the Criminal Justice Inspection said that an incident of domestic violence is reported here every 21 minutes. However, we have to remember that quite a number of incidents of domestic violence are not reported, because more are unreported than reported.

### 1.00 pm

Anyone can be a victim of domestic violence. Although, as one Member pointed out, victims can be male or female, most victims are women and children. Domestic abuse can be physical, sexual, emotional or even financial. Children and young people in family homes where domestic violence happens are, often, very much its forgotten victims. In a previous debate, we discussed research that found that up to 11,000 children in the North of Ireland are in the same room or the next room when physical violence is being perpetrated against their mother or guardian.

**Mr D Bradley:** I thank the Member for giving way. Does she agree that children in domestic situations in which violence reigns are more likely to become the husbands or wives of violent partners? Does she agree that that vicious circle must be broken if we are to come to terms with that particular issue?

**Ms J McCann:** Certainly; such violence has long-term damaging effects on children who have witnessed or been the victims of it. Those children are at increased risk of self-harm, drug and alcohol misuse and all sorts of other at-risk behaviours. Violence in the home, therefore, has a serious impact on the physical and mental well-being of all its victims. Other Members mentioned organisations, such as Women's Aid, and women's centres. Society could not do without them. They provide a lifeline to people who are under threat.

We must remember that deep societal problems need to be challenged and tackled to ensure that violence and abuse in the home are seen as crimes. Often, people do not see domestic violence as the crime that it is. Over half of the incidents reported to police result in no prosecution. It is clear that more needs to be done to keep women and children safe and to ensure that people come forward to report such abuse. Now that there is a Minister of Justice and local control of policing and justice, there is an opportunity to reshape the justice system to make it less difficult for women to come forward and report that crime and to make it easier for

them to access the support from the justice system that they need to keep them safe.

The Minister of Justice, in reply to a recent question that I asked him, said that it cost, on average, around £537 to obtain a non-molestation order. The threshold for someone to obtain one through legal aid is very low. A person must earn less than £234 a week. Such orders should be free of charge for all those who need them. It should not be based on a person's disposable income. A person at risk needs to obtain an order whether or not his or her disposable income is above a certain threshold.

Evidence shows an almost lenient attitude towards perpetrators of domestic violence and abuse. People receive much shorter sentences for the crime of domestic abuse than if the same crime had been committed against a stranger. Domestic violence must be seen as the major public threat that it is. One key area of prevention, which has been identified as such, is to change people's awareness and the public perception of domestic violence. For example, the awareness campaign taking place in schools should become part of the school curriculum. Focus must be shifted on to the abuser. Programmes that are part of the preventative campaign must be taken up by abusers as part of their rehabilitation.

As I said, further steps must be taken to ensure that all violence against women, specifically domestic violence, is given appropriate importance in any strategy or policy on crime reduction and community safety. At present, the system is unfair. Women need to feel safer in coming forward, they need to know that someone will listen to them, and they need to see that sentencing reflects the seriousness of the crime. As elected representatives, we have a responsibility to work in partnership with organisations to bring that about.

**Mr A Maginness:** I commend Ms Lewis and Ms Bradley for proposing and seconding the motion and Ms Overend for her contribution to the debate. It is a very worthwhile debate, and to bring it to the Assembly at this early stage is of great value, so I commend the proposer for doing that.

I do not want to repeat the arguments that have been rehearsed in the House today and, indeed, on previous occasions, but there have been changes in the way in which the courts and the

police deal with domestic violence. Those have been positive changes. However, if you look at the Criminal Justice Inspection report you can see that there is room for very significant improvement by the PSNI, the courts and the Public Prosecution Service. The report highlights a number of initiatives that could take place, one of which relates to the way in which cases are processed by the Director of the Public Prosecution Service. Prosecutions are not made on approximately half of all reported cases of domestic violence, so there is a very significant level of non-prosecution. That is for all sorts of different reasons.

The report indicates that prosecutors and the police should be looking at the way in which they assess the evidence that is presented to them. Perhaps cases in which victims of domestic abuse, in particular, have withdrawn their statements from the police or the prosecution service should be looked at again. There may well be space for manoeuvre by the prosecution service to say that even though the victim has withdrawn their statement, there is other evidence that, if presented to the court, could bring about a conviction. That is something that the prosecution service and the police should look at.

There is also the problem of whether to arrest an alleged perpetrator. The police are allowed a large amount of discretion on that. However, there has to be consistency of approach by the police in exercising that discretion, because there is always the danger that those who are cleverer in perpetrating such domestic violence get away with it. That has to be looked at as well.

There is also the suggestion that a domestic violence protection order be introduced. It has been suggested that we, as legislators, should look at the possibility of introducing a temporary order barring an individual from the home for 14 days and that we should strengthen the protections given to those in vulnerable families.

As other Members said, women are, by and large, the direct victims of domestic violence, but the indirect victims of domestic violence are, doubtlessly, children. The terrible damage that is caused to children as a result of domestic violence should be appreciated by all of us in the House.

The report looks at other matters which, as legislators, we should be concerned with. One is the performance of prosecutors in court. Do the

prosecutors get it right? Could there be a higher quality of service by the prosecution or a higher quality of prosecution by individual prosecutors? Is there consistency of performance? Can that be improved? An improvement in the quality of prosecution would mean that there would be a higher level of convictions. We know that only 61% of those who are prosecuted are convicted. I suggest that that is too low. I will end there.

**Mr Storey:** I commend my party colleagues Pam Lewis and Paula Bradley for bringing this important issue to the House today. Equally important is the fact that they have done so in their maiden speeches, which underscores the importance of the issue and the work. I also commend Pam Lewis for helping to launch the White Ribbon Campaign in December 2008. Mr McCrea referred to the fact that I am wearing the badge of that campaign today. We, as politicians, are all keen to be seen doing what is right. A lot of organisations send us badges, petitions and various things, and we can very easily fall into the trap of trying to be politically correct by wearing and signing such things. However, I am not wearing the White Ribbon badge because it is politically convenient to do so and is seen as the right thing to do politically, but because it is the right thing to do morally, given that domestic violence is a scourge on our society.

I pay tribute to the work of Women's Aid, particularly the Naomi Centre, which is based in Ballymena in my constituency of North Antrim. I have dealt with some victims of domestic violence who have come to me as a public representative, and were it not for that facility in Ballymena, I do not know how we would have dealt with the problems presented. I, therefore, pay tribute to — I place this on public record — the work of the Naomi Centre. I trust that it will continue to have the support of Government agencies, which I know it has had in the past, in order to ensure that it is able to deliver for those who suffer domestic violence.

I also pay tribute — sometimes we come to this House and place all the pressure on the Minister who is responding to the debate — to the Minister, because, having had the opportunity to correspond with him on this issue over a period of time in the previous mandate and already in this one, I know that he places a particular importance on ensuring that there is delivery on the matter.

Mr Deputy Speaker, I am conscious that time is of the essence so, having given that praise to the Minister, I just want to raise a particular issue with him about the multi-agency risk assessment conference process before I conclude. I listened to other Members, and the Member for Mid Ulster Mrs Overend raised concerns about the problems with MARAC. I would like the Minister to deal with that in his response, particularly the issue around sharing agreements and the current difficulties with the process. I think that that needs to be dealt with as a matter of urgency. I ask that the Minister give a commitment today to look at that issue.

I conclude by reiterating the slogan of the White Ribbon Campaign, which was launched in 2008, and remind Members that they signed this pledge:

*"I will not commit, condone or remain silent about violence against women."*

In light of that pledge and commitment, it is fitting that the House is dealing with this issue today. I trust that, as a result of this debate, we will see positive measures being taken that will protect those who desperately need our help and assistance. I support the motion.

**Mr Ford (The Minister of Justice):** First, I congratulate Pam Lewis and Paula Bradley on securing this debate on what I consider to be an extremely important issue not just for the Department of Justice but for us all. The issue of domestic violence is of the utmost importance to the whole of society. Although Members from different corners of the Chamber took different slants, the debate produced total unanimity, with the possible exception of Mervyn Storey who gave me some slight praise, and that is very much welcomed.

### 1.15 pm

Let me make clear my position: as the proposer of the motion said, and as nearly every Member repeated, domestic violence is a crime and is not acceptable in any circumstances in a civilised society. That is clearly the view across the Chamber. However, recent events have highlighted only too vividly the terrible consequences that we see at times from domestic violence.

Domestic violence and abuse is a serious problem, causing devastation to individuals, families and wider family circles. Domestic violence occurs across society and is no

respector of age, gender, race, ethnic or religious group, sexual orientation, wealth, disability or geography. Examples have been given to show the way in which that applies. As has been rightly said, the majority of victims are women. However, we also see victims who are men and a significant number of victims who are children, which must be a concern for all of us.

The proposer of the motion quoted the statistics from a year ago of over 24,000 incidents of domestic abuse. In one sense, the good news is that, last year, the number of incidents was 22,685 — a 7.3% decrease — and the overall detection rate for crimes with a domestic element was 3.3% higher than in the previous year. However, that is absolutely no reason to be complacent; 22,000 crimes is far too many. Indeed, any one incident is one too many.

I have one slight quibble with what the proposer of the motion said. The first part of the motion calls on me to ensure that addressing domestic violence is a priority for my Department. I think that, as Mervyn Storey made clear, it would perhaps be more charitable to say “continue to ensure”, and I shall interpret the motion in that respect.

I welcome the opportunity to emphasise the work that is being done by the Department of Justice, along with other Departments, other elements of the justice system and a range of NGOs, to address this heinous crime. I believe that during the past year — my first year as Minister — I was able to demonstrate that commitment tangibly in a number of ways, not least through my attendance at events in support of those working to deal with domestic violence. I also delivered changes to the way in which the justice system operates that benefit victims — in particular, victims of domestic violence. Most recently, my ministerial colleagues and I endorsed the domestic violence action plan for 2010-12. In the Justice Bill, which was passed just before dissolution, we included, amongst other measures, the offender levy to create a victims-of-crime fund and extended special measures for vulnerable and intimidated witnesses giving evidence. Those are key issues with regard to domestic violence.

I was also able, as has been highlighted, to announce changes that give victims greater access to the courts by removing the upper earnings and capital limits for those who are seeking the protection of a non-molestation

order. Although Jennifer McCann asked for that to be removed altogether, I believe that by removing it at an early stage to ensure that people could obtain their orders we have made a very significant step forward. Nobody should be prevented from going to court to obtain a non-molestation order on financial grounds. That has been recognised as a significant step forward.

Although I can highlight some positive moves, I certainly acknowledge that much remains to be done. I intend to use this second year that I have been given as Minister of Justice to continue to tackle domestic violence.

On 1 June, just last week, I commenced changes to the law on murder that will have an important impact on domestic violence cases, as has been highlighted. The different circumstances in which somebody may commit murder almost as an act of self-defence are now being properly catered for where that has been because of a matter of violence and abuse over a period of years rather than in the heat of the moment. That will provide a more just and equitable outcome.

It is imperative that we seek to work together to better protect all victims of domestic violence. My Department has joint policy lead with DHSSPS on domestic and sexual violence but it is, as others have said, a cross-departmental issue, and I welcome the opportunity to work with ministerial colleagues on the inter-ministerial group on domestic and sexual violence. Dolores Kelly pointed out that issue when she referred to my previous profession. We have to acknowledge that support for the victims is, in large measure, a matter for health and social care trusts and that Department. However, we have also heard examples of responsibilities in social security, and Caitríona Ruane highlighted the work that she had done as Minister of Education in providing support and educational opportunities for teachers to support. Therefore, we do need to recognise that this is very much a cross-cutting theme.

In September 2010, the inter-ministerial group on domestic and sexual violence agreed to extend the current domestic violence strategy until September 2013 to coincide with the end of the current strategy on sexual violence. Between now and then, we will develop a single strategy to address the linked matters of

domestic and sexual violence. In the interim, we have the action plan in place.

Let me also stress, because there has been a bit of reference to it, that the Tackling Violence at Home strategy is gender-neutral. Clearly, the majority of victims are female, but we need to ensure that we recognise that that is not uniformly the case. Some initiatives in the strategy include the introduction of a 24-hour domestic violence freephone; the launch of a leaflet explaining the criminal and civil law systems to help the victims of violence; the introduction of a perpetrators' phone line; the creation of public protection units in each police district; and the extension in 2009, just before I came into post, of courts' powers to impose a restraining order in a much wider range of circumstances than was previously the case. All those measures were designed to support the victims of domestic violence, particularly those most at risk.

A number of Members, particularly Mr Storey, mentioned multi-agency risk assessment conferences. We need to highlight the successes that MARACs have had since January 2010. Designed specifically to help protect those most at risk, MARACs operate in each police district in Northern Ireland, where local agencies meet to discuss the highest-risk victims and to share information about the risks and the actions needed to ensure the victims' safety, with a proper plan in place and the necessary resources made available for it.

The introduction of MARACs has been overseen by a project management steering group, chaired jointly by the Department of Justice and the Department of Health, Social Services and Public Safety. From their inception until the end of April this year, the 14 MARACs across Northern Ireland discussed 1,759 high-risk cases, and safety plans were put in place to protect the victims, who included 2,500 children.

MARACs have been in place for only a year, and I believe that they have achieved a considerable amount. However, I fully acknowledge that there are concerns on the part of many of the related NGOs, to which Mervyn Storey referred, that we will need to continue to address. In particular, independent domestic violence advisers — IDVAs, if we are to continue to go into further acronyms — have not yet been appointed. Such issues were largely held up because of budgetary matters owing to the range of

agencies involved. I believe that, with the departmental budget now in place, it is possible that we can move forward, and I hope that we will see IDVAs in place to support victims within the MARAC process and to keep them informed and involved. That will be a significant step forward in improving the operation of IDVAs. It will be a key issue, but it should be something that is seen to happen in the next few months.

Some NGOs have raised concerns about how information sharing operates properly. We need to ensure that we get the information-sharing agreement in place to facilitate the legitimate and secure disclosure of all necessary information, which may include a certain amount of personal data, with the Police Service and other agencies and NGOs operating at an appropriate level. There has been significant discussion on that. I believe that it is necessary to have the discussion to get it done right, but I will be doing my best to ensure that discussions are concluded as quickly as possible so that MARACs, as a measure in place, can function properly.

A number of Members referred to the report from the Criminal Justice Inspection Northern Ireland on the handling of domestic violence cases. A number of Members also acknowledged that there have been some significant improvements recorded in that report, but it is clear that much still needs to be done.

Let me highlight some points about the recommendations made. There is a clearly an issue of consistency of service across all eight police districts. There is an issue about quality of prosecutions, which is, of course, a matter not for me but for the PPS. There is also the issue that I just referred to regarding the appointment of IDVAs. Michelle Gildernew highlighted the issue of rural isolation as being a factor in some cases, although it should be said that the 14 separate MARACs operate in urban and rural areas, as do five domestic violence partnerships. In reference to the point that Lord Morrow, among others, made, MARACs are examining information on alcohol and drug abuse and their correlation with domestic violence. It may not form part of the formal criminal statistics, but it is an issue that is being looked at and taken seriously.

CJINI's recommendations are already being addressed significantly and seriously, and



Members who raised concerns can take some comfort, but not complacency, from that.

Issues were raised about domestic violence protection orders, which are being trialled by the Home Office in England and Wales. They can last for up to 14 days to prevent a suspected perpetrator from entering the address of a victim or having personal contact. My officials are working closely with the Home Office to examine the effect of those proposals. We will monitor closely to see what lessons can be learned and assess the appropriateness of introducing such a measure in Northern Ireland. While a trial is being piloted in England and Wales, it would seem pointless to rush into something that might not be done in the right way.

We are also looking at the issue of the domestic homicide reviews (DHRs), which are being conducted in England and Wales. Last year, there were seven murders with a domestic abuse motivation, which is a horrendous figure for each of us to think about. We need to ensure that we learn lessons from DHRs, which commenced in England and Wales only in April. My officials will look closely at the appropriate mechanisms to introduce them here.

Similarly, we also need to look at supporting victims through work with perpetrators. A key element of the domestic violence action plan is accountability for perpetrators through various programmes. We are considering how to deal with that. Reference has been made to serial perpetrators. We need to look at the work of the Probation Board in particular and the integrated domestic abuse programme to ensure the safety of victims by confronting perpetrators with the effects of their behaviour. All those issues need considerable attention.

Throughout my remarks, I have referred to the issue of partnership and the work between different Departments, agencies of the criminal justice system and a number of others, particularly the work of the MARAC process. Many Members, notably Dolores Kelly, highlighted partnership as being vital if we are to tackle domestic violence and get all relevant agencies to work together to make a real difference. I take this opportunity to thank those who have invested time, not just in MARACs but in a range of other opportunities, to improve the services that we provide to victims.

As we look at the outcome of the community safety consultation that my Department is

collating, and as we shape a new strategy for making safer communities, clearly issues such as domestic crime and other crimes will be part of that because of the devastating effect that they can have on families and communities.

I suspect that, in the time that I had available, I have not answered every point that was raised by every Member, but I hope that I have confirmed my continuing commitment to doing all that I can to address domestic violence and to ensure that my Department does so. I have a vision that we will continue on that downward statistical path to the point at which we eradicate domestic violence and that, in particular, we help to break the silence that surrounds this crime. Through the delivery of actions, including the DHSSPS and Department of Justice strategy, Tackling Violence at Home, we have made significant progress in the area, which is evidenced in the fall in the number of incidents. However, I am also well aware that one crime is one crime too many, and this crime is particularly horrendous. As Basil McCrea said, we have had a unifying issue in the Chamber this afternoon, which is part of the ongoing partnership that is unifying agencies and NGOs across Northern Ireland and for which I am grateful. I commend that approach to all Members, and I assure them that the Department of Justice remains committed to working in that partnership with all relevant bodies to address the scourge of domestic violence.

**Mr Deputy Speaker:** I call Ms Paula Bradley to conclude and wind up the debate.

**Ms P Bradley:** Thank you, Mr Deputy Speaker.

**Mr Deputy Speaker:** I should have said that this is your maiden speech, so we will have no interruptions from Members.

**Ms P Bradley:** I welcome the opportunity to make my maiden speech to the House today. I also thank the people of North Belfast for placing their trust in me.

My colleague Pam Lewis began her speech by stating that, by the time this debate draws to an end, three victims will have suffered domestic abuse in Northern Ireland.

She also stated that it gave her no joy to bring this matter to the attention of Members. Although I agree with the Member that proposing the motion gives us no joy, I am truly delighted that I can use this short time to raise the

seriousness of domestic abuse and the crippling effect that it has on our country.

### 1.30 pm

On International Women's Day last year, I listened to a radio debate that highlighted the suppression of women in other parts of the world. I was told by the very worthy panel how fortunate we were in Northern Ireland: we have freedom of speech, freedom to marry whom we choose, freedom to dress how we want, freedom to vote and even freedom to achieve success in all aspects of our life. However, one in four of us is suppressed, controlled, bullied and lives in fear daily of what lies ahead. Statistically, that is five women in the Chamber and countless others in the grounds of the estate. Before the end of today, one in four women in this country will have been beaten, raped, starved or made to feel totally worthless.

As Basil McCrea highlighted, domestic abuse is much more than violence. Many Members also touched on the effect that it is having on our country and our economy. The issue has the power to affect almost every Department. It affects the children who are sitting in classrooms this afternoon, thinking about their mother's tears as she kissed them goodbye this morning with swollen lips; the teachers who deal with those children's emotions; the small business that is struggling to stay afloat with a member of staff whose absences are becoming more frequent, through no fault of their own; the police officer who is called to the scene of an attack, an overdose or possibly even a death; the overstretched benefits system that deals with victims who are unable to work due to physical or mental scarring; and the Health Service, which is filled with many allied health professionals who feel powerless due to time constraints imposed on them when dealing with bed turnover.

Mrs Kelly spoke about A&E departments and the need for more training to deal with women when they present themselves. As the Minister knows, I have a background in social work, and mine is in hospital-based work. A&E is not always the most appropriate place to deal with the issue. It is the place where the perpetrator will play the loving partner and hold the hand. If the victim is fortunate — or unfortunate — enough to have sustained injuries and be admitted to a ward, that is when they will feel safe and able to disclose their circumstances.

At this stage, I pay tribute to the nurses and allied health professionals for their compassion and continued support for all the victims who pass through their doors daily. Safe places have also been mentioned this afternoon. When I was Mayor of Newtownabbey, I had the pleasure of being part of the Safe Places campaign that launched across Antrim, Ballymena, Carrickfergus, Larne and Newtownabbey. I am proud to say that Newtownabbey Borough Council was the first to introduce a domestic violence workplace charter, and Ballyclare was made the first safe town through the commitment of the council and businesses. As a business owner, I have, over the year, made my business a safe place. The Minister stated his ongoing commitment to make this a priority, and I know that he has shown his commitment to the Safe Places campaign by displaying the logo and making his constituency office a safe place. I thank him for that. Although the debate has been cohesive and Members from across the Chamber have shown their support for women and men who suffer from domestic abuse, I ask Members to pledge to make their constituency offices safe places by placing the logo in their window and having the information available for victims to get the help that they need before it is too late.

Just before I came into the Chamber, I received an e-mail from Women's Aid, thanking me for bringing the motion to the House. We have a wonderful medium to highlight the plight of victims. When I was preparing for my speech this morning, I thought about how I felt and about how nervous I would be. I thought that that was nothing compared with how an abused man or woman would be feeling. Many people will be watching this debate at home or in the Building, and, if it has empowered a woman or man to break the cycle because they know that the Assembly is prepared to keep this issue to the fore, Pam and I will have made a great achievement.

I wish to thank Members for their support today and for starting this Assembly term in such a practical and positive manner.

*Question put and agreed to.*

*Resolved:*

*That this Assembly calls on the Minister of Justice to ensure that addressing domestic violence is a priority for his Department; and that all the agreed processes and protocols in place are focused on protecting those most at risk.*

## Government Structures

**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 wish to speak will have five minutes.

**Mr Elliott:** I beg to move

*That this Assembly recognises the need to reform its structures, including having a requirement for an official opposition to be in place by 2015 to create greater delivery, flexibility and scrutiny; and supports a review of the number of Departments and MLAs, and a restructuring of arm's-length bodies.*

I recently read a press article that stated that times are tough. It said that we must tighten our belts and brace ourselves for austerity. For quite a long time, I have thought that one area that we can change in the system in Northern Ireland is overgovernance. We have 108 MLAs, 18 MPs, three MEPs and 582 councillors, not to mention the commissioners, quangos and scores of consultants that we use in the Province. I would like to see an overall review that takes cognisance of that entire make-up. It may be useful to do that in stages, but we must look at the overall context in which we do so.

The St Andrews Agreement required the First Minister and deputy First Minister to appoint an efficiency review panel to examine the efficiency and value for money of aspects of strand one institutions. The panel was expected to consider the structure of Departments as well as the number of MLAs. However, I understand that no consensus was reached. I was a member of the Assembly and Executive Review Committee in the last mandate. We discussed issues in and around changing the size of the Assembly and the number of MLAs, as well as issues around section 16A to 16C of the Northern Ireland Act 1998, which refer to the appointment of the First Minister, deputy First Minister and other Ministers. Again, no real consensus was reached.

The number of Departments is one of the easier aspects to change, as the First and deputy First Ministers can reduce the number of Departments quite easily and simply through transfer of functions. However, that would require some consultation with Members and the wider community. That could be moved on quickly, although I would not advise it at

this stage, now that we have gone beyond the selection of Ministers. At this stage, it would need to be looked at in the context of an overall review.

Another ongoing aspect, the outcome of which will have a deliberate and definite effect on the Assembly, is the Boundary Commission's review of the Westminster boundaries, which will also affect Assembly boundaries. There is talk that the number of constituencies will be reduced by either two or three, which would automatically reduce the number of Assembly Members by either 12 or 18.

**Mr Weir:** The Boundary Commission has met all parties, including your own, and it has made it fairly clear that there will be a reduction of two rather than of two or three.

**Mr Elliott:** I thank the Member for his clarification, although, as we know from the past, the Boundary Commission can often change its mind at some stage in the process.

**Mr Weir:** A formula was set across the UK, and a set figure was produced. The Boundary Commission has no flexibility as to the number of constituencies in Northern Ireland; it will be 16.

**Mr Elliott:** We will not get into any greater debate on that issue, as it takes away from the motion at hand. Commissioners will make up their own mind at different stages, and rules are set to be changed.

One of the biggest areas that we must look at is the number of quangos and non-departmental bodies. Looking at the annual report on public bodies within the Office of the First Minister and deputy First Minister, I saw that this year's budget for such bodies is £26 million. That is for this year and those bodies alone, not to mention the much wider issues. The Equality Commission has a budget of almost £7 million this year, and, as the Human Rights Commission is within, I think, the Northern Ireland Office, I have no idea how much the budget is for that organisation.

There are huge opportunities to reduce the number of quangos and non-departmental bodies. Some of those bodies were established during the many years of direct rule to give the wider public more of a say in the governance of Northern Ireland. However, instead of the number of those bodies reducing after

devolution, it seems to have increased. It is now time to conduct an overall review of those bodies to reduce their number. There is no argument for increasing their number, and we should make a firm commitment to reduce them.

The Ulster Unionist Party and other parties have taken a stance on having a system of official opposition in the Northern Ireland Assembly, which would be very useful. We must set a process in place for reaching a conclusion and set a date for reaching that conclusion, because we will never reach that stage if we just talk about it. We need a proper, formally recognised opposition that will give people an opportunity to change government to a greater extent than at present. In the long term, it will provide much greater and better delivery for the community at large, whom we are here to represent.

**Mr Campbell:** The Member is talking about how opposition might lend itself to a better system of government. Does the Member accept that there is nothing in Standing Orders, legislation or anything else to prevent an opposition emerging today if it wanted to do so?

**Mr Elliott:** I accept that, as the Member correctly says, there could be an unofficial opposition here. However, such an opposition would not have any speaking rights or any right to ask questions or challenge Ministers to a greater extent than at present.

There are official oppositions in the UK Parliament in England, in Scotland and in Wales, and I do not see why we should not have one here in Northern Ireland. We all recognise the reasons why we did not have an official opposition in 1998, but we are moving on, and we need to look at a process whereby we can have such an opposition. The community at large wants to see a much more democratic system in the Northern Ireland Assembly and would, by and large, welcome such a system.

An official opposition would also give us the opportunity to have opposition days, and I am sure that Mr Campbell is aware of some of these terms from another place. Those would give us the opportunity to have much more strategic debates and give a more strategic purpose to the Northern Ireland Assembly and the Executive. The Ulster Unionist Party has laid out its stall. I do not see and I am sure that we will not see a huge amount of opposition to what we are saying in this debate.

#### 1.45 pm

**Mr Hamilton:** I welcome the opportunity that the motion tabled by Mr Elliott and Mr McCallister gives us to debate a subject that created much interest among the wider community, particularly during the recent election period. I also welcome the opportunity that it brings to acknowledge the curious conversion that it represents. It is the culmination of a long process of conversion by the Ulster Unionist Party from being not just the authors but the advocates and supporters of the status quo of the structures that we have in place in Stormont courtesy of the Belfast Agreement in 1998 to the position where, today, they oppose the very structures that they had a hand in and were part architect of.

I hope that they come to this with the zeal of a convert. They are in very good company in opposing the structures that we have as a legacy of the Belfast Agreement. The DUP has opposed them from day one. Indeed, we opposed them when it was unfashionable, when we were derided and harangued for opposing them and when we were a lone voice. We have supported change and major reform in the structures at Stormont, arguing that they were ineffective, inefficient and inherently undemocratic.

The list of converts is growing. We have added —

**Mr Allister:** Does the honourable Member have any appreciation of how ridiculous he sounds when he talks about the DUP having opposed the Belfast Agreement, when he and his party today are the chief implementers of precisely the infrastructure of the Belfast Agreement: the iniquitous joint office of First Ministers, the North/South executive bodies and the mandatory coalition, which are the three legs of the essential stool of the Belfast Agreement? Who is keeping them in place but the honourable Member and his party? Therefore, it really is the height of questionableness to berate the Ulster Unionists about conversion when he has had a conversion in the opposite direction.

**Mr Hamilton:** I noticed the midstream conversion in the Member's terminology. He knows as well as anyone that the DUP never argued that the structures are ideal and that we believe that there needed to be a move away and that they were temporary. That was always the point that we made very clear.

The Member talks about change. He is in the middle of a structure that he has lambasted left, right and centre at every opportunity. I notice that he is sitting and serving alongside Sinn Féin — not just serving but literally sitting beside Sinn Féin in Committees of this Assembly.

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

**Mr Hamilton:** No, I will not. I will not get into a back-and-forward with the Member. He had his opportunity and may get another later. Contrary to what he may think, he is serving alongside Sinn Féin and literally sitting beside them in Committees of this Assembly.

**Mr Allister:** I am not in government with them.

**Mr Hamilton:** There is much —

**Mr Deputy Speaker:** There will be no interventions across the Floor. All remarks will be through the Chair.

**Mr Hamilton:** Thank you, Mr Deputy Speaker. There is increasing dissatisfaction with the structures at Stormont, described by a former Member as the “ugly scaffolding”. We only ever viewed them as temporary and have argued that reform is required, and certain instances in the past and in the first term of the new Assembly highlighted the need for urgent reform.

The review that the motion refers to is not merely nice to call for or desirable; it has a statutory basis in the St Andrews Agreement, courtesy of the DUP. Rather than, as the motion suggests, having an official opposition in place in 2015, there is an argument for progress before 2015. There are aspects of the change included in the motion, such as reducing the number of Departments and MLAs, on which progress could be made much sooner than 2015.

There are several good reasons. I want to dwell on three, the principal of which is cost. It is estimated that on the administration of private offices and press offices alone some £8 million could be made in recurrent savings by reducing a single Department. Reducing that significantly would be a huge saving, particularly in these tight times. It would not be enough to bridge some of our financial constraints, but it would be progress.

When I tabled a motion on the number of Assembly Members some years ago, I was depicted in an Ian Knox cartoon as a turkey

asking my fellow poultry to vote for Christmas. However, I do not think that any of us, not even those who limped across the line on a sub-quota on the ninth count — I am not casting aspersions on anybody; I am just giving an example — I would agree that 108 is the right number of Assembly Members for Northern Ireland. There is clearly much that can be done about the number of quangos, and I acknowledge, even though the motion does not, the ongoing work by the Budget review group to address the situation with quangos. There are obviously arguments about effectiveness, and, even though some of the criticism that we receive is not entirely justified, efforts to deal with major issues and crises are not helped by the cumbersome structures that we have.

Finally, reform of our structures is a sign of growing maturity and progress. Nobody is talking about doing away with the need to acknowledge that we remain a divided society. However, there are reforms that could be made that acknowledge that and still make progress. The motion before us is very imperfect, like the structures that we have here at Stormont, but there is a need for reform.

**Mr A Maskey:** Go raibh maith agat, a LeasCheann Comhairle.

I rise on behalf of Sinn Féin to oppose the motion, and I do so for a number of reasons. First, it is important that we remind ourselves of the reason for the nature of our political institutions: to ensure that we can have stable government that is accountable to the people here. That is a fundamental departure from what we had for far too long — direct British rule. The essence of the institutions is that they are shared institutions, so those who talk about mandatory coalitions may not want to work with other parties. As far as we are concerned, the nature of the institutions is that they are shared. They are about sharing power with a sufficient number of checks and balances in place to ensure that no one — no party or broader community — can ever again, by domination, manipulate the process to discriminate against others on a wholesale basis, as happened under the one-party state that we had here under unionism for about 50 years. So, the institutions and the checks and balances that have been built into them are very important.

I want to come at the motion from two angles. Tom Elliott is one of the Members who tabled the motion, and he has already spoken. I heard Tom in the media at the weekend saying that his party no longer wanted to give out mixed messages. So, on Saturday, he and his party were saying that they did not want mixed messages, yet on Monday morning they are talking about going into opposition or saying that they want an opposition. I am not sure that that is not an absolute contradiction about not having a mixed message. We have just come out of an election campaign in which the Ulster Unionist Party, as was its right, made the need for an opposition in the Assembly the substantive plank in its manifesto programme. The people voted accordingly, and the parties are here with their respective mandates. Tom Elliott's mandate did not increase; in fact, I think that it reduced considerably. Nevertheless, the message that he went forward with, the message about the need for an opposition, was rejected by the electorate.

All of us have acknowledged that the vast majority of people, regardless of their support for any party, want these institutions to work. People were clearly telling us on the doorsteps during the last election campaign that, regardless of our differences, we needed to work the institutions to deliver for people in the broader community. That was the resounding message that all the parties received loud and clear. So, people do not want us to come in here in the first couple of weeks after an election and say that we should unpick what we have rather than work the institutions in the best interests of the wider community.

We do not support the motion for a number of reasons. First, we are not opposed to a review of the number of Ministers or of the number of Departments; we are far from wedded to any specific number. There is a statutory requirement on all of us to review the number of Ministries and Departments and so on, which is an appropriate thing to do. However, we need time to work the systems that we have to see where improvements can be made. Therefore, although we are not wedded to any given number, we are very mindful of the reason for the current number of Ministries. All the parties here, or at least most of them, were involved in the negotiations that led to the establishment of the present number of Departments. We were trying to maximise political inclusion. We now have five parties represented on the Executive,

which shows that more people are able to be in government, sharing responsibilities, taking on the burden and working together in the best interests of the wider community in a way that this community and society have not for generations. So, we are not opposed to the review, which is already fixed as a statutory requirement.

The idea of an opposition is nonsense, and we need to say to people that they need to look at the institutions that we have. Those institutions have a whole series of checks and balances. During the negotiations for the Good Friday Agreement, some were arguing that there were too many and that they could lead to gridlock and mutual vetoes, but they work because they give protections and confidence to parties here and the people who elect us.

We should remind ourselves that, although people may argue about having an opposition, all that gives you is a shouting match across the Chamber. It does not give you better government or better delivery. What we have at the moment is a system of substantial checks and balances, including everything from the Ministers having to take the Pledge of Office to the ministerial code. There is a process for the Programme for Government and the Budget, which requires maximum support within both communities.

**Mr Deputy Speaker:** Your time is up.

**Mr A Maskey:** OK, a LeasCheann Comhairle. We oppose the motion.

**Mr Elliott:** On a point of order, Mr Deputy Speaker. Will there be a ministerial response to the debate?

**Mr Deputy Speaker:** No, there will be no ministerial response.

**Mr McDevitt:** I acknowledge the Ulster Unionist Party's right to bring the motion forward; however, we in the SDLP believe that it is premature. Mr Elliott's question to you via a point of order probably illustrates the prematurity of the motion. One would presume that the reason there will be no ministerial response to the debate is that it is a matter that has been delegated to the Assembly and Executive Review Committee.

Those of us who are members of the Committee — this meeting of the Assembly feels a bit like a super-Committee meeting — will know that, in the papers for tomorrow's meeting, we are

reminded that one of the major areas of work in the proposed forward work programme is the need to make a report to the Secretary of State no later than 1 May 2015 on the operation of Parts III and IV of the Northern Ireland Act 1998. Without wanting to bore colleagues who are not burdened with the great pressure of sitting on the Assembly and Executive Review Committee, that is pretty much what is in the motion.

We have before us a motion from the Ulster Unionist Party, as is its right, that is premature. It seeks to pre-empt a discussion that we have been asked to have in Committee, a discussion that, by its very definition, is not only a technical one that deals with issues around the procedural consequences of going in a certain direction but a highly political discussion. It is for that reason and many more reasons that I believe that the Assembly and Executive Review Committee is the best place to have that discussion. It is also for that reason that we will not support the motion.

The basic question remains: is it always the system that is broken, or is there some possibility that bits of our politics remain broken? Will it always be a debate about systems, or will we all have the courage to accept that, in fact, if we are honest about ourselves, the people elected to this Chamber could make any system work, if they wished to? They could do so, if they came to it in a spirit that puts the interests of this region and all its people first, if they were resolved not to play partisan or tribal politics around North/South or east-west relationships and if they had the courage to tackle the major challenge of the past, for example. If we could do all those things, I am sure that the system as we have it today would be held up to many across the world as a very good one and a fantastic way to transit a society out of conflict and into a peaceful new beginning.

Although it is every party's right to question the system rather than challenge the politics, it does not take away from that basic question. Yes, there is a debate to be had about the number of Departments, but the much more important debate is not about how many Departments we have but about what Departments do for the people of this part of Ireland. Surely, if we are to have a conversation about the size of government, it should be about the needs of our people. We made manifesto commitments,

like everyone did, and ours were for a single Department for the economy, for example, and to have a Department focused on energy and sustainability, because we believe that we are ignoring the threat that peak oil and high-carbon energy pose to our region and that we are not putting energy policy strongly enough at the heart of our government.

*(Mr Speaker in the Chair)*

We must have a debate about how to manage education in a departmental sense. Surely it is time for a Department for children, rather than segregating education into silos just because it suits a particular political settlement.

## 2.00 pm

We will go to the Assembly and Executive Review Committee over the next three to four years with a determination to bring forward proposals that are about making government better for people in this region. However, that does not mean that we must have a parliamentary system modelled on one that was conceived in another place several hundred years ago. Surely it should mean that the one thing on which we are all agreed is that, whatever we do, we will always make the basic promise to each other that the system that we agree on will be the system that works for us and is capable of accommodating our differences and providing the guarantees that ensure that we do not return to the dark side of our past, in any possible sense of the word, and that, much more importantly, is designed around the needs of the people of this region, this island and these islands.

As I said, I do not wish to sound overly negative in any way about the Ulster Unionist Party's right to bring this motion. However, if ever a motion that came before the House were premature, it is this one. We will oppose it for that reason.

**Mr Dickson:** The Alliance Party is willing to support this motion, not because we consider it to be perfect but because it encompasses a substantial requirement to reform the structures of this institution. I, like others, believe that it should serve to send a sound signal to the Assembly and Executive Review Committee to get on with the task at hand. That is where the substantive work in respect of this resolution will be done.

I speak with a sense of regret that others appear to have forgotten a central issue

regarding institutional reform. It is absolutely vital that the Assembly's tribal designation system be removed. The Alliance Party tabled an amendment calling for the abolition of Assembly designations and for support measures to facilitate better co-operation and collaboration between Departments. Unfortunately, that amendment was not selected.

This is a vital issue. Reform of government structures should not be addressed without tackling the designation issue. We need to create a shared future. It is a disgrace that division is institutionalised in the system of government here. We are setting a very poor example for the rest of the community and wider afield. We at the Assembly need to be able to move forward positively so that segregation can be tackled right across our community. To enable us to tackle the £1 billion annual cost of division, it is vital that we address the divisions in the institutions of government.

The main objective of reform of the institutions is the delivery of effective and efficient government. We would like a governance Bill to be put forward to ensure more co-operation between Departments. That would help greatly in tackling the silo mentality of the Assembly and the many Departments that it serves. A duty should be placed on Departments to co-operate on key themes such as promoting public health, combating crime, community safety, sustainable development and promoting a shared future.

Reform of the institutions here is vital. We need a reduction in the number of MLAs to 80. That would operate on the basis of 16 constituencies with five MLAs for each. It would be more in keeping with the size of Northern Ireland and help to deliver significant savings and streamline the institutions. We also need a reduction in the number of Departments. The Alliance Party feels that eight Departments would be sufficient. Those changes are vital to ensure joined-up government and help with strategic decision-making. They have the potential —

**Mr Weir:** I thank the Member for giving way. I am glad that he supports the part of the motion that relates to a reduction in the number of MLAs and Departments. However, although I have sympathy with you in respect of designation, I was little bit surprised when I saw that the Alliance Party's amendment cut out the

bits about a reduction in the number of MLAs and Departments.

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

**Mr Dickson:** I assure the Member that my party is wedded to the reduction in the number of MLAs and to streamlining Departments, of which we believe there should be eight. That, however, has to be clearly linked to the issue of designation.

The Alliance Party believes that having a power-sharing Executive formed through negotiation would be a positive change, helping us to move away from mandatory coalition. We believe that it is possible for parties to negotiate and build a consensus and agree a Programme for Government ahead of the formation of an Executive that works through collective responsibility. We believe that such a coalition could be ratified by a cross-community weighted-majority vote. That style of government would deliver greater co-operation and would promote the concept of power sharing. We believe that anything is possible if the Members in this Chamber have the will to move it forward.

**Mr Moutray (The Chairperson of the Assembly and Executive Review Committee):** As the new Chairperson of the Assembly and Executive Review Committee, I am pleased to have the opportunity to speak on this motion. I want to begin by stating that the new Committee has not yet met; it will meet for the first time tomorrow morning. Members of the Committee have, therefore, not had the opportunity to consider or discuss the proposals that have been brought before the House today. I am not going to offer any opinion on those proposals on behalf of the Committee.

I will, however, remind the House of the Committee's remit. It was established further to the St Andrews Agreement, and its role is to consider matters that relate to the functioning of the Assembly and the Executive. Specifically, it must make a report to the Secretary of State, the Assembly and the Executive by May 2015 on the operation of the provisions of Parts III and IV of the Northern Ireland Act 1998, which, as I am sure Members are aware, relate to the Executive, their Departments and the Assembly. The previous Committee, to whom, incidentally, I pay tribute, had begun to look at some of the issues raised in today's motion. In particular, it had begun to look at the issue



of the size of the Assembly. Then it suspended its work while it awaited the passage of the Parliamentary Voting System and Constituencies Bill through Parliament. The subsequent Act came into operation on 16 February 2011, and, as a result, we now know that the number of constituencies in Northern Ireland, for elections to Parliament and the Assembly, will be reduced from 18 to 16. That will automatically reduce the number of Members that we have in this place.

I have no doubt that the Committee will review further the number of Assembly Members that we have here. I want to emphasise that, as Chairperson of the Assembly and Executive Review Committee, I will ensure that all Committee members get the opportunity to bring forward their views on which other particular matters we can look at. The Committee is clearly the right place for those discussions to take place, and I look forward to working with other members on identifying how we might improve the functioning of the Executive and the Assembly.

Speaking from a party perspective, I believe that it is important to note that the DUP has led on this issue. Since 1998, the party has consistently said that the current structures are in need of reform. Indeed, they are cumbersome, and decision-making is ultimately too slow. Our party recognised that situation and ensured at St Andrews that, by the end of this Assembly term in 2015, reforms should be put in place to take effect for the next Assembly term.

In the recent election, the DUP was given a mandate for change, and we intend to drive that forward. The DUP has been calling for a reduction in the number of Departments, Assembly Members, quangos and North/South bodies and has been consistent in advocating the abolition of the d'Hondt mechanism for appointing Ministers in the Executive. Unfortunately, some still hanker after the Belfast Agreement and its structures. However, the DUP urges those people to follow the wishes of the people of Northern Ireland by supporting much-needed change. People want to see Northern Ireland moving forward. They want to see a businesslike structure in which decisions can be made quickly in response to an ever-evolving society. I hope that we can all work together towards that end.

**Mr Sheehan:** Go raibh maith agat, a Cheann Comhairle. One wonders whether this is a

serious proposal for reform of government structures or merely political posturing on the part of the Ulster Unionists. However, let us take it at face value and assume that the Members who proposed this motion are serious about government reform and about making the biggest potential savings from that reform. Bear in mind that we have only had one full term of the Assembly and the Executive in which to make a judgement about any shortcomings.

Let us look first at the review of government structures. That job is already in hand. The Assembly and Executive Review Committee has been tasked to report on the operation of the Assembly and the Executive by 1 May 2015. In the review, the Assembly and Executive Review Committee will consider the Assembly's voting system; designations and cross-community voting; the operation of the ministerial code; and the power to refer ministerial decisions to the Executive. In addition, it will consider the size of the Assembly and the number of MLAs. Furthermore, in conjunction with the First Minister and deputy First Minister, the Assembly and Executive Review Committee will review the number of ministerial offices and the functions that can be exercised by the holder of each office. The Committee will also consider the issue of multiple mandates and matters associated with the proposed efficiency review panel as set out in the St Andrews Agreement, in which it was anticipated that due account would be taken of the review of public administration.

Of course, Sinn Féin is for efficient government. In fact, the biggest potential savings from the reform of government would arise from reducing the number of councils, which was delayed by Minister Poots in the previous Executive. The arguments for an official opposition are well rehearsed, and we know that some parties have already been to Downing Street to seek funding for it, but who can prove that oppositional politics in the Chamber would be the best system? The scrutiny Committees are, in effect, a built-in opposition. Such opposition is evidence-based; Ministers can be questioned; papers can be demanded from Departments; and, in those ways, the work of Departments and Ministers can be scrutinised.

We must remember that we have the current system of government because of the nature of the society in which we live. This is not England, Scotland or Wales, as Mr Elliott said.

The number of Departments and MLAs was set out in the Good Friday Agreement for reasons of inclusivity in government. We now have five parties on the Executive — five parties in government. That is inclusivity in action. Any proposal to reduce the number of Departments would have to be tested against the impact on continuing inclusivity, since there are still some unionists who seek a return to majority rule.

Unionists should take heed of the message from the electorate on 5 May. People want all parties to work together for the benefit and betterment of the whole community, not in a mandatory coalition, as it is referred to pejoratively, but in a sense of sharing responsibility among all parties for all people. Therefore, I urge Members to oppose the motion. Go raibh maith agat.

**Mr Spratt:** I welcome the fact that I can take part in the debate. Whatever might be the arguments about the motion being premature, there should be and needs to be change in some areas before 2015, as my colleague Simon Hamilton mentioned. Indeed, Tom Elliott mentioned the costs associated with some arm's-length bodies; there is a very serious job for all of us in the Chamber to do in that area.

For example, the Northern Ireland Policing Board is an arm's-length body created some years ago that now costs £8.8 million a year. Two reports have been made on that body in the last number of months. Let me quote from one of those reports in respect of value for money:

*"Value for money as a concept is not understood or practiced to any notable and evidenced extent. There is no VFM culture. The Board should seek to develop a VFM culture that is permeated through all activity."*

## 2.15 pm

The second report on the board mentioned similar themes. I was a member of the previous board and so were other Members of the House, and a lot of work was done to start work on some of the problems in that board, and rightly so. The cost of the board can be drastically reduced over a number of years. It has almost one third too many staff, according to one of the reports.

Let me look at another area in that board, that of human rights advice and consultancy. That has been carried on in the board for the past number of years under a single-tender

system. It was not put into the domain of public procurement, and it cost some £150,000 a year. However, there was no concept of proper audit procedures or anything else in that.

**Mr Speaker:** I must bring the Member back to the motion.

**Mr Spratt:** I am coming back to the motion. The important thing about using it as an example —

**Mr A Maskey:** On a point of order, Mr Speaker. I do not want to interrupt the Member's flow. He talks of the Policing Board, which is not here to answer for itself. I do not want to leave unchallenged the fact that some of the Member's remarks are inaccurate and reflect wrongly the reports referred to.

**Mr Speaker:** I have already given the Member latitude. Can we get back to the motion?

**Mr Spratt:** I very clearly will get back to it. What is happening in the Northern Ireland Policing Board is a clear example of what happens in other arm's-length bodies and quangos that have been set up for a number of years.

**Mr Elliott:** I thank the Member for giving way. Does he agree that arm's-length bodies that have no statutory powers, the like of the Education and Skills Authority (ESA), have cost a fortune so far without doing anything?

**Mr Spratt:** I absolutely agree and have no argument with the Member on that. However, certain arm's-length bodies were created under direct rule. They have no serious concept of value for money.

The chair and vice chair of the Policing Board are paid more money —

**Mr Speaker:** Order. I have already given the Member quite a bit of latitude. He must return to the motion before us.

**Mr Spratt:** Thank you, Mr Speaker. I understand what you say and appreciate the latitude that you have given me. However, this is a very clear example of what is happening in arm's-length bodies. It was endemic under direct rule and shows how direct rule was allowed to set up arm's-length bodies. The Assembly now needs to look seriously at getting value for money and at what is being spent on some of those bodies before 2015 and make savings. I welcome the fact that my colleague has said that there is work going on in the Department of Finance and

Personnel (DFP) to look at that. It is something that needs to be progressed quickly.

Nothing that I have said is inaccurate. Other Members have their own interpretations of the report. I am happy to stand over anything that I have said in this House. However, there needs to be a serious examination and, if that can be done, progress can be made.

**Mr McCallister:** My colleague Mr Elliott and I tabled the motion in an effort to engage the House and help to lead the work that the Assembly and Executive Review Committee is doing to kick-start the process. This type of reform is something that we have talked about for a number of years, but nothing has happened.

As has been said, the number of MLAs is likely to be reduced by 12, not through the work or leadership of the Assembly, but through a knock-on effect from legislation at Westminster. When the number of parliamentary constituencies is reduced from 18 to 16, the number of Assembly seats will be reduced automatically by 12, if no other action is taken. Therefore, it is not the case that the Assembly is taking the lead in reforming the structures of government. We have to get back to leading and to considering what type of Assembly we want, including its roles and responsibilities and the number of Departments. We have to lead and kick-start the debate, and I welcome the role that the Assembly and Executive Review Committee will play in that. It is up to the House to ask the Committee, not for the Committee to dictate to the House what we should do or accept.

The debate has been interesting. Like Mr Allister, I found it slightly bizarre that Mr Hamilton was attacking and accusing others of converting to his way of thinking. I never realised that he was such an advocate of the Good Friday Agreement.

There were mixed messages from the Members from Sinn Féin Mr Maskey and Mr Sheehan, and I see them sitting beside each other. They must be working out tactics. I was not sure what the message from Sinn Féin was. Mr Maskey was saying no, and Mr Sheehan was saying that reform is ongoing. Maybe they need to think a bit harder about what they want to achieve. It is slightly bizarre that they are welded to the system up here but their party leader has vanished off to Dublin to sit in opposition. One wonders why, if it is good enough for Mr Adams

to go into opposition, they do not insist on having some sort of opposition up here.

My party wants to look positively at what changes we can make to the Assembly, because the Assembly and the structures of our government should be about delivering for people in Northern Ireland. It should be about delivering for each and every one of our constituents, and the question is how best to achieve that. How do you challenge government, make better and quicker decisions and make government work for people, instead of against them?

**Mr A Maginness:** I take on board what the Member is saying about delivering for the people of Northern Ireland, but the greatest thing that we can deliver for the people of Northern Ireland is partnership government and reconciliation. Anything that is done to undermine or tamper with the present institutions could risk that.

**Mr Speaker:** The Member will have a minute added to his time.

**Mr McCallister:** I am grateful to the Member for that intervention. Despite comments from others, no one in the Chamber is calling for an end to the principles of power sharing.

**Mr Elliott:** The Member made a valid point about partnership, but partnership is useful only if it is working. On many occasions, particularly in the previous Executive, that partnership did not work.

**Mr McCallister:** My colleague Mr Elliott has made a vital point. There have been blockages in the partnership. He mentioned ESA in an earlier intervention, and that list of blockages also includes the Maze stadium and transfer in education. There have been huge blockages, with nothing happening. How do we tackle the important issue of reconciliation, and what are we doing with the shared future agenda, which Mr Dickson mentioned? Those are big items that the Assembly and Executive need to tackle, but we are not making the response that government needs to make. We are not facing those issues, reaching agreement, making decisions and getting on with the delivery that is required of government.

Certainly, as a party, we believe that it cannot be a healthy democracy when 102 or 103 of the MLAs in this House are from the governing parties. That is why the motion says that

we need to be serious about appointing an opposition by 2015 to challenge the Government and to give people an alternative. We have to have that type of debate over the next number of years to look at those structures and at the rights and responsibilities that an opposition would have —

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

**Mr McCallister:** — and what that opposition could contribute to Northern Ireland.

**Mr Speaker:** Order. As Question Time commences at 2.30 pm, I suggest that the House takes its ease until that time. We will come back to this debate after Question Time, when the next Member to speak will be Mitchel McLaughlin.

*The debate stood suspended.*

**2.30 pm**

## Oral Answers to Questions

### Office of the First Minister and deputy First Minister

**Mr Speaker:** Order. Before we begin questions to the Office of the First Minister and deputy First Minister, I want to inform new Members of the simple procedure for asking supplementary questions during Question Time. To be called to ask supplementary questions, Members must rise in their place at the appropriate time and continue to do. Perhaps, in the past, certain Members tried different actions to try to catch my eye or that of the Deputy Speaker. I assure Members that that will not work. I also want to make it absolutely clear that multiple questions must not be asked. Members must ask only one question or make one enquiry of the Minister. When Members try to ask multiple questions, that will, certainly, be ruled out of order. Ministers have up to two minutes only in which to answer a question. They can ask the House for more time if they need it. That is not a problem. I will give new Members some latitude. However, I remind Members that, as far as possible, supplementary questions should not be read out. Let us give new Members some latitude during Question Time.

### Sexual Orientation Strategy

1. **Mr Byrne** asked the First Minister and deputy First Minister when the Committee for the Office of the First Minister and deputy First Minister will receive the draft proposals for a sexual orientation strategy for consideration.  
(AQO 1/11-15)

**Mr P Robinson (The First Minister):** With your permission, Mr Speaker, I will ask junior Minister Jonathan Bell to answer that question.

**Mr Bell (Junior Minister, Office of the First Minister and deputy First Minister):** I thank the honourable Member for West Tyrone for his question. We have been friends for a long time. I welcome him back to his position.

The Office of the First Minister and deputy First Minister (OFMDFM) has made it clear publicly that it will proceed with the publication

of a sexual orientation strategy. However, it has indicated that that will not happen before 2012. We have taken into account the views expressed during consultation on the cohesion, sharing and integration (CSI) strategy. We have also instructed officials to meet organisations from the sector and other Departments. The final consultation process will take place during early 2012 with a view to publishing a sexual orientation strategy later that year. We are confident that we will meet the timescale of publication in 2012 that was previously outlined in the Chamber.

**Mr Byrne:** I thank the Minister for his answer. Will he inform the House whether any strategic reference group will be set up to facilitate consultation with a wide range of people and interests?

**Mr Bell:** As I said, we have instructed officials to meet organisations from the sector and other Departments. We will take all views into consideration.

**Mr Spratt:** How does that fit in with the overall cohesion, sharing and integration strategy?

**Mr Bell:** The cohesion, sharing and integration strategy is designed to tackle racism and sectarianism. It was in the wider context of legal obligation, with regard to measures to tackle discrimination and the Government's section 75 obligations, that OFMDFM's recently published consultation document on cohesion, sharing and integration undertook to publish the sexual orientation strategy.

**Mr Molloy:** Go raibh maith agat. Will the junior Minister comment on the provision of funding for the sector, which ceased in 2009? Will that be part of the consultation process?

**Mr Bell:** All matters will be taken into consideration during the consultation process. We will respond on the basis of that.

**Mr Allister:** As there is already a plethora of statutory protections for the so-called gay community and generous financial provision from the junior Minister's Department for various organisations therein, why do the junior Minister and the First Minister, who once campaigned to save Ulster from sodomy, now want to introduce a sexual orientation strategy? Why do they now think it necessary?

**Mr Bell:** Peter Hain announced the funding package under direct rule. It amounted to

£230,000, which OFMDFM administered to the sector.

## Community Relations Week 2011

2. **Mr S Anderson** asked the First Minister and deputy First Minister for their assessment of the success of Community Relations Week 2011. (AQO 2/11-15)

**Mr P Robinson:** Members will be aware of the programme of events that were organised to mark community relations week during the last week of May. I know that many Members attended those events. The annual programme has now passed its ninth year and has steadily grown to a point where, this year, over 150 events took place across Northern Ireland. Its aim is to highlight the issues and challenges facing our diverse communities. Junior Minister Bell and junior Minister Anderson attended the forum for cities in transition, where they had the opportunity to address and engage with local and international delegates. Junior Minister Bell also addressed community relations week's flagship event, the Community Relations Council's annual policy conference. There, he reinforced the Executive's commitment to bring forward policies and funding opportunities that will seek to reduce division and deprivation within our communities while encouraging economic growth and employability.

I was particularly pleased to join over 400 members of the local community from differing political and ethnic backgrounds who were participating in a football-fest organised by Charter for Northern Ireland and supported by Belfast City Council. That event highlighted the power of sport in developing relationships and improving understanding between our local communities and diverse cultures.

The community relations week serves as a reminder of the good work of countless community groups, volunteers and public bodies who are committed to tackling the problems of division in our communities. It gives fresh impetus to the determination that most of us share to eradicate the divisions and hatreds that prevent so many from enjoying the benefits of the peaceful, prosperous and fair society that we are continuing to build.

I thank publicly all those who contributed to community relations week. I congratulate them

on the success of their events and wish them well in the progression of their future projects.

**Mr S Anderson:** I thank the First Minister for his detailed answer. Building on the kind of community relations that most people desire is part of a process that has not yet been completed and which can be affected, positively or negatively, by all manner of events on the ground. Given the number of public inquiries and apologies that have come from the United Kingdom Government in relation to the past in Northern Ireland —

**Mr Speaker:** Please come to a question.

**Mr S Anderson:** Does the First Minister agree that the decision taken recently by the Dublin Government to guillotine the workings of the Smithwick inquiry has the potential to set community relations back? Rather than trying to draw a veil over this involvement in the Troubles, there needs to be a full inquiry to benefit relations with Northern Ireland.

**Mr P Robinson:** There are many issues occurring within and impacting on our community that have an effect on the relationship. As far as the matter that the Member refers to is concerned, I spoke with the Justice Minister, Alan Shatter. We talked about the issue, and he has given me an assurance that there will be no curtailing of the activities of the inquiry and that the dates had been set with the views of the Smithwick inquiry people taken into account.

I think that everybody recognises that the first people to be on their feet complaining if there were curtailment of any of the inquiries that were being carried out in this jurisdiction would be those in the Irish Republic. People are right to be alert to those issues and to make it clear that there is an obligation to ensure that the inquiry is handled in a fair and transparent manner. Those who have questions should be given every opportunity to ask them, and the representatives of the two families involved should not be restricted in any way in how they take forward the issues that their solicitors will bring to the inquiry. We will continue to monitor events, but I have a firm assurance from the Justice Minister.

**Mr Lyttle:** I join the First Minister in congratulating all those who were involved in the very successful community relations week. Given that a more robust CSI strategy was

one of the recommendations from community relations week, will the First Minister confirm when the CSI consultation responses and their independent analysis will be made available to the OFMDFM Committee?

**Mr P Robinson:** For all of us, every week should be community relations week. I hope that the Member will play his part in that.

As far as the CSI strategy is concerned, a meeting took place among party leaders after the election and before the appointment of Ministers. At that meeting, we discussed a number of policy issues that had not been resolved, one of which was the CSI initiative. We agreed that a representative from each of the five parties in the Assembly will look at the timetable and the key issues involved. As far as the OFMDFM Committee is concerned, the deputy First Minister and I gave a commitment to provide it with all the submissions that have been made. At present, we are carrying out an analysis of the submissions, which we intend to publish along with a commentary on them. The analysis should be available on our website and can be made available to any Member who wants it.

**Mr Eastwood:** Given that community relations week is run by the Community Relations Council, what role will it play in taking forward the Department's work on a shared future?

**Mr P Robinson:** The Community Relations Council has played a pivotal role. Obviously, the future role of the Community Relations Council will be more closely defined when the Assembly as a whole looks at the CSI strategy.

## EU Funding

3. **Mr Ó hOisín** asked the First Minister and deputy First Minister what steps their Department has taken to ensure that there is a greater drawdown of European Union funding. (AQO 3/11-15)

**Mr P Robinson:** Our 2011-15 budget commits us to increasing drawdown of discretionary European funds by 20% over the next four years. Although that target will ultimately fall to individual Departments and their sponsored bodies, the deputy First Minister and I will facilitate its achievement in any way that we can, and we have included that objective in the OFMDFM business plan.

We met President Barroso in Brussels on 9 December 2010, and we jointly committed to renew the work of the European Commission's task force for Northern Ireland. That work has been taken forward by the Barroso task force working group, which is chaired by our junior Ministers. The working group is co-ordinating the next phase of contact with the European Commission and is exploring how Northern Ireland can benefit from European engagement, including the potential for increasing financial drawdown. That work commenced on 30 March with a series of meetings at venues in Belfast and other locations throughout Northern Ireland involving senior Northern Ireland officials and 15 European Commission officials from eight directorates general.

Following that engagement, Northern Ireland Departments are being encouraged to investigate new sources of funding and innovative ways in which to participate in European policies, programmes and networks. The European division of OFMDFM is facilitating that work in Belfast and through the Brussels office. Our aim is to ensure that we retain our political profile in Europe, maximise the benefits to Northern Ireland and create an overarching environment conducive to increasing financial drawdown.

**Mr Ó hOisín:** I thank the First Minister for his answer. What is the current status of Peace IV funding?

**Mr P Robinson:** The deputy First Minister and I took the opportunity when we were in Brussels to speak to the president and, indeed, a number of commissioners about the future of the peace project. We also had discussions with Owen Paterson, as a representative of Her Majesty's Government, because, to some extent, we expect the potential for Peace IV to be wrapped up in how the budgetary agreement is reached and, in particular, to depend on whether funding to the European community is increased.

However, we recognised the president and commissioners' high level of support for continuing with Peace IV. If we were to gain that, it would be an achievement, because I think that most people recognised at the completion of Peace II that we were unlikely to get Peace III, but we managed that, and now people are talking, some of them confidently, about Peace IV.

**Mr Swann:** I thank the First Minister for his update on the Barroso task force. Will he

indicate what increase in EU funding he is hoping to secure for Northern Ireland and whether he has taken into consideration the difficulties in obtaining match funding for those projects?

**2.45 pm**

**Mr P Robinson:** Funding from Europe does not just come to member states. It also comes to Departments, non-governmental organisations, small and medium-sized enterprises, universities and partnerships between councils and others. Therefore, it is very difficult for us to be able to easily assess the baseline from which we work. However, when we were in Brussels, we spoke particularly in relation to FP7, of which there has been a very significant take-up in the Republic of Ireland, with Northern Ireland lagging considerably behind. We felt that the application process had been considerably off-putting. We were promised by the Commissioner that they were looking at ways to make it much more simple for people to apply. On coming back from Brussels, we encouraged Departments. I do not say this as a criticism, because it would be too easy a criticism to make, but, to some extent, even Departments find it difficult going through some of the very weighty application processes that come to them if they want to take up European funding.

We need to concentrate a lot more. We have committed ourselves to an increase of 20%, and we will be putting in place a monitoring process to ensure that that happens.

**Mrs D Kelly:** I want to ask the First Minister whether there is any evidence of regional inequality in the drawdown of European funding. If so, will that be addressed in the setting of targets for the next phase of European funding?

**Mr P Robinson:** The Member talks as though European funding comes in from just one block. It comes in from so many different sources that one region may well do better with one kind of funding than another. I have no doubt that the OFMDFM Committee can look at all those things. The junior Ministers, who have particular responsibility for that, will be happy to meet the Member if she has a particular case in the back of her mind that she is not telling us about at this time. We will be as helpful as we can.

**Mr Humphrey:** Can I ask the First Minister —

**Mr Speaker:** Order. We are coming to your question; it is next on the list.

**Mr Humphrey:** Sorry. It is just that I have been trying to get your attention from the outset of the previous question being asked.

### Commissioner for Older People

4. **Mr Humphrey** asked the First Minister and deputy First Minister when the office of the Commissioner for Older People will be fully operational.

(AQO 4/11-15)

**Mr P Robinson:** The recruitment process to select a Commissioner for Older People is ongoing. It is our hope that we will announce the successful applicant shortly, and we expect the person appointed to take up post by September 2011. In learning from the experiences of the Welsh Commissioner for Older People, we decided that we would have a phased commencement of the powers and duties of the Commissioner for Older People. Therefore, although the Commissioner for Older People Act (Northern Ireland) 2011 became law on 25 January, the main provisions of the Act will not be commenced until after the Commissioner is in post and his or her relevant staff have been appointed.

**Mr Humphrey:** I thank the First Minister for his answer. Recently, I met representatives from the greater Shankill pensioners' forum and the north Belfast pensioners' forum, and I attended the Age Northern Ireland event here last week. The First Minister's announcement is hugely awaited. Will he explain the outworkings in greater detail for those listening outside the Building who will benefit so greatly from the appointment of the Commissioner for Older People?

**Mr P Robinson:** At this stage, it might be appropriate for me to say that we have been greatly helped over the past number of years by having an Older People's Advocate. I think that everybody who has spoken with Dame Joan will recognise just how committed she was to that task, and her work has been well appreciated by those in that sector. People have had something of a flavour of what can happen when there is a champion for older people. However, the legislation that this Assembly passed gave very significant powers — powers that are not surpassed anywhere else in the United Kingdom

— around the ability of the Commissioner for Older People to investigate matters and bring to our attention various issues. It will be a powerful position and one that is being watched very closely internationally to see whether it is an example that could be followed elsewhere.

Later today, as I understand it, the shortlist of names to be considered should be made available to the deputy First Minister and me. Undoubtedly, we will go through a process to select the appropriate person. After that, the person will want to be part of the process of putting their office in place and selecting the appropriate staff. At that stage, I suspect, they will then ask us to bring down the various powers and commence the legislation.

**Ms Ruane:** Go raibh maith agat, a Cheann Comhairle. Given that the Commissioner for Older People is going to be located at Equality House and is going to be sharing IT, administration and other admin support, what lessons does the First Minister believe can be learnt by other arm's-length bodies and the Budget review group?

**Mr P Robinson:** For several months during the previous mandate, the Budget review committee has been sitting down with the deputy First Minister and me, and we have been looking at how we can do things better and at lesser cost. One of the lessons that we have been learning is about the significant cost of some of our arm's-length bodies. We are seeking to have three commissioners housed in the one building. Therefore, there will be a sharing of accommodation costs. However, there will also be the savings that can be made on IT, human resources and the back room administration itself. So, there are very significant savings to be made by shared services overall. If it is proper and appropriate to do this with these commissioners, then we need to look at many arm's-length bodies to see whether some of them should be drawn back into Departments or amalgamated, or whether there is a need for them at all.

**Mr Beggs:** Recognising that the Ulster Unionist Party is in favour of ensuring that there is a strong voice for older people through the Office of the Commissioner for Older People, is the First Minister confident that processes have been set up such that we will avoid duplication — in other words, that the investigations of the Commissioner will not be duplicated by other



commissioners or ombudsmen and that we have an efficient process and that matters are addressed?

**Mr P Robinson:** That is the intention. To some extent, bringing commissioners together into one office should help to do away with some of the potential areas of overlap. Of course, we have a very rigorous Committee in this House that will no doubt continue to monitor the work of the commissioners and make its views known, after a suitable period, on whether it feels there has been any overlap. I think that the powers are such that the Commissioner will have a very important role. I believe that the sector as a whole has welcomed the fact that the legislation went through the House, and I was encouraged by the fact that there was unanimity in the Assembly when the legislation came forward.

## Corporation Tax

**Mr Speaker:** I call Mr McLaughlin.

**Mr McLaughlin:** I was not expecting to be called to speak. I am sorry, I am not prepared. I know that we have reached question 5, but I was not anticipating being called.

5. **Mr McLaughlin** asked the First Minister and deputy First Minister for an update on their discussions with Treasury in relation to corporation tax and for an assessment of whether its reduction will benefit the local economy.  
(AQO 5/11-15)

**Mr P Robinson:** I will speak slowly, Mr Speaker. *[Laughter.]* That will give the Member an opportunity to look at his question, which relates to corporation tax.

The deputy First Minister and I, along with Minister Foster and Minister Wilson, met David Gauke, Exchequer Secretary to the Treasury, and the Secretary of State, Owen Paterson, at the start of this year to explore a number of options with the potential of stimulating the Northern Ireland economy. Following that meeting, HM Treasury published its consultation document 'Rebalancing the Northern Ireland Economy' on 24 March. The consultation period for the report runs to 24 June. The paper considers the impact of lowering the corporation tax rate and includes consideration of other fiscal measures such as extending the National Insurance

holiday, enhancing research and development tax credits and increasing capital allowances.

We are scheduled to attend two consultation events involving Executive Ministers, the Secretary of State and the Exchequer Secretary to the Treasury in London later this week and in Belfast at the start of July. These events will be an opportunity for us to hear directly from key stakeholders.

Without a radical change of approach, our economy is unlikely to improve its performance and will not converge. The HM Treasury consultation paper and a report published by the economic advisory group on 26 May identified potentially significant benefits for Northern Ireland from a lower corporation tax rate in increased foreign direct investment and, in the latter report in particular, an increase in job creation. That has the potential to improve living standards and to help us to address problems with low wages, poverty, disadvantage and other social problems. The Northern Ireland Affairs Committee report of 24 May also identified a "convincing case" for a lower rate of corporation tax.

**Mr McLaughlin:** Apologies to you, Mr Speaker, for that senior moment. *[Laughter.]* Really heartfelt thanks to the First Minister for his extensive reply.

In the First Minister's discussions with the Treasury, has he addressed the issue of the deficit between the estimates of corporation tax revenues from this region? That differential could have a significant impact.

**Mr P Robinson:** I will draw the Member's senior moment to the attention of the Commissioner for Older People when he or she is appointed.

A number of issues have still to be negotiated about the quantum of the figure that would be the reduction in our block grant. We have yet to agree an appropriate percentage. The percentages in the two options in their paper are beyond that which we calculate the corporation tax level from Northern Ireland stands at the present time. However, the key issues about that overall figure are that, although they have looked at the amount of corporation tax standing on its own, there are other benefits that presently would go to the Treasury if a lower rate of corporation tax were to increase opportunities in Northern Ireland. The Treasury would benefit from National

Insurance, an increase in tax and a reduction in a number of welfare payments that would be made in Northern Ireland. We need to consider a calculation that allows that benefit to be shared and, therefore, the reduction to be much less than is suggested in the Government's consultation paper.

**Mr Hamilton:** The First Minister will be aware that there was some public discussion about the effect that a cut in corporation tax could have on the Northern Ireland block grant. Will the First Minister outline how that impact could be lessened by a phased introduction of a cut in corporation tax?

**Mr P Robinson:** The impact can be lessened by two factors. As the Member said, it can be lessened by having a phased approach, but it can also be lessened by having a delayed approach. For instance, if we were to decide today that we were going to reduce our level of corporation tax, there would be no need for us to do so immediately. We could announce that it would commence, be that 18 months or two years down the road. If we were to go to the United States or to any other country to encourage them to come to Northern Ireland, it would take at least 18 months or two years for them to get here. It would certainly take them 18 months or two years to get here and start to make a profit that is likely to draw down the reduced level of corporation tax. So we would benefit from the sales advantage of having a lower rate of corporation tax without a reduction in the Budget that would be a consequence of starting the lower rate. Thereafter, we could reduce the level of corporation tax in stages, which would allow us to increase our corporation tax take while not paying out the full amounts that are set down in 'Rebalancing the Economy'. If the introduction of a lower rate of corporation tax were handled carefully, it could considerably reduce the pain that might otherwise be felt.

**Mr Hussey:** Will the First Minister outline the outcome of the discussions on corporation tax during the trilateral meeting with the heads of Government of Wales and Scotland on 31 May?

**Mr P Robinson:** We had a useful meeting in Edinburgh with the First Minister and the Deputy First Minister of Scotland and the First Minister of Wales.

During that meeting, we discussed a number of economic levers. Scotland is looking for particular issues that it wants to progress with

the Treasury. Although corporation tax was considered, it was not the main subject of the debate. However, it was agreed by all present that Northern Ireland would take the lead in the matter and that we are doing that. Indeed, even if they had not agreed, we are taking the lead in the matter, because we are the only part of the United Kingdom that has the paper from the Government out for consultation at the present time.

It is slightly tangential, but during the meeting we dealt for some considerable time with end-year flexibility (EYF). That is where the Government's new rules after the comprehensive spending review took £315 million that was in our EYF to themselves, and it was lost to Northern Ireland. We have given a signal that we intend to bring that before the disputes procedure in the Joint Ministerial Committee so that Northern Ireland can argue for its money back.

**3.00 pm**

## Agriculture and Rural Development

### Agriculture: Shared Resources

1. **Mr McDevitt** asked the Minister of Agriculture and Rural Development if she has any plans to share scientific and research resources on an all-island basis to achieve savings and produce better outcomes. (AQO 16/11-15)

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** Go raibh maith agat, a Cheann Comhairle. I am pleased to report that there is already substantial co-operation at operational level between my Department and the Department of Agriculture, Fisheries and Food (DAFF) in the South on scientific and research issues. I fully recognise the need for a strong scientific and research base to support a sustainable, competitive and innovative agrifood sector. In that respect, co-operation with local, national and international partners helps us to achieve the best value and outcomes from our limited research budget and is a key principle of my Department's evidence and innovation strategy.

As our strategy develops, we have been exploring mechanisms to work more closely with

the South in identifying future research priorities and opportunities for further co-ordination and collaboration on a range of scientific initiatives. For example, colleagues from DAFF and Teagasc participated in our first evidence and innovation stakeholder forum last October. In addition, the Department's scientific adviser is a member of DAFF's agri-research expert advisory group, which is developing a strategic research agenda for agriculture production research in the South.

My scientific adviser also recently accepted an invitation to join the new DAFF competitive research committee, which oversees the operation of research funding programmes. We have also implemented reciprocal arrangements with the South for the assessment of agrifood postgraduate studentship proposals. At an operational level, the Department's main research provider and the Agri-Food and Biosciences Institute (AFBI) work closely with Teagasc in the South through the mechanism of their joint memorandum of understanding. Last autumn, AFBI also signed a memorandum of understanding with Animal Health Ireland to examine options for the control of endemic non-statutory animal diseases in cattle right across the island.

Like my predecessor, I will continue to receive regular reports from my Department's North/South unit outlining progress on formal and informal activities of mutual benefit to both Administrations. Reports of that nature also serve as a useful vehicle to highlight areas that can increase co-operation on an all-island basis.

Finally, my officials are participating in a North/South steering group that seeks to facilitate increased participation and collaboration by researchers and industry right across the island in the EU framework 7 research funding programme and its successor.

**Mr McDevitt:** The Minister will, of course, be aware that AFBI here in the North can generate about £10 million extra revenue on top of the £40 million subvention provided to it by her Department. What plans does the Minister have to road-test market services specifically for AFBI and when can we expect to see the commercialisation of AFBI's services?

**Mrs O'Neill:** I visited AFBI last week and was very impressed by its work. Its co-operation across the island is fantastic. I am looking forward to working with AFBI more and have arranged to see it again to exploit its services.

We need a strong research and scientific evidence base to support our sector.

**Mr Murphy:** Go raibh maith agat, a Cheann Comhairle. I wish the Minister well in her new position; I have no doubt that she will do an excellent job.

The Minister will be aware that, in order to extract real efficiencies and co-operation North and South, effort and organisation between both Departments North and South is required to realise those efficiencies and that co-operation. What specific role does the North/South unit in her Department play in trying to raise levels of co-operation and, in doing so, to improve the efficiency of and resources available to both Departments, North and South?

**Mrs O'Neill:** The Department of Agriculture and Rural Development's (DARD) North/South unit monitors the Department's engagement on a formal level through the North/South Ministerial Council and on a more informal level through activities that require cross-border co-operation of mutual benefit to both Administrations. The unit co-ordinates the Department's input into the work of the North/South Ministerial Council's (NSMC) agriculture sector meetings and provides a quarterly update on progress across a range of DARD activities, including fisheries, educational training, rural issues, forestry and flood-risk management.

**Mrs Cochrane:** Other than research, what plans does the Minister have to ensure sharing of resources on an all-island basis to enhance quality assurance schemes, which would build a robust, quality supply chain from port to plate and close the loopholes that let in products that are not assured?

**Mrs O'Neill:** My Department introduced new arrangements for the commissioning and management of research in 2010. As part of those arrangements, we issued a call to AFBI last December for new research proposals worth some £3 million a year. We received a number of proposals from AFBI that have now been assessed, scored and ranked in DARD, taking account of the views of the industry and other stakeholders received last year, and those proposals will include looking at the issue that the Member raised. A final list of approved projects should be agreed this week, and work on those can proceed straight away.

**Mr Speaker:** I remind Members that they must continue to rise in their place if they want to ask a supplementary question.

**Mr McCallister:** I thought that I had missed my slot, Mr Speaker.

I welcome the Minister to her first Question Time. In an earlier reply, she mentioned work at national and international level. Will she give us a flavour of some of the work that is going on at what I would regard as the national level with other UK agencies, as well as work that is going on with EU bodies, particularly on research in the scientific field?

**Mrs O'Neill:** We are already collaborating with funding partners in Britain on research of mutual interest and benefit. Examples of that work include the Department for Environment Food and Rural Affairs (DEFRA)-led agricultural greenhouse gas inventory research platform, the Food and Agricultural Policy Research Institute (FAPRI) and efforts to reduce levels of campylobacter in the food chain. We will continue to explore the scope for co-funding future projects with local, national or international partners.

AFBI, along with Queen's University and Teagasc, has already had some success in attracting EU research funding through the INTERREG programme and continues to submit applications for other funding streams, including framework 7. My Department also participates in local, North/South and east-west proposals, and we are obviously working for the benefit of everyone on the island.

## Gorse Fires: Single Farm Payments

2. **Mr Buchanan** asked the Minister of Agriculture and Rural Development whether the recent gorse fires will have any financial implications for farmers in receipt of single farm payments who own land affected by the fires. (AQO 17/11-15)

**Mrs O'Neill:** I hope that that will not be the case. Following the recent gorse fires, it is possible that some land that was previously eligible for single farm payment or other area-based schemes may now be ineligible or that land may not now meet the requirements for good agricultural and environmental condition. EU rules allow payment only on land that is eligible — that is, if it is in agricultural use for an entire calendar year and is accessible

to livestock and/or farm machinery. However, if farmers can demonstrate that the circumstances of the fire were unforeseen and outside their control and that they did whatever was possible to lessen the impact, my Department may set aside the normal scheme rules. However, it is farmers' responsibility to tell us of their particular circumstances within 10 working days of being in a position to do so.

Each case is considered on an individual basis, and it is important that the farmer detail all the facts, including where and when the fire started and when the incident was reported to the police or the Fire and Rescue Service. To date, 210 farmers have notified us of the fact that their 2011 claim has been affected by such fires. I take this opportunity to encourage any other farmers who have been affected by gorse fires to tell my Department of their circumstances now. That will allow us to apply EU rules and help to ensure that they do not lose any money unnecessarily.

**Mr Buchanan:** Will the Minister give a commitment that this will not delay the single farm payments for any of these farmers? The situation was not brought about by the farmers themselves, yet often in such cases, when farmers respond to the Department, the Department delays, and the single farm payment, which the farmers need, is delayed. Can the Minister give a commitment that there will be no delays on the Department's part in the making of single farm payments?

**Mrs O'Neill:** It is not in anyone's interest to delay payments. We had something like 37,000-plus applications for single farm payments this year, and it is my intention to issue the payments as quickly as possible.

**Mrs D Kelly:** Over and above the single farm payments affected by gorse fires, some farmers are still awaiting back payments for last year. Will the Minister detail how many cases are still pending and exactly when those payments will be made?

**Mrs O'Neill:** I paid out on 97.5% of last year's applications, which equates to about £262 million of funding. Around £7 million still needs to be paid, and I am working through those applications to issue those payments as quickly as possible. As I said, 97.5% was paid out. That is a high out-turn, but farmers in the final bracket to be paid are struggling and want to

receive their money. It is my intention to ensure that it is paid out as quickly as possible.

**Mrs Overend:** Is the Department in receipt of any evidence of fires that were set deliberately by individuals who will gain financially as a result? If so, will she pass on that information to the PSNI?

**Mrs O'Neill:** It is not for me to say why fires started; it is an issue for the PSNI and the Fire and Rescue Service. There was an increase in the number of fires this year in particular, and, although I am not an expert on why fires start, I think that many of those were the result of weather conditions. Indeed, there was an increase in gorse fires across the whole island and in Scotland and Wales. Those who have any information should take it to the PSNI or the Fire and Rescue Service.

### Less-favoured Areas

3. **Mr Hussey** asked the Minister of Agriculture and Rural Development what action she will take to ensure that the level of support that is currently offered in less-favoured areas will continue.

(AQO 18/11-15)

**Mrs O'Neill:** The less-favoured areas (LFA) compensatory allowance scheme forms an important part of our current rural development programme. I can confirm that the architecture of that scheme will remain unchanged until the end of the programme in 2013 and that the level of payments for the remaining life of the current scheme will be fixed in light of affordability and competing demands in the rural development programme. I will announce the rates for the 2012 payment year later this year.

In the longer term, the future of LFA support beyond 2013 will depend on the outcomes of the EU CAP reform process and the EU-led project on the redesignation of less-favoured areas or areas of natural handicap. It is too early to predict exactly what those processes might deliver. However, I am clear in my own mind about the need for a robust support framework for areas of natural handicap, which encompass many of our most valuable landscapes and habitats, and the benefits that such support can deliver in environmental outcomes. I am committed to working to ensure that the EU framework allows me to address that need.

**Mr Hussey:** I thank the Minister for her response. I accept and even welcome the European Commission's review of the designation of less-favoured areas, as it is important that all expenditure is wise expenditure. Could those new measures result in some land in Northern Ireland having its less-favoured area status removed, which would have a large impact on the incomes of the farmers concerned?

**Mrs O'Neill:** Given that around 70% of farmers claim under LFA, I want to ensure that I am a strong voice in trying to protect that funding. I am aware of the European Commission's intention to introduce a formal legislative proposal on an objective classification system for areas of natural handicap later this year. Map assimilation work across the North of Ireland, based on the Commission's earlier proposed biophysical criteria, suggested that the redesignated areas would be broadly in line with the current severely disadvantaged areas. I will do my best to secure an outcome that is suitable for our local conditions and ensure that we provide a fair, objective and robust basis for the delineation of any area of natural handicap in the North.

**Ms Gildernew:** I also wish the Minister well in her new role, and I wish her good luck for her first questions for oral answer. Does the Minister envisage LFA support changing as the result of CAP reform?

### 3.15 pm

**Mrs O'Neill:** Go raibh maith agat. Thank you for the question. In November 2010, the Commission issued a communication paper on CAP reform that set out its preliminary thoughts at a high level. DARD responded to that in March 2011. Initially, there was some confusion about how the Commission viewed the future of LFA support, with a suggestion that it would no longer be part of the rural development pillar of CAP. However, the Commission clarified that that was not its intention, although we will have to wait until probably the end of this year before we see formal legislative proposals.

It is possible that the Commission's proposals on the greening of the single farm payment may affect the nature of any future LFA support regime, but my officials and I will press the Commission to ensure that there is a policy to deliver coherence between any new greening actions under pillar 1 of CAP and

agrienvironmental scheme actions, including LFA support, being carried under pillar 2. As well as information on the nature of the LFA support framework, we are expecting the Commission to publish formal legislative proposals on the approach to the future designation of areas with natural handicap, and we obviously have a keen interest in that going well.

**Mr Byrne:** Will the Minister outline whether her Department is working in concert with any other Department to make sure that we have economic sustainability of local farming areas and rural communities?

**Mrs O'Neill:** I am not sure if that question is relevant to the main question, but, yes, I work with other Departments, particularly with the Department of the Environment in the agrifood sector. My sector is the producer, but the Department of the Environment is the processor. So, there is a lot of cross-departmental working in this Department.

## Rural Development Programme

4. **Dr McDonnell** asked the Minister of Agriculture and Rural Development for an update on spending in relation to the axis 3 rural development programme. (AQO 19/11-15)

**Mrs O'Neill:** To date, the clusters have spent just over £13 million in total, of which £8 million has been on projects. The clusters are continuing to process large numbers of applications and issue letters of offer. Commitment through letters of offer currently stands at just over £27 million, with a further £9 million worth of letters of offer being drafted. Applications worth in excess of £18 million are also under appraisal.

Although slow to get up and running, which is often the case when local partnerships need to be set up and administrative systems put in place, the local action groups and joint council committees have put a huge amount of effort into working with their local communities in bringing forward projects and programmes that have the potential to bring a lasting and positive effect in creating and sustaining jobs, helping businesses, creating and enhancing tourism and renewing country villages.

My predecessor and party colleague Michelle Gildernew approved a number of recommendations based on a review of the

axis 3 processes and procedures. Those are now in place, and further work is ongoing through the Rural Network to investigate issues around intervention rates and match funding. The match funding work is being progressed with the four main banks, and I hope shortly to have recommendations that will assist more applicants to avail themselves of match funding through the banks. It is only through that proactive approach to issues that we can continue to animate the programme, achieve our targets and make sure that all the money is spent.

My officials have introduced a number of easements to help to speed up project processing and introduce guidance and grant assistance to stand-alone renewable projects. All that is good progress, and I hope that the good work being done by local action groups and the joint council committees continues so that rural developers can see their opportunities for employment and quality of life improve.

**Dr McDonnell:** I thank the Minister for her reply, but there were a couple of points that I was hoping she would have brought out. Does she share my concern about the high level of bureaucracy and the high level of spend on administration and running costs rather than on actual project costs in this programme? There is also asynchrony or mismatch between bank requirements and the Department's requirements in some of the details for some of the business plans.

**Mrs O'Neill:** As I said in my initial answer, there is no doubt that the process was slow to get started and to get the funding out there. I accept that. A number of factors contributed to that. We had a high number of speculative applications. We have issues about planning and banks lending money, but that is all stuff that my Department is proactively working on with the intention of speeding things up and making sure that that money is put into the rural communities and spent wisely.

**Mr McElduff:** Go raibh maith agat, a Cheann Comhairle. Will the Minister outline how large community-based rural organisations such as the Gaelic Athletic Association (GAA) have made use of the rural development programme? I also invite the Minister to join me in congratulating the Tyrone team on beating Monaghan yesterday in the championship.

**Mrs O'Neill:** I absolutely concur with that. Come on, Tyrone.

Funding for sports clubs is the statutory responsibility of the Department of Culture, Arts and Leisure (DCAL) but, under the rural development programme, sports clubs can apply for funding where the service, facilities or products offered are available to all potential stakeholders in the wider rural community. So, I am happy to say that a good example of a rural organisation that has embraced the rural development programme is the GAA. It was working with rural communities on the ground to bring forward solid projects through the competitive application process. Those projects will make a significant contribution to the quality of rural life. I commend the GAA for its proactive approach and hope that other rural organisations will see it as a benchmark and will work through the programme as it has done to the benefit of the wider rural community.

In commending the GAA, I want to add that the rural development programme welcomes all rural dwellers and organisations, and my officials work proactively with many of them, such as the Young Farmers' Clubs of Ulster, the National Trust and the Countryside Access and Activities Network, to name but a few.

**Mr Allister:** I appreciate that the Minister may only have been a reader of 'Farming Life' for about three weeks, but she must be aware of the unease in the rural community about the mismanagement of the rural development programme by her predecessor. That dates back to the overloading of the programme in comparison to axis 1 and the gross mismanagement in administration. When the first £5.5 million of funding was announced, it emerged that £3 million of it went on administration. Will she give us the up-to-date, accurate figure for how much of the money from the rural development programme that has been allocated has been wasted on administration?

**Mrs O'Neill:** I do not agree with the Member's assessment of the previous Minister; I want to make that clear from the start. There were teething problems in getting the funding out; there is no doubt about that. In previous answers, I have addressed that issue and outlined what my Department is doing to look at that.

I am not in favour of lots of money being spent on administration — I do not think anybody is — but you have to administer money to get it

out into the communities. That is the reality. Go raibh maith agat.

**Mr Frew:** I thank the Minister for her answers so far. Will she assure the House that she will look at credit unions, which do tremendous work in rural communities, with regard to the rural development programme and at how she can support them?

**Mrs O'Neill:** I agree with the Chairperson of the Committee. I totally support the credit unions in what they do in all our communities. I am happy to take that on board and come back to the Member in writing on how we can take that forward.

### **Agriculture: Bureaucracy**

5. **Mr Dallat** asked the Minister of Agriculture and Rural Development how she intends to reduce the level of bureaucracy currently being experienced by farmers.  
(AQO 20/11-15)

**Mrs O'Neill:** My predecessor, Michelle Gildernew, and Arlene Foster, the then Minister of the Environment, asked for an independent review of the regulations that apply in the agrifood sector in the North of Ireland with a view to simplifying and reducing the administrative burden placed on farmers and the industry in general. My Department has published its response to that review and is currently taking forward an extensive programme of work through its better regulation action plan.

Outside the scope of the action plan and in order to build on the positive progress to date, I have asked my officials to go further and revisit every aspect of my Department's work to see if more can be done to reduce the administrative burden. I want to see my officials continuing to work positively with the industry, with the goal of allowing the industry as much freedom as possible while ensuring that adequate controls are in place and farmers feel a real difference on the ground.

**Mr Dallat:** In wishing the Minister well in her new job, I ask her to announce a cull on red tape and bureaucracy. Will she assure us that, from now on, farmers will be allowed to grow crops and look after their animals and will not be threatening the rainforests due to the amount of paper that is used to make returns to her Department?

**Mrs O'Neill:** Go raibh maith agat. Obviously, it is my intention to ensure that farmers get on with doing what they do, and I will support them in whatever way I can through the Department. In relation to rainforests, I would like to see more things done online, and that is an intention of my Department, which I hope will help farmers a bit.

Your point is about bureaucracy. Farmers are raising simple issues with me, such as needing a pass to get into a show and needing one to get out of it. Those are simple things that I want to look at, and that is why I have asked officials to take forward another review and to look more closely at what we can do to make simple gains for farmers.

**Mrs Dobson:** I am sure that the Minister believes that the move to online applications has eased the amount of paperwork that farmers have to complete, but does she accept that poor rural broadband infrastructure remains a major obstacle? What steps is her Department is taking to improve that?

**Mrs O'Neill:** Coming from a rural area, I am very aware of the challenges that arise from being unable to get access to broadband. It would be unfair of me to ask farmers to complete everything online when they cannot get access to broadband. Broadband access will be one of my key priorities in the coming term.

**Mr Molloy:** I welcome the Minister to her first Question Time. What progress has been made in reducing the administrative burden so far?

**Mrs O'Neill:** My Department has made some good progress to date, including the introduction of a sheep electronic identification system with an important derogation. Furthermore, as a result of feedback from stakeholders, the Animal and Public Health Information System (APHIS) online interface has been improved and, in response to customer demand, my Department has undertaken an extensive training programme helping farmers with the use of the APHIS online system. That training and increased promotion of APHIS online saw cattle birth registrations via that channel rise from 34% in October 2009 to 45% in October 2010. It allows 24-hour access and is in keeping with customer expectations.

Computerisation of the application process for the agrienvironment schemes has contributed to reducing the administrative burden on

farmers who participate in the new countryside management scheme. My Department has also eliminated herd size as a factor when synchronising annual brucellosis surveillance herd tests with any due TB herd test.

Under EU rules, the Veterinary Service is responsible for assessing 11 of the total 18 statutory management requirements (SMRs) on farms in the North as part of its programme of cross-compliance inspections. The inspection programme was designed at the outset to minimise regulatory burden on farmers, with eight of the 11 SMRs being assessed at a single farm visit. The three other SMRs under Veterinary Service responsibility are assessed administratively, without any involvement of individual farmers whatsoever. In setting up the Veterinary Service programme of cross-compliance inspections, pre-existing on-farm veterinary checks were incorporated, with a view to reducing the administrative burden on farmers. Examples of that are the random farm inspections for animal welfare, which were previously carried out as stand-alone inspections but are now fully integrated in the cross-compliance inspection protocol. Moreover, my officials, working jointly with DOE, consulted stakeholders on the impact of the nitrates action programme 2007-2010, and issues raised will be largely addressed in the implementation of the action programme for 2011-14 through working together with farmers to improve compliance.

## Forests

6. **Mr Lynch** asked the Minister of Agriculture and Rural Development for an update on the implementation of 'A Strategy to Develop the Recreational and Social Use of Our Forests'. (AQO 21/11-15)

**Mrs O'Neill:** Since the publication in July 2009 of the recreation and social use strategy, the Forest Service has been working closely in partnership with district councils, public sector organisations and groups such as the National Trust to explore opportunities to promote recreation, social use and tourism in our forests. As a result, several significant projects are being progressed. Work is almost complete with the National Trust to develop a multi-purpose trail network at Castleward forest to include cycling, pony-trekking and walking routes. That project will add significantly to the Castleward experience and will be



officially launched in late June. Similarly, the Forest Service continues to work with Down and Newry and Mourne district councils and the Tourist Board to develop proposals for significant mountain-biking challenge projects at Castlewellan forest park and Rostrevor park. If those projects proceed, they will represent a significant recreation and tourism product in the Mourne forests.

In addition, the NI Tourist Board and the Forest Service are jointly project-managing a study to assess the existing and potential tourism development opportunities available from our forests. That will inform the Forest Service planning review process and assist NITB and other partners who support the case for tourism developments in forests. The Forest Service is continuing to work with a range of public sector and private partners to explore recreation and leisure opportunities. I believe that there is potential to develop our forests for recreation, leisure and tourism and will ensure that work continues to realise those opportunities.

**Mr Lynch:** How does the Forest Service plan to further develop recreation in Fermanagh forest?

**Mrs O'Neill:** The recreation and social use strategy commits the Forest Service to develop business partnerships with suitable public and private sector providers to secure a more diverse range of facilities and attractions for visitors to our forests. The Global Geopark in County Fermanagh is a good example of what can be achieved through partnership agreements. There, the Forest Service works closely with Fermanagh District Council to establish management agreements for the improvement of recreation and education facilities on Forest Service land within the geopark area. That has resulted in the development of five tourism walks, which were opened in September 2010.

**Mrs McKeivitt:** Can the Minister confirm that there is money available for the implementation of the strategy?

**Mrs O'Neill:** Yes, there is money available that accompanies the strategy.

### 3.30 pm

**Mr Kinahan:** I thank the Minister for her answer and congratulate her on her appointment. I would like to know how you will pull together everything that happens in forests. In Tardree,

for example, some diverse things happen, such as quad biking, horse riding, rambling, shooting and birdwatching, as well as one or two unsavoury things. How will you pull it all together so that all, or nearly all, of those activities can happen in the same forest?

**Mrs O'Neill:** Go raibh maith agat. Obviously not everything will be suitable for every area. It will take a partnership approach. We have to get a balance between recreation and leisure in forests and maintaining the forests. It will be a balancing act all the way. Every forest is unique, and work on each will be taken forward differently.

**Mr Speaker:** That ends Question Time.

**Mr Campbell:** On a point of order, Mr Speaker.

**Mr Allister:** On a point of order, Mr Speaker.

**Mr Speaker:** I will take Mr Campbell's point of order and then Mr Allister's.

**Mr Campbell:** I ask that you review the video footage of a supplementary question to question 1 to the First Minister. A Back-Bench Member close to the door was attempting to pose a question to the junior Minister when an Executive Minister entered the Chamber, obstructing the view of the First Minister. A precedent has been set regarding this issue in recent days. Apologies have not been very forthcoming from that particular quarter; maybe there will be one in future, not just for this but for other more serious matters.

**Mr Speaker:** I hear what the Member has said, and I appreciate his point of order. I have warned all Members that it is important that, when Members are on their feet, another Member, even a Minister, should not walk in front of that Member.

**Mr Campbell:** The deputy First Minister.

**Mr Speaker:** Whether it is the deputy First Minister, the First Minister or any other Minister, they should not do what they are doing. Fair warning has been given on this issue in the House for some time.

I will take Mr Allister's point of order.

**Mr Allister:** My point of order concerns a different matter, but, as I am the Member referred to in the previous point of order, I will make the comment that I am grateful for the protection. It is a pity, Mr Speaker, that your

protection does not extend to the Great Hall. Some people have a habit of pushing in front of others out there as well.

I understand that the tradition is that questions for oral answer that are not reached are answered in writing. If a Member asks a supplementary question that is patently not answered, as with the question that I asked Mr Bell, is that question also answered in writing subsequently?

**Mr Speaker:** A supplementary question is not answered in writing to any Member. The Member will not be happy with what I am going to say. I appreciate the issue that he has raised, but it has been raised in the Chamber for some time. Members may feel disappointed with the answers that they get from a Minister, but I have continually told the House that I, as Speaker, will not sit in judgement on how a Minister answers a question. If a Minister totally refuses to answer a question, I can deal with that issue under Standing Orders. The Member and other Members will be disappointed as we go through this term, but, as I have said, it is not up to the Speaker to sit in judgement on how a Minister delivers an answer to a question.

## Private Members' Business

### Government Structures

*Debate resumed on motion:*

*That this Assembly recognises the need to reform its structures, including having a requirement for an official opposition to be in place by 2015 to create greater delivery, flexibility and scrutiny; and supports a review of the number of Departments and MLAs, and a restructuring of arm's-length bodies. — [Mr Elliott.]*

**Mr McLaughlin:** At the outset, I will comment on the tone and tenor of this debate, because it has been very measured and interesting. I speak in opposition to the proposal, but I want to congratulate fellow MLAs and acknowledge their efforts to have a considered discussion on the matter.

I speak in opposition to the proposal for two reasons. The first reason is that, as has been noted in some contributions, it is prescriptive, pre-emptive and premature.

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

I also oppose it because although the arguments for reform of the Assembly's structures, the number of Departments and MLAs and the arm's-length bodies will resonate, none of those who spoke in favour of the motion presented a coherent or cogent argument to establish an official opposition as a better or more effective option than the present system of checks and balances. The present system is also representative and inclusive. In my view, it functions effectively, and it includes mechanisms for its own review in the light of experience.

The Assembly is maturing and settling down. In the previous term, we settled the case as to whether we could come up with a sustainable arrangement. It is in that context that I regret what I regard as almost a return to the past, and the type of motion that would, perhaps, give us some of the experience that we had previously at local government level, and, indeed, in a different life in this Building. If we were to operate on the basis that we have established our ability to manage our affairs, that we should allow this process of maturing of the institutions and allow the scheduled review process to, in its time, take cognisance of all those lessons learned, let us examine where we can improve the facilities.

It was acknowledged that Westminster, in a move that I suspect no representative from the North would have supported, has reduced the number of constituencies here, which has an automatic knock-on effect on the number of representatives. Nevertheless, we should be prepared, in good time, to take a look at the number of MLAs that we would regard as being the optimum arrangement. I do not think that anybody would argue that we have arrived at that point yet, or that 108 Members represents a figure that we cannot depart from. Similarly, with the number of Departments, we can improve, refine and inform ourselves through the lessons that we have learned and through the need to meet the challenges that are in front of us. I hope that colleagues will take that on board.

The issue of an official opposition can, of course, be examined in that context, but to get agreement for it is a challenge. It will not be achieved, no matter how the vote goes today, because there was no attempt to engage on that discussion, nor was there a presentation of the type of argument that sensible and reasonable people could respond to. When we saw the regrettable development in which unionist parties, post-election, formed power blocks in individual local government institutions, then, perhaps, we saw evidence that there is in some a desire to return to those practices. Those issues have to be dealt with.

The Assembly has engaged through the RPA, the Assembly and Executive Review Committee and the reviews of this institution that have been conducted. We have examined those issues. The Budget review group, for instance, is tasked, with agreed criteria, to examine whether some arm's-length bodies can justify their existence, whether, in fact, they should be merged with others or, if they can justify their existence, continue to do so.

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

**Mr McLaughlin:** OK. How long do I have?

**Mr Deputy Speaker:** You had five minutes.

**Mr McLaughlin:** I think that the case is made. Those who want to argue for an official opposition need to convince those of us who are not of that opinion, and I am amongst those.

**Mr A Maginness:** Mr Deputy Speaker, I congratulate you on your position and wish you

well in your term of office. I have to agree with the learned Member for North Antrim Mr Allister that the DUP has, in fact, moved to accept and operate the infrastructure of the Good Friday Agreement. I believe — I am sure that he does not agree — that that is progress, because we now have all major parties participating in the institutions within the Assembly and the Executive. That is amazing progress, which is important for the future of our politics.

I am a little concerned by the tabling of the motion by the Ulster Unionist Party, whose members, to paraphrase Simon Hamilton, were advocates for and authors of the Good Friday Agreement. They were certainly authors of the Good Friday Agreement, and I hope that they are still advocates for it. However, the motion does not preserve the integrity of the agreement, which I and my party believe is very important.

Why is that document so important? It is not just because it brought us to this point in our political history; it is because the mechanisms it contains to establish partnership between Catholics and Protestants, nationalists and unionists, and loyalists and republicans have brought us to a point at which we can unite our community in politics. Instead of maintaining old, historic divisions, we have started to tackle and do away with them. That is the genius of the Good Friday Agreement, which is about bringing about reconciliation. Partnership is the way to do that, and that is why we have strange governance arrangements that differ from the norms throughout the Western World. They differ because the history of our society has been divided and bloody, and that is why we need to look carefully at preserving the institutions, particularly the political balance of the Executive and the Assembly, which has been carefully calibrated to include every significant element of political opinion. That balance did not come about by accident; it is deliberate that we include as many people as possible in the Executive, because we want to unite, not divide, our community. I believe that the reconciliation process is strengthened, supported and directed by that institution, and it is important that all in the Chamber support that.

I do not think that anybody in this institution is seeking to go back to the bad old days or is not seeking to create reconciliation. Let us bank and build on what we have. Let us move forward. If we start to tamper with bits and pieces here and there, as, unfortunately, we

did in relation to the Department of Justice, things will start to unravel. We now have the strange situation where the Alliance Party has two Ministers in the Executive — the new mathematics whereby a minority gets more than a majority. In other words, 16 Ulster Unionist Party Members got one Department and the Alliance Party got two. That was because we interfered with the integrity of the Good Friday Agreement.

**Mr McCarthy:** I am very grateful to the Member for giving way. I just cannot sit through an attack on the Alliance Party. Does the Member agree that, up to now, the actions and activities of the Justice Minister have been second to none and that he has delivered a first-class service for the community in Northern Ireland?

**Mr Deputy Speaker:** The Member has an extra minute.

**Mr A Maginness:** For all I know, he may be the archangel Gabriel and full of goodness and kindness, but it is about how he got there. It is the abnormality and absurdity of the situation in which the Alliance Party holds two Departments, as opposed to the one each held by the SDLP and the Ulster Unionists. Can we take a lesson from that? Once we start to interfere with the integrity of the institution, we depart from its fundamental strength, which is to provide a basis on which everybody can be included.

### 3.45 pm

We are not opposed to some rationalisation of Departments, but we are opposed to interference with the basic integrity of the institutions that will damage them. Some people will use reform to undermine the Good Friday Agreement.

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

**Mr A Maginness:** That is what my party and I are worried about, and I hope that you are worried about it as well.

**Mr Weir:** Mr Deputy Speaker, I offer my congratulations as this is the first time you have been in the Chair when I am speaking. I wish you the best in your new role.

A lot of nonsense has been talked at times in this debate; I hope to add to it over the next five minutes. There are a number of elements to the debate. I do not think it a perfect motion, but

it is one that we on these Benches find favour with.

The first element is the concept of opposition. The SDLP and, to a lesser extent, Sinn Féin need to get away from the notion that every arrangement that has been put in place by the Belfast Agreement is like Holy Writ and that we should burn at the stake anyone who dares suggest any change to it. As with any institution, a monolith that does not evolve will mummify. That is not healthy. One of the things that gets me is that any time opposition or any deviation from the precise arrangements of the Belfast Agreement is mentioned, it is seen as an attack on partnership government.

**Mr A Maginness:** Will the Member give way?

**Mr Weir:** You did not give way to me, but I am happy to give way to you.

**Mr A Maginness:** I am sorry. I was unaware that you wished to intervene.

If you remove a party from the Executive, you create an imbalance. The balance has been carefully calibrated so that everyone is included. You may be well intentioned, but such a move could have very unwelcome results.

**Mr Weir:** I find it interesting that the Member argues that any change creates an imbalance: a few moments ago you were complaining that the Alliance Party had twice the number of seats of the Ulster Unionist Party. Any mature democracy should be moving ultimately towards Government and opposition, but that is not simply a choice between the exact arrangement that we have at present and simple majority rule. A range of mechanisms could be put in place, such as weighted majorities, to provide protection. The stark contrast that is put forward by the SDLP and Sinn Féin does not hold water on scrutiny. It is clear that to make those changes requires persuasion because in the real world this will not happen without unionists and nationalists agreeing. However, let us at least look at this as a step forward.

As for the argument of prematurity that has been bandied about, there is work to be done on some of the details and the Assembly and Executive Review Committee. However, this is ultimately about commitment to a principle and a time frame. I do not see this as premature, as it has been 12 and a half years since the institutions and the number of Departments

were set up. That is a reasonable period to allow things to bed in.

The other element to the motion is the number of Departments and MLAs. Here, we are ripe for reform. Not just from a democratic point of view: there is clearly a good argument that we are over-governed. The public is crying out for reform. My party has always supported a reduction in the number of Ministries. That is why the DUP and I voted against the creation of 10 Ministries when the matter was brought up in January 1999. There is a belief that this is some form of Holy Writ in the Belfast Agreement, but there is no need in the agreement for there to be 10 Ministries. The agreement simply makes reference to “up to ten”. Consequently, a sacrifice could be made there by the SDLP and Sinn Féin without tampering with the sacred document that is the Belfast Agreement.

This is a time of austerity, and many families in my constituency and others are being hit by the recession. They will take it very ill if we are forced to reduce front line services or if the Assembly has to look at additional charging of whatever nature. That could be imposed on people at a time when we in this House have failed to grasp the opportunity to put our own house in order by reducing the level of bureaucracy to a minimum. Before the formation of the current Executive, there was an opportunity, driven by the First Minister, to look at an immediate reduction in the number of Government Departments. Unfortunately, that was not taken up by everyone.

We need to ensure that we have the most effective and efficient form of government that can be provided on a cost-effective basis. That is why the issues of the number of Government Departments and the number of Ministries need to be tied together. That can also help to deal with some of the slightly illogical couplings that currently exist. For example, there are not many places on these islands where higher education is divorced from primary and secondary education. Surely we should be looking at building those into one Government Department in a reduced number of Departments. It has been done in Scotland and in other parts of the world.

The other part of the motion puts a spotlight on arm's-length bodies. We need to ensure that we get the best value from those. Some Members have gone on about particular bodies, and I will

not get into that debate in the seven seconds that I have left. However, there is a ripeness and a keenness for reform.

**Mr Deputy Speaker:** Will the Member draw his remarks to a close?

**Mr Weir:** We should be serving the people by having the most efficient form of government, not the other way around by serving ourselves. There is a strong need for reform, and I support the motion.

**Mr Allister:** The governmental arrangements in Northern Ireland are a blot upon the democratic landscape of the Western World. I pretty much guarantee that, if I were to ask any class of public affairs students aged 12 to name two things that denoted democracy, they would say: the right in an election to change your government, and the right to have an opposition. Those are two of the most fundamental tenets that operate anywhere across the democratic world — anywhere except Northern Ireland. That is why I say that these arrangements are a blot upon the democratic landscape.

We have just had an election. Oh yes, you can have an election, but you cannot change your government. You dare not have an opposition. You arrive at the farcical situation where all parties are in government, and then we are told by some person in this debate that you have vigorous scrutiny Committees. Those vigorous scrutiny Committees are composed of Government MLAs. Nine of the 12 Committees are controlled exclusively and occupied and populated only by Government MLAs. The cabal that controls the House made sure that the three MLAs outside of that body of governmental parties did not get on any of the Committees that matter.

Do not let anyone come to this House and talk about the principles of democracy when they are the practitioners of the antithesis of democracy and live by the suppression of democracy. They cannot even accommodate the basic fundamental concept that, in a democracy, you must have — it is not optional — the right to an opposition. Of course, those who oppose it most are the associates of those who used to deal with opposition with a bullet in the back of the head, and they are still of that totalitarian mindset in saying that there will not be an opposition.

Then there are those who pretend — yes, pretend — that it is all going to change, when they know that they have signed up for an arrangement that guarantees that it will not change, because they have signed up for a review that delivers a veto to the very totalitarians who say that there will never be an opposition. Yet, they come to the House and mouth platitudes about wanting to see an opposition, an end to mandatory coalition, voluntary coalition and basic democracy operating when they know full well that everything that they have signed up to in the Belfast Agreement guarantees that that will not happen.

Yet one of them, the Member who spoke previously, can write in Saturday's 'News Letter' pretending that the Belfast Agreement is a thing of history, when it is a living history and a living act that he, as the Whip of his party, implements and enforces every day of the week, because all the architecture of the Belfast Agreement is that which holds up this very anti-democratic structure.

Of course, there are 43,000 very good reasons why these structures will not change. Many Members of this House know that, if they rock the boat or disturb the equilibrium, there will be nobody outside this House foolish enough to pay them anything like a salary of £43,000. Well they know it. That is what motivates, what drives and what feeds the pretence. They say, "Yes, we want change; yes, we want an opposition; yes, we have created structures that could bring it about". However, they never tell the truth that they have delivered the veto to the anti-democrats who will never allow it to happen, and, therefore, they sit happily and merrily propping up the very system that they made careers out of attacking. The very system that they belittled the Ulster Unionist Party for creating, they now operate with the gusto of the salary that comes with it. So, it is a shame that we are putting upon the Province structures and operations —

**Mr Deputy Speaker:** Will you draw your remarks to a close, please?

**Mr Allister:** — that are utterly undemocratic, and those who keep them in place will never have the bottle to face down those who say they must stay. That is the harsh reality, and they know it.

**Mr Deputy Speaker:** Order. This is the first debate in which the Assembly will hear from

Mr Nesbitt, and I remind the House that it is the convention that someone making a maiden speech should do so uninterrupted.

**Mr Nesbitt:** As I make my opening remarks, I am mindful of two other places: the wonderful constituency of Strangford and the people to whom I am responsible; and the studios of Ulster Television, where, for 13 years, certain Members of this House harangued me every time I tried to make a point. Had I known then that I could stand here and speak uninterrupted for 10 minutes, the good people of Ulster would not have had to suffer me as their news provider for so long.

Many of you will recognise me as a broadcast journalist. However, that is a two-dimensional view of my past. A more 3D vision would include my time as the managing director of a successful private sector organisation and, indeed, my time as a commissioner in the Commission for Victims and Survivors, although the success of that body remains to be tested. I speak, therefore, with experience of a reasonably senior level in both the private sector and the public sector and with an appreciation of the different cultures, processes and outcomes that they embrace.

This debate is about how we govern and about the structures and processes that we use. It is not, overtly at least, about why we govern, and it might be useful to define why we are doing this before we go on to discuss those structures. If you look at it as a simple business model, we are in danger of over-concentrating simply on the input side of the equation. As Mr Elliott said, that input includes MEPs, MLAs, MPs, quangos, commissions and consultants too numerous to mention. We are certainly oversupplied with inputs, and that is why so many people think that Northern Ireland is over-governed. However, when we look at the other side of the equation — the outputs and outcomes — I suggest that we are under-governing through our failure to date to deliver on all the big-ticket decisions, such as the national sports stadium, the reform of public administration, agreed and regulated post-primary transfer arrangements, and so on.

In the recent election campaign, there seemed to be general agreement that the biggest achievement of the 2007 Assembly was that it survived a full term. However, I suspect that no one in this Chamber thinks that they can get re-elected next time on the same survival ticket.

The 2011 Assembly must commit to delivering outcomes that make a meaningful difference to people's day-to-day lives.

#### 4.00 pm

I take a simple view of what that means — of what success looks like for the Assembly. As I speak, a child is being born a couple of miles from here at the Ulster Hospital. We know little about that child except its sex and its initial assessment of health. Although each child is unique, all children share something in common. Without exception, in every newborn child, there is a spark of ability, creativity and talent. Surely it is our role as politicians to create the environment in which that child has every opportunity to discover that spark and to use it to develop into the person he or she is meant to be. We must cherish the child, whether he or she is academic or vocational, sporty or musical, a performer or a producer, or, as is more likely, a glorious and unique combination of all those attributes and more.

Surely it is not beyond the wit of the House to achieve that for a population of fewer than 2 million people. Unfortunately, at present, that is not the case. When children leave hospital, their opportunities to develop their potential are shaped, often negatively, by factors that are beyond their control but that are within ours, such as issues in health, housing, education, employment and, indeed, all matters for which authority and responsibility have been devolved to the House.

Success will be measured when more of those newborn children have more opportunities to develop, irrespective of the accident of their birth, and when their parents have more reason to be thankful to the House and for the work of the Assembly. If we can agree on what success looks like for this Assembly and the next, we can start to build structures that can get us there. Therefore, as we debate inputs, let us do so with clear focus that the process is not an end in itself but the means to that end. I cannot overemphasise that point enough. During my time with the Victims' Commission, I witnessed processes that served only to slow down delivery, increase the cost of delivery or make delivery impossible, even when all those concerned agreed that the intended outcome was exactly what was needed.

An analysis of the most recent Programme for Government by business consultants PWC

found that, although the programme had only five key objectives, there were no fewer than 331 measurements — 331 boxes to be ticked to assess the programme's success or failure. I urge the House to liberate creative thinking and imaginative solutions from the unnecessary constraints of the over-complicated spider's web of process.

My party was at the heart of negotiations that led to the return of devolved government. Structures that were agreed in 1998 were always going to be transitional, with a primary goal of making politics the way forward. Changes that have been agreed since, which include those agreed at St Andrews, were also going to be transitional, as will be any changes that are agreed today, tomorrow or next year.

I heard something that disturbs me. I recall, during the last Assembly, a Minister explaining inaction in the following terms. That Minister said that it is such an important issue that the Assembly must take time to ensure that it reaches the right decision, as though there were always a perfect solution and we would find it if we waited long enough. Businesspeople face difficult decisions every day. Often, there is no right decision. There is only a series of choices, none of which is perfect or delivers all that is sought, but some of which advance the cause. Therefore, let us not be paralysed by the search for the Holy Grail of perfection. Instead, let us grasp the imperfect advantages that are achievable today. What is clearly achievable is a change of mindset that puts outcomes before process, from which can flow reform of structures.

My party calls for a review of arm's-length bodies, informed by the fact that many quangos and non-departmental public bodies were created to fill a gap in the democratic process that the House now fills. It calls for a swift return to the question of reform of public administration and looks forward to an early resolution to the need to go forward with fewer local councils. It calls for a review of the number of Departments and consequent Committees while being mindful that, although we should go forward with fewer Ministries, we should also accept that there will always be a need for cross-cutting initiatives and that processes should enable and not hinder that important work.

We call for a review of the number of Members of the Legislative Assembly, not least to reflect

the upcoming reduction in the number of Westminster constituencies.

Mr Campbell pointed out earlier that there was no obstacle to any party's going into opposition today, but the point is that we call for legislation to enshrine and protect an official opposition. The case is clear. It will maximise the prospects of parties in government agreeing on a way forward, and it will give the parties of opposition the opportunity to warn the public of the dangers of government action and, indeed, inaction. Furthermore, as an overarching point, if we finally start doing business the way it is done in the rest of the world, the public may finally have confidence that the Members of this House do not believe that they know better than everybody else.

The mandatory coalition was a transitional arrangement, and its time is fast running out. As my time runs out, Mr Deputy Speaker, I would like to finish by addressing an uninformed criticism of our call for an opposition. Cynics accused us of simply looking for funding for the Ulster Unionist Party. That is not true. An official opposition is not about funding; it is about rights and resources. It is about having designated days in the House when the opposition can determine the business of the day and have a formal input into setting the agenda for the Assembly's business. It is also about having speaking rights in the House and, with appropriate resources, the ability to conduct opposition scrutiny and challenge functions. So, no, this is not a call for money for the Ulster Unionist Party; it is a call to ensure that, after the next election, my good friends and colleagues in the Democratic Unionist Party are properly resourced when they take their seats on the opposition Benches. I commend the motion.

*Question put.*

*The Assembly divided: Ayes 57; Noes 37.*

## **AYES**

*Mr Agnew, Mr Allister, Mr S Anderson, Ms P Bradley, Mr Buchanan, Mr Campbell, Mr T Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Cree, Mr Dickson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Dr Farry, Mr Ford, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Kennedy, Mr Kinahan, Mrs Lewis, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr McCarthy,*

*Mr McCausland, Mr B McCrea, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wilson.*

*Tellers for the Ayes: Mr Nesbitt and Mr Swann.*

## **NOES**

*Ms M Anderson, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr W Clarke, Mr Doherty, Mr Durkan, Mr Eastwood, Mr Flanagan, Ms Gildernew, Mrs D Kelly, Mr Lynch, Mr A Maginness, Mr A Maskey, Mr F McCann, Ms J McCann, Mr McCartney, Mr McDevitt, Dr McDonnell, Mr McElduff, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKevitt, Mr McLaughlin, Mr McMullan, Mr Molloy, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mrs O'Neill, Mr P Ramsey, Ms Ritchie, Ms Ruane, Mr Sheehan.*

*Tellers for the Noes: Mr McLaughlin and Mr Sheehan.*

*Question accordingly agreed to.*

*Resolved:*

*That this Assembly recognises the need to reform its structures, including having a requirement for an official opposition to be in place by 2015 to create greater delivery, flexibility and scrutiny; and supports a review of the number of Departments and MLAs, and a restructuring of arm's-length bodies.*

*Adjourned at 4.20 pm.*