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Northern Ireland Assembly

Monday 29 April 2013

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

Members observed two minutes' silence.

Executive Committee Business

Water and Sewerage Services (Amendment) Bill: Royal Assent

Mr Speaker: I inform Members that the Water and Sewerage Services (Amendment) Bill has received Royal Assent. The Water and Sewerage Services (Amendment) Act (Northern Ireland) 2013 became law on 25 April 2013.

Criminal Justice Bill: Royal Assent

Mr Speaker: I inform Members that the Criminal Justice Bill has received Royal Assent. The Criminal Justice Act (Northern Ireland) 2013 became law on 25 April 2013.

Private Members' Business

Londonderry and the North-west 1613-2013

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

One amendment was selected and published on the Marshalled List last week. However, I am sorry to tell the House that Mr McClarty is unwell and has had to withdraw his amendment.

Mr G Robinson: I beg to move

That this Assembly recognises the significant historical legacy that the last 400 years have given to Northern Ireland and in particular to Londonderry and the north-west region, with the 400th anniversary of the building of the city walls and the granting of charters in 1613 for the city of Londonderry and the town of Limavady; and hopes that there will be significantly increased tourism and additional employment opportunities resulting from a spectacular and momentous year.

Mr David McClarty tabled an amendment to the motion, which we would have accepted. I wish him a speedy recovery from his illness.

The north-west of Northern Ireland has been an integral part of Northern Ireland's history since the first settlers came to the site at Mount Sandel in Coleraine in 6000 BC, which confirms Coleraine's long history of settlement. Those early settlers' descendants include, on the entertainment side, Eurovision song contest winners Dana and Phil Coulter. Londonderry is the current UK City of Culture, and we must not forget our East Londonderry MP, Gregory Campbell, who has contributed significantly to

political life during a lifetime in peaceful, democratic politics.

Coleraine was one of two communities developed by the London companies in County Londonderry. Some of the famous Coleraine-born individuals in the sporting arena are the rowers Alan Campbell and Peter and Richard Chambers, as well as Munich football hero Harry Gregg MBE. In politics, Andrew Bonar Law, a Prime Minister of the United Kingdom, had his roots in Coleraine. The ancestors of James Knox Polk, the eleventh president of the United States, were among the first Ulster-Scots settlers in the USA, emigrating from Coleraine in 1680. No list would be complete without the actor James Nesbitt. Coleraine is also the home town of global youth football's Milk Cup and the international North West 200 road races, and golf hero Graeme McDowell hails from Portrush.

The second city of Northern Ireland, Londonderry, can be traced to the 6th century, when a Christian monastery was founded on a hill. In 1623, King James I granted the city a royal charter. The city of Londonderry was the jewel in the crown of the Ulster plantation. More importantly, the city was enclosed by massive stone and earthen fortifications — the famous walls. It was the last walled city built in Ireland and the only city on the island whose ancient walls survive complete.

Coleraine and Londonderry are home to campuses of the University of Ulster. Magee College in Londonderry was founded in 1865 to train men for the Presbyterian ministry, while Coleraine is the location of the university's administration buildings and is further noted as a world-class centre for research and biomedical sciences.

During World War II, Londonderry was a major naval base. Large numbers of American and Canadian servicemen were stationed in the area. Londonderry also witnessed the surrender of the German U-boat fleet at Lisahally at the end of World War II. There were also air bases around the city. Amelia Earhart gave the city a boost in history when she landed at Ballyarnett in 1932, becoming the first woman to fly solo across the Atlantic. That complements the history of the various RAF coastal command airfields dotted along the north-west coast, where aviators spotted German U-boats and defended the convoys that helped to feed and supply the United Kingdom during World War II.

Along the coast, Downhill forest was part of the bishop's palace. Sadly, the palace is now a

ruin, but the gardens are a wonderful place and are full of lakes and flower gardens, which is a great asset to the tourism sector.

There are differences about the exact date of the origin of Limavady. Estimates date from around the 5th century AD, but Limavady or, more correctly, Newtown Limavady was awarded its royal charter in 1613. Limavady is famed for being the area where Jane Ross collected the tune 'Londonderry Air' in 185. It was later used for the famous song, 'Danny Boy'.

William Ferguson Massey, often known as "Farmer Bill", served as Prime Minister of New Zealand from 1912 to 1925. Massey attended the peace conference in 1919 and signed the Treaty of Versailles on behalf of the dominion of New Zealand. Close by, the Broighter hoard was discovered. It is a hoard of gold artefacts from the Iron Age that Tom Nicholl found in 1896 on farmland near Limavady. It is considered to be the finest example of Irish gold-working in Europe.

With that extensive history, the north-west can prove its unique place in Northern Ireland's history. Indeed, we can claim the roots of Northern Ireland from the mount in Coleraine. They are great assets in selling our area to the tourist market, and they give great quality of life and pastimes, including our golf courses. The north-west is deserving of its place as a tourism gem, whether that is for its history, sport or the friendliness of the people. Despite difficult economic times, there is an opportunity to boost tourism and employment by selling the glories of the north coast. I hope that all Members will agree that the opportunity to boost tourism is there for the taking in such a historically significant year.

Mr Ó hOisín: Go raibh maith agat, a Cheann Comhairle. Beidh mé breá sásta le bheith ag labhairt ar an rún seo inniu. I am very pleased to speak on the motion. I wonder why the Members who brought it to the House did not do so earlier, rather than waiting until halfway through the year to bring it forward. I also wonder, like many in East Derry, why Coleraine was omitted.

Mr Campbell: Will the Member give way?

Mr Ó hOisín: No, I am just getting started.

2013 is a historic year for the entire north-west. Ultimately, the highlight must be the celebrations around the City of Culture, including the first ever visit of the all-Ireland

fleadh to the North, the hosting of the Turner prize and the return of the Derry-Coleraine railway link, among others. Quantifying the benefits of these may take some time, but, undoubtedly, the legacy will be increased tourism, job opportunities and footfall, with the attendant associated economic activity.

The City of Culture has focused many in the north-west on our historical and cultural past, and I am particularly proud of the temporary return of one of Ireland's most spectacularly important national artefacts, namely the Broighter hoard, from the National Museum in Dublin, something for which I have campaigned for many years.

We have identified shared and Christian history, such as the legacy of Colmcille, and an appreciation of a shared tradition, not only locally, but along the north-west and north coasts of Ireland, the west coast of Scotland and elsewhere. Thankfully, that has re-entered the subconscious of the people here, and much debate has ensued.

There are many other cultural and historical milestones that we can all recognise as belonging to everyone here. We must look at the centuries-old tradition of the Irish and Scottish clans, their intermarriages and internecine disputes and the cross-fertilisation of ideas and trades that were inextricably linked. Indeed, there is the Irish kingdom of Dál Riada — that is the right pronunciation — across the North Channel and the influence that is manifest in place names such as Argyll, or Oirear Gael, meaning eastern Irish.

Other shared histories include the United Irishmen and the Young Irelanders, such as John Mitchel, the son of a Unitarian minister who was born in Dungiven in 1815 and whose writings were central to the political thoughts of P H Pearse, the leader of the 1916 rising.

Likewise, in recent years, we have seen a revisiting of the causes and effects of the communal slaughter that was the western front in World War I and the shared suffering of unionists and nationalists there. Less recognition is given to the fact that as many Irishmen from both traditions enlisted and died in the American civil war on both sides as did in World War I. That is a largely untold historical fact, which, no doubt, has great, powerful potential for the genealogical tracing of our diaspora and for the Americans in general and the benefits that might ensue from that.

As for marking the shared aspects of the early days of the 17th century, I remain unconvinced

of how that might be done, while recognising the sensitivities of many here. There is no doubt that the events of that period were central to how history developed subsequently, but I am sure there are those who would not agree with holding up the legacy of many brutal actions as something to be celebrated. Events that commemorate the invasion, conquest and suppression of indigenous cultures, religions and languages are controversial wherever in the world they take place. Indeed, in the Americas, while 12 October is marked as Columbus Day, acknowledging the day when Christopher Columbus "discovered" America — as if nothing of importance had existed there previously — it is also referred to by some as "Genocide Day". Down under, Australia Day is marked by the Aboriginal peoples as Invasion Day, a day that marks the shameful theft of land, people and culture.

Likewise, the granting of some 40 town and city charters in 1613 by James I was not an honour to be conferred on the people here but was done to consolidate an attempt to legalise the seizure and confiscation of vast tracts of land in this part of Ireland. The areas were too large for the initial settlers to work on their own, so much so that the royal edict in the original charters contained a fundamental duty to remove all the native Irish. It went unfulfilled, but, nonetheless, it represented ethnic cleansing on an unparalleled scale that had never been seen previously. How, if at all, should it be celebrated?

The recent charter event in Derry went largely unnoticed, but there are implications to this day of the effects of the seizures of land and rights. Huge tracts of land and fishing, mineral extraction and access rights remain in the hands of organisations, families and individuals to whom they were granted by those royal charters. Some of them are little more than absentee landlords who still extract payment and enjoy the largesse from that period.

Any celebration or marking of these events and dates in history must be sensitive to all here. To an extent, we are all prisoners of history. The implication that 1613 somehow marks the beginning of the modern period of Irish history, thus ignoring what has gone before, is also a concern. We need to be as inclusive as possible in these matters and celebrate what is good and shared in our long and turbulent history.

12.15 pm

Mr P Ramsey: It would be remiss of the House not to examine the period involving the granting

of the charters in 1613 without referring to some of the significant events that took place on this island, gearing up to the beginning of the work on the Derry city walls.

It should be remembered that Sir Cahir O'Doherty ransacked the city of Derry in 1608 and burnt it to the ground in revolt, joined by other Irish chieftains prior to the summer assizes of 1608, when the king was judged to have ownership of the seized north-eastern counties.

In Leap of the Dog or, as we know it today, Limavady, the O'Cahans ruled the roost. The name "Leap of the Dog" comes from a story in which a dog leapt over the Roe to warn the O'Cahans of an enemy ambush. The famous leap is now depicted on the city's coat of arms. The seat of the O'Cahans still sits proudly in Roe Valley Country Park. We must, of course, refer to the plantation of Ulster following the Flight of the Earls and the contention around the 1607 proclamation, which stripped the earls of Tyrone and Tyrconnell of their lands and titles.

I refer to those important events in Ireland's history because we should not forget that the fortifications referred to in the motion are not stand-alone; they did not simply pop up. I also have to refer to the fact that the past 400 years have been historically significant for not just the North but the entire island of Ireland.

I turn to the significant year of 2013 and the benefits that we hope it will have not just for Derry as City of Culture but for the entire region. The motion refers to Limavady. I know that the Member who tabled the amendment is not in the Chamber, but the subject covers Coleraine, Donegal and Tyrone as well. We will soon have up to 300,000 people in Derry for the Fleadh Cheoil celebrating Irish culture, music, song and dance, as well as the Walled City Tattoo, incorporating bands from across the world.

The Return of Colmcille is set to be a massively successful event. That, coupled with the exhibition of Orange traditional arts, the Limavady jazz and blues festival and the Maiden City festival, provides a backdrop of inclusivity, respect and culture over politics. It is crucial that the celebrations, whether in Derry, Limavady or Coleraine, are not seen to be a manifestation of political differences. We have a real opportunity as never before not only to be a unifying force in respect of the people of Derry and beyond but to transform Derry city and the north-west region.

An employment legacy is an issue that I and many other Members want to see and be mindful of as we enter this year of culture for the city. If the only beneficiaries of the windfall for the city are those in senior positions in organisations that benefit from the events of the Culture Company, we run the risk of leaving no substantive legacy for our young people. Although the City of Culture was never about jobs but about showcasing and elevating the city, we need to ensure that every Minister on the Executive, especially those with economic portfolios, refer to Derry on trade missions, at business events and via investment opportunities. It is the responsibility of the Executive not just to help to finance the initiative, as they have to some extent so far, but to be the guarantors of that legacy as we move forward.

The physical transformation of the city through upgraded public realm works, instigated by my colleague the Minister of the Environment and the Department for Regional Development, has been much talked about in the city. That infrastructure will be well in place for the main events in the city. We cannot ignore the huge investment in the built heritage within the walled city. It is important to acknowledge and modernise that infrastructure so that visitors too can recognise its importance.

When we welcome tourists to Limavady, Derry, Carndonagh, Coleraine or anywhere in the north-west, we know that they will get a strong, warm welcome from the people of Derry. However, we should encourage as many people as possible to come back to the city and region, and we have good marketing initiatives to do that. The infrastructure of the A5 would have added to that; it would have ensured accessibility and been important to the region. We should emphasise that. It is grand having the City of Culture, but, if you want to promote the culture of the people and the heritage of the city —

Mr Speaker: The Member's time is almost gone.

Mr P Ramsey: — we need that infrastructure in place.

Mr Hussey: This is a welcome motion, given that it specifically highlights the important north-west region of Northern Ireland. There have been many suggestions and, some would say, clear indications that the region has been subject to underinvestment, but perhaps today we can show that it has much to offer, certainly in terms of tourism potential. At this stage, I

declare an interest: from 1996 to 1999, I was the manager of the Pearl Assurance company based in Coleraine, which covered the area from Londonderry to Larne. There is also a rumour that I might start singing during this speech. Just watch, in case I do. If I do, I hope you will all join in.

We are in the middle of the so-called decade of centenaries, as we commemorate events such as the signing of the covenant and the battle of the Somme. However, we can look back much further — as far as 400 years ago, as the motion sets out — to remember important events that took place in Londonderry and the surrounding areas, such as Limavady and Coleraine. We are on the verge of the 400th anniversary of the building of the city walls, which were built between 1614 and 1619. The original walls are almost perfectly preserved, making Londonderry one of the finest examples of a walled city in Europe. In fact, there is a song about that as well, but I might leave that for later. Despite sieges in 1641 and 1649 and the great siege of 1689, the city's walls were never breached — proof indeed of their careful planning and excellent construction and the reason for the title "Maiden City". The Northern Ireland visitor attraction survey compiled by DETI shows that 278,000 people visited the city walls in 2011. That was an increase of 12%. If we exclude parks, forests and gardens, it is currently the sixth most popular visitor attraction in Northern Ireland. We can build on that success.

This year marks the 400th anniversary of King James I granting a charter to Londonderry that declared that:

"the said city or town of Derry, for ever hereafter be and shall be named and called the city of Londonderry".

Some people seem to have forgotten that royal decree and have slipped back to the old name, but I am confident that, after today, they will accept that the correct name of our second city is Londonderry. It is also stipulated that the city should have a mayor, two sheriffs, a chamberlain, 12 aldermen and 24 burgesses who were to form a common council or corporation. Unfortunately, the DUP and Sinn Féin seem to be determined to change to a common council to extend into County Tyrone by engulfing Strabane. Again, I will leave that for another day.

The UK City of Culture programme does not make any mention of the vastly important event that is the granting of the charter. The Sinn Féin Culture Minister has also admitted that

there are no specific plans to mark the anniversaries of the award of the charter to Londonderry or, indeed, to Limavady and Coleraine. Why is that, given the historical significance?

The motion is correct: this is a spectacular and momentous year for Londonderry. Of course, the main event is the UK City of Culture throughout the year, and, despite Sinn Féin's petty attempt to remove "UK" from the branding, which was voted down at council, the event is a United Kingdom event and will draw many attendees from throughout the kingdom and beyond, including our neighbours in the Republic of Ireland.

The UK City of Culture programme contains a vast array of culture, music, theatre etc. The usually highly successful North West 200 continues and will bring in an expected 100,000 visitors. Regeneration through the One Plan, the mission of which is to deliver economic, physical and social renewal by building a stronger and more vibrant economy, with increased prosperity for our city and region, in ways which ensure that opportunities and benefits from regeneration are targeted towards the most deprived groups in our communities, is also well under way.

I want to mention briefly Ebrington Barracks. Again, we can see clearly the work that has been undertaken there. However, one thing is still missing from Ebrington Barracks, and that is the memorial to those who served there in the past. We must remember all those who served through Ebrington Barracks. It was a base for the Royal Navy, the US Navy and the army. Those who lost their life are entitled to be remembered in the city of Londonderry. Unfortunately, Mr Speaker, time is running out, so you will not get the song. I am sure that you, as someone who represents Londonderry, will appreciate it if I do it for you on another date.

Mr Lunn: I support the motion. I would also have supported the amendment. I hope that Mr McClarty is restored and back with us soon.

As far as the events of 1613 are concerned, if I am honest, I must admit that the fact that Limavady and Coleraine are celebrating the 400th anniversary of the granting of their charters or liberties by King James has, largely, passed me by. As I have some interest in our shared history, I suspect that that applies to most of the population and, therefore, the wider world. The hope expressed in the motion that there will be

"significantly increased tourism and additional employment opportunities resulting from a spectacular and momentous year"

may prove to be a wee bit optimistic. I hope not. There is no reason why the local population should not revel in their rediscovered history and enjoy the opportunities that 2013 offers.

I will deal with Limavady first. Mr Robinson mentioned the fact that Mr Massey was prime minister of New Zealand. In fairness, I would have to point out that the first prime minister of New Zealand was Mr Ballance, who came from Lisburn. He was also the first prime minister to give women the vote. He was a forward-thinking man; he should have been in the Alliance Party. I note the impressive series of events from January to June that have been organised by the Limavady 400 group. That amount of effort deserves success, and I hope that it is achieved. In particular, others have referred to one of the best-known tunes that has ever been written, 'The Londonderry Air', which appears to originate from the town. Last week, I was in Limavady for a celebration of shared education, which is an area where Limavady leads the way in Northern Ireland. A schools' choir drawn from across the community, almost inevitably, performed what it now known as 'Danny Boy'. It remains as fresh and beautiful as when Jane Ross put it on paper and preserved it for posterity.

Three things come to mind about it for me, however. One is why it is not called 'The Limavady Air'. Why is it not, thank goodness, called the 'Derry Air'? I will not pursue that: anybody who speaks French will know where I am going. I wonder how many other exquisite melodies that were written by old Irish songwriters and poets have been lost because nobody ever wrote them down. I am sure that there are dozens into hundreds.

We are all talking about Coleraine as well, which also has a varied history. It is the oldest human settlement on the island. It has had a pivotal role in commerce and industry because of its strategic position on the Bann and the unchanged nature, to this day, of its town centre layout. The main focus, of course, has to be Londonderry, a city with a proud, interesting and, sometimes, divided history, as we all know. I call it "Londonderry" today because that is the name conferred on it by the king's charter of 1613. Others prefer to call it "Derry". That is fine with me, frankly, but I cannot stand it when people call it "Derry/Londonderry" or "Stroke City". I wish

that nobody had ever invented those phrases. I wish that the media could remove them from their vocabulary.

This year, Londonderry has everything going for it. It is the City of Culture. This year is its 400th anniversary. Others, particularly Mr Ramsey, referred to the events that will take place, such as the fleadh and its 300,000 visitors. That is terrific. I hope that the great events that are planned for Londonderry and the international interest will produce what is referred to in the motion and a spectacular and momentous year.

I will close my remarks with a thought. There was an opportunity for Londonderry to participate and, perhaps, become more involved in "The Gathering" this year. We have discussed that in the House several times. There was not much enthusiasm from some quarters for cross-border exchange or co-operation on that event. It may prove to be a missed opportunity. I wish Londonderry, Limavady and Coleraine all the best for the rest of their year.

Mr McQuillan: I am pleased to support the motion brought to the House by my East Londonderry colleagues. It is a motion that all parties in the House should be able to give their support to. No one can deny the significance and importance of the building of the city walls and the granting of the charters to Londonderry and Limavady.

Indeed, the significance of those events was not limited to the north-west; the effect was felt across Ulster and, indeed, it can be argued, much further afield. It is right, therefore, that we recognise and celebrate this historical legacy.

12.30 pm

It would be remiss of me not to highlight the fact that this year also marks the 400th anniversary of the granting of Coleraine's charter. Coleraine has a rich history, of which many in our Province are not aware. I would, of course, encourage every Member to find out more about the history of the town and its significance in the local area. It was the first settlement in Ireland, as well as the location of another important event in 1642 when the town was under siege. I am pleased that Coleraine Borough Council opened a small grant programme for community groups to help them to celebrate the 400th anniversary of the town. That approach is to be welcomed as we seek to make people more aware of our history.

As we celebrate those important milestones, coupled with Londonderry being named UK City of Culture 2013, there is great potential for the north-west looking ahead. This year has the potential to provide an enormous boost for tourism in the area, and I congratulate those who have worked so hard to ensure that that potential is explored. Although the north coast and the north-west do well to attract tourists, we still have more work to do. There is much untapped potential, but we hope that this year's events can be the catalyst for further growth.

Although tourism growth is important, there is also the potential for growth in inward investment as we showcase what we have to offer. I hope that this year can help to make that region of Northern Ireland better known and more attractive. Celebrating our history and the achievements of the past can help us as we move forward into the future.

Ms Maeve McLaughlin: Go raibh maith agat, a Cheann Comhairle. As a proud Derry person, I am pleased to have the opportunity to speak on the motion. The motion rightly refers to the walls as a symbol of Derry's strategic importance and, in my view, its ongoing cultural significance. Whether it is known as Tearmann Dhoire, Doire Calgaich or Doire Cholm Cille, they all tell the story of a monastic site that was much fought for through long periods of colonisation, war and siege. The motion rightly refers to the significant historical legacy, but to do that without referring to the cost of colonisation and imperialism would be counterproductive.

It is interesting that the motion refers to the last 400 years in what is quoted as "Northern Ireland", as though it has always existed as a natural entity, as opposed to being an artificial gerrymander imposed on a country in 1920 in a very undemocratic way.

The focus on Derry was both political and profit-driven. The historical documents at the time of Henry Docwra in 1604 refer to the establishment of a colony of civil and loyal people. During the reign of James I, and after the burning of the city, a decision was taken by the city of London to plant and to provide safety and security for those who were sent to live there. Reference was made to creating lanterns of civility and English villages. This year of anniversaries can be viewed as a success if it facilitates discussion about the legacy of colonialism, which is still felt in Derry and the wider north-west through partition and the arbitrary drawing of a border that was based on a sectarian headcount by containing the

least number of nationalists within the greatest amount of land possible.

The mover of the motion may be aware that those matters were discussed, but in a less celebratory way, at a recent conference in Derry on the issue of the walls. They celebrated the existence of the walls — that is for sure — but they took into account that it was a devastating period for the native population.

I note that the motion refers to the hopes that there will be significantly increased tourism and employment. I suggest that the Members who tabled the motion take that issue up directly with their Minister of Enterprise, Trade and Investment.

There is no doubt, then, of the historical and cultural significance, and we need to exploit this opportunity as a key economic driver. Given that Derry is a walled city, we need to ensure that it receives recognition and is given UNESCO world heritage status. The walls were built to exclude people, and that is part of our history and heritage, but the symbolism of the walls has shifted from exclusion to a cultural resource for all the people of the city. This in itself is a major reason to reflect and celebrate. Although Derry was once a symbol of unionist superiority, that is no longer the case. The walls are merely a significant historical relic that act as a shared social space and are a significant tourist attraction. This is also a reflection on improving relationships in the city, which have come about through dialogue and discussion between organisations such as the Apprentice Boys of Derry and local residents. People want to see that legacy: more focus on frank discussions and debates that are an honest reflection of the historical reality of the period.

Mr McCartney: Go raibh maith agat, a Cheann Comhairle. The motion is to be welcomed, as are all motions, but it seems to be more aspirational than anything else. There is no real substance about the opportunities for employment and tourism. However, I will explore that later.

In some ways, I am disappointed that Mr Hussey did not get the opportunity to sing. Perhaps he would have sung 'Derry's Walls' and would realise that people are and always have been comfortable singing about Derry, despite the context.

Mr Hussey: Is that an invitation?

Mr McCartney: Maybe for another day.

The motion gives the impression that nothing existed before that time, which happens sometimes because people focus on particular periods of history. It is as though the history of Derry and Ireland, and, indeed, the history of the relationship between Ireland and Britain, started 400 years ago when people dropped out of the sky and decided that there was a part of Ireland that they wanted to come and live in. When Mr Robinson moved the motion, he accepted the fact that there has been a settlement at Derry since the sixth century BC, so when people came to Ulster or to Ireland at that time, it was for a particular reason.

It is interesting that the motion does not contain the word "plantation". It is like the scene from 'Fawlty Towers' in which John Cleese famously says, "Don't mention the war" because there are German visitors in his hotel. Here, it is a case of "Don't mention the plantation."

[Interruption.] That is providing the tune for you to sing, Mr Hussey.

Perhaps that is the reason why people are uncomfortable now with the idea of what the plantation was, but it is our history. There are competing perspectives on history, but we should look at it and rationalise it. Members referred to King James of England. He said that he wanted to go to Ireland and civilise the native population: that was most likely presented to him by his counsellors at the time. There is a breathtaking arrogance in that.

Cathal Ó hOisín spoke of that same type of aspiration and notion, and he said that when we were growing up, we actually believed that Christopher Columbus discovered America. To suggest that Columbus discovered America, despite the fact that people had been living there for decades, centuries or perhaps longer, again demonstrates the breathtaking arrogance of the West.

It is the same with Australia: when people talk about one of the greatest natural landmarks in Australia, they refer to it as Ayers Rock. They forget that the Aboriginal people had a name for it, a name that people are thankfully starting to feel comfortable in using. Perhaps that could be a lesson to us here.

The ideal of purposeful enquiry for the City of Culture is starting to be translated. Maeve McLaughlin is right: the walls are there and are of great importance to the city. We should not be frightened to have such a purposeful enquiry about the plantation and its past and continuing impact. Indeed, this year, in the City of Culture with its purposeful inquiry, there is a production of Brian Friel's 'Translations'. That play gives

an excellent insight into the impact of people coming to a place in the belief that they are civilised and will civilise the uncivilised.

Mr Hussey: Will the Member give way?

Mr McCartney: I will, surely.

Mr Hussey: Of course, you refer to the plantation and people coming from England, but you will accept that the Vikings came before that, and they certainly did not bring civilisation; they forced their way through. They were a very violent people, and they sacked England. You also had the Normans, whose strong influence is still here. Those people came, and they are still here. It was part of history that people came and took what they wanted. It started with the Vikings and the Normans, and it continued.

Mr Speaker: The Member has an added minute.

Mr McCartney: Absolutely. I am in total agreement, but there is an acceptance that the Vikings were violent people. It is accepted that the plantation was not some benevolent charity handed out by the great and the good and that King James did not act to civilise the uncivilised in Ireland for its people's benefit. As I said, 'Translations' is an excellent exposé of that. The play shows how the Irish language was overturned and butchered by the translation of townlands. People continue to campaign not only for the return of the use of townlands but for them to be returned to their original state. There was a poetry to the language that described the town's land, and then a translator butchered some of the translations. Even people who do not want to create controversy accept that the poetry of the indigenous people was disrupted by somebody falsely translating one word into another. So, I think that is what we should be doing. We talk about job creation and opportunities in tourism. If that is the spirit of the motion, there is an opportunity because many in the city have campaigned for the city walls to belong —

Mr Speaker: The Member's time has almost gone.

Mr McCartney: — to the people of the city. Let us all unify and say to The Honourable The Irish Society that it should return Derry's walls to the people of Derry. Go raibh míle maith agat, a Cheann Comhairle.

Mr Eastwood: I thought quite a bit about how to approach the motion and came down on the side of being positive, so I will take the motion in that vein. This is a positive opportunity for us to discuss the history of not only the 400 years that we have experienced in this country but beyond that. I was glad to hear Mr Robinson accept, from the DUP's point of view, that there has been a settlement in Derry going back centuries. That is a very positive move from the DUP.

History happened. I will try to avoid getting sucked into debating all the aspects of that. The MP for East Derry and I have debated many times different historical events in Derry over the years. I will try to avoid getting sucked into doing that now. As someone who was, along with others, involved in the bid process for the City of Culture, I will be straight: one of the key aspects of the City of Culture bid was recognising that we have differing but shared history and that we need to, once and for all, tackle and debate that history in a way that is respectful of one other and can provide a positive outcome for the people of our city. The people of Derry are very far ahead of us on that. Mr Speaker, you know of the great work done together by communities and organisations that would previously have been seen as enemies to grasp the nettle of our history and not be afraid of it but try to use it as a positive.

I am glad to hear people talking about tourism because it is the biggest opportunity that we have in Derry to create employment and have a growth industry, and we are only just scratching the surface. People come to Derry because of its history. They come to look at the walls; to visit the Museum of Free Derry to learn about the history of the civil rights movement and Bloody Sunday; to look at the murals; and to learn about Amelia Earhart. People go to the Tower Museum, where they can find out about events such as the Flight of the Earls. Of course, they come to look at how Derry was a very strategic place in World War II, including the fact that the German U-boat commander for the north Atlantic surrendered in Lisahally port.

We have a very rich history that goes right back to Colmcille and beyond. I think that we should all be proud of it. I may have a different view than some Members opposite on the significance of particular parts of that history, but it shaped us all — even the bits on which we disagree shaped us all. I think that we need to recognise that.

In Derry, we are leading the way in dealing with our history, and there are some great examples

of that in this very momentous decade. The 400th anniversary of the walls being built in Derry was a key part of the bid process for the City of Culture. I was there when we made the arguments to the judges, and one of the things that we kept saying was that, although we have had a difficult history, we were there together to try to provide a positive future for each other and for generations to come. Mr McCartney talked about "purposeful enquiry". That was a key part — the winning part — of the City of Culture bid. That needs to be remembered.

12.45 pm

It was unfortunate that, a couple of years ago, Derry was left off the UK list of sites for UNESCO world heritage status. I have called before for the Irish Government to take forward that case, and I think that we should renew that call now. I think that it will be another eight years before the UK can put its list together again. So, I ask the Irish Government to look seriously at the opportunity to take historic Derry on as a UNESCO world heritage site. It is a very historic part of the world, maybe much more historic than some other world heritage sites. I think that we could benefit immensely from that status and that that would be one of the legacy issues that we could create from the City of Culture.

I take the motion as a positive one, and we will respond to it positively. However, we will not be afraid to discuss all the difficult issues of our past as we go forward.

Mr Dallat: I thought carefully about taking part in this debate, and I decided that I had better not do any research. That is because books are written by people from different perspectives, and you have to read at least two to get any kind of sense of balance before you can begin to pontificate. Of course, propaganda was not invented in modern times; it existed way back in the 17th century. Indeed, I think that some people then were particularly good at it.

I am always disappointed that the history of this part of Ireland begins in 1613. We had a playwright in Limavady called Harry Barton. He was a wonderful person who, I think, encapsulated life before the plantation and the wonderful relationship between Donegal, Derry and the Scottish islands in particular. Of course, 'The Gem of the Roe' also came out of that relationship. It would be attractive if we could package that and sell it to an international audience. Hopefully, that is what we are talking about: packaging our history in a way that

means that we can create tourism, build on it and create jobs.

It is natural that everyone wants to name-drop, and we have heard about Massey and others. However, we have two wonderful people from Kilrea who are part of very recent history: Martin O'Neill and Hannah Shields, who climbed Everest. So, every century has people who contribute to others' well-being.

I am always disappointed that Coleraine did not do more. We have been told that Mount Sandel has the earliest evidence of habitation. I have been there with schoolchildren on many occasions, and we found flints and discovered the factories that exported goods all over Europe. We also discovered that the people of Coleraine were given a great concession in that they had to eat salmon only three days a week. Can you imagine if you had that privilege today? I think that you would really want it.

Tourism Ireland is based in Coleraine, which was one of the benefits of the Good Friday Agreement. I am not a cheerleader for the motion by any means, but it at least creates an opportunity to bring the people of the city, the county and others together to debate the issue and hopefully come forward with suggestions that are beneficial in the interests of the wider community. I do not think that anyone wants a barney across the Chamber about who was right and who was wrong. We know that Lundy was portrayed as a traitor for many years, but in recent times he might well have been a hero and it might well have been Walker who was the problem. I get all confused about that history. Of course, every century since has been the same.

In Portrush, we have Dunluce Castle. Here is a plug for my Minister, Alex Attwood, who has encouraged the excavations there, which will throw up another period in history. I see Adrian McQuillan nodding in agreement, and I know why. My mother's name was MacSweeney, and, of course, the McQuillans were also very prominent people in the history of this part of Ireland before the plantation. The O'Cahans, of course, have already been mentioned. There were also the O'Donnells and the McDonnells. All of those people played a significant role in the history. This year, Derry city has the challenge not only to sell the city in a positive way but to reach out to Limavady and Coleraine. I know that the DUP made a wee slip-up and forgot about Coleraine in the motion, but we will forgive them for that.

I will take the opportunity to remind my city dwellers, of all political persuasions, that there

is life outside Derry city, and it is an important part of it, on both sides. My mother, who I mentioned earlier — God rest her — came from Donegal. She was part of the north-west and the whole history of the area.

Speaker, I hope you have enjoyed listening to the debate. I certainly enjoyed taking part in it, without the research or the prepared speech. I hope that something really positive and good comes out of today.

Mr Allister: There is no doubt that there was settlement in and about Londonderry before 1613, but it is utterly foolish to pretend that the granting of the charter on 29 March 1613 by James I was not the seminal moment that kick-started the growth of Londonderry, saw the building of the walls and the empowerment of the Irish Society, which then saw the agreements with the London companies, all of which activated the growth, prosperity and development of Londonderry. Indeed, from one perspective, you could say that the charter and all that it gave rise to in 1613 is an advert not just for the British connection but, indeed, for privatisation, which had such a positive effect on the growth of Londonderry in consequence of the agreements with the London companies.

Yet that seminal moment, which the granting of the charter was, is, by some, swept away as if it never existed. It is quite remarkable that something as significant as that is not being celebrated in the city of Londonderry. It is quite remarkable — remarkable in one sense but unremarkable in another — that the cultural Minister and Department of Culture should have no room, no opportunity and no plans to celebrate something as significant as that, and, that, indeed, the UK City of Culture and the Culture Company should also have ignored it and swept it away, to the point where, on 29 March this year, the only event in Londonderry was a comedy show. There was nothing to celebrate, recognise or acknowledge the significance of the granting of the charter.

As I said, it is remarkable that the Minister did not see to it that those things were celebrated, but it is unremarkable in the sense that the Sinn Féin Minister's bigotry got the better of her. That is the plain truth of it. What sticks in the throat of Sinn Féin in regard to the 1613 charter is that, as Mr Hussey reminded us, it decreed in those immutable words:

"that the said city or town of Derry, for ever hereafter be and shall be named and called the city of Londonderry".

Of course, when the 1662 charter came along from Charles II it expressly reiterated that the city:

"shall be named and called the City of Londonderry".

It is pretty clear that that is some people's problem with celebrating the charter.

Ms McLaughlin treated us to some reminiscences about things that have been said about the civil people of Londonderry, and I am sure that, in the main, they are. Recently, however, I think that some of the residents of the Fountain might have dearly liked it had some of their neighbours treated them with a bit more civility. Likewise, when it came to the scurrilous, vindictive and hateful protests to celebrate the death of Margaret Thatcher, there was not much civility shown by some who today reside in Londonderry.

The charters are something to celebrate. I wish that they had been properly celebrated in the city and across the Province, because it is our second city. It was a missed opportunity, which was deliberately and consciously missed by some because they want to downplay the significance of the British connection and the empowerment and growth of Londonderry that came with the charters. That is something to celebrate, nonetheless.

Perhaps it passed me by, Mr Speaker, but, because you come from the city, I was watching out for and hoped that there would have been a celebration of the charter in this Assembly. Perhaps I missed it, but I am unaware of any such celebration.

The granting of the charter on 29 March 1613 was a most seminal moment upon which the future prosperity and growth —

Mr Dallat: Will the Member give way?

Mr Allister: Yes, indeed.

Mr Dallat: For the record, would Mr Allister agree that every elected politician of every hue condemned the disgraceful attacks on the Fountain and, equally, showed their disapproval of the so-called celebrations that took place following the death of Baroness Thatcher? It is important to have that on record.

Mr Speaker: The Member has an extra minute.

Mr Allister: I certainly accept that the honourable Member expressed his

condemnation; I have his word for it that every public representative did so. I am well aware that some of the celebrations across Northern Ireland were orchestrated and promoted by Sinn Féin, so I question whether it was as effusive as the Member suggests in condemning those disgraceful scenes of celebration of the death of Margaret Thatcher. The people in the Fountain were shown no civility over that period by other residents in the city, and that is shameful.

The granting of the charter should be celebrated.

Mr Speaker: The Member's time is almost gone.

Mr Allister: It is a matter of great regret that, for political reasons, it has not been celebrated.

Ms Ní Chuilín (The Minister of Culture, Arts and Leisure): Go raibh maith agat, a Cheann Comhairle. I also send my best wishes to David McClarty for a speedy recovery.

I thank all Members who have spoken thus far. Until the last contributor, the broad thrust of the debate has centred on tourism, employment and community involvement opportunities, which I support. We need to make sure that, where possible, we enhance those opportunities, particularly for Derry and the north-west. I am assuming that that is at the core of this debate.

Opportunities will arise from the focus on the City of Culture 2013, but it is key, as has been evident in the debate, that our diverse historical and cultural legacy, as well as our history, should be remembered on the basis of inclusivity and having a shared and accepting society today. Maeve McLaughlin led the way in looking to see how we can do that, based on historical fact. The events of the past are important because they provide a formative context for where we are today and make an important contribution to heritage tourism. All Members touched on that. That has to be evident in the city of Derry, the north-west and across the North.

The debate shows, as we have heard from different representation across these Benches, the experiences and journeys that have brought us all to this place, albeit in different ways. That highlights that our history is complex and contested. It is also difficult and painful at times. However, it is also intertwined, shared and connected in many different ways. We all need to capitalise on that, irrespective of who

we are and what we are about. Understanding and acknowledging our past remains an important issue as regards how we, in the Chamber, deliver our mandate and achieve the vision of a peaceful and strong community.

1.00 pm

A diverse range of significant events from the distant and more recent past are important to many people, not just in the Chamber but in the constituencies that we represent. The key issue for us all is not about whether we remember these events but how we remember them. We must do so in the context of a shared and accepting society and with sensitivity and a non-triumphalist manner; that is very important. Significant anniversaries provide us all with an opportunity to gain greater understanding of our shared past and how it has shaped both our Irish and British identities and the relationships that we have today.

For the record, I have already approved funding for the Ulster-Scots Academy ministerial advisory group to undertake a partnership project with the Ulster Historical Foundation to research the impact and contribution of town charters granted to some 400 towns across the island of Ireland, 14 of which are in the North. This project will have a particular emphasis on the Ulster-Scots dimension of culture and heritage. The academy will use the research, which should be available early next month, to develop a charters award touring programme in conjunction with the Ulster-Scots Agency and Foras na Gaeilge. This will create additional opportunities to look at the authentic background and provide resources to help councils, and sector and community bodies, to organise local commemoration events.

As has been outlined, Derry's charter was first awarded in 1604, with another charter awarded in 1613. I am aware of comments, histories and feelings around that period. Derry City Council will open a new exhibition about the plantation, its legacy and all that period, particularly around the charters, in the Guildhall in June. Also, the town of Limavady is marking its 400th anniversary — some are — and this charter was granted on 31 March. As has been mentioned by most Members, the walls around Derry city have left us with a tremendous legacy, not just in the physical form of a walkway but also in terms of how we look on our shared history. They also left an enduring imprint on the cultural identities of the people in Ireland and Britain.

The events in 2013 have to be a really beneficial time for people in Derry and the

surrounding areas. As has been mentioned, the All-Ireland Fleadh will come to the North for the first time in its history. Although the 2013 World Police and Fire Games will be hosted by Belfast, events outside Belfast have been developed to support tourism and employment opportunities for the towns and villages. As Pat Ramsey mentioned — he is not here, but I will come to it at a later stage — we have to look seriously at how the legacy of these opportunities will impact on us all.

Throughout this year, there will be a range of cultural events in Derry that will showcase the city like never before, as far as I am concerned. The City of Culture programme has something for everyone and will take the city to a new level in the world-known events that it will bring to the city of Derry. Most people, regardless of who they are or where they come from, will agree that the first quarter of the City of Culture has seen a host of major events and provided a great opportunity.

The Executive are committed to the success of the City of Culture project and realise its long-term benefits when it comes to changing perceptions of the city and improving the quality of life for local people. We, as an Executive, invested over £30 million in the City of Culture project to provide considerable support for infrastructure to ensure the success of this year as a cultural year. It is, more importantly, about laying the foundations to secure important legacy outputs.

The Department of Culture, Arts and Leisure's (DCAL) £12.6 million contribution to the City of Culture is about making sure that the city's historical and cultural offerings build new and prosperous opportunities for us all. The programme includes events designed to help bring people together, but, more importantly, to look at the challenges that face us all around equality, good relations and social cohesion.

Without passing remarks about what each Member said, there is a challenge for the Member who is going to wind-up the debate. He, if you listen to George Robinson, may have been there 400 years ago. This is, and should be seen as, an opportunity not only for the city of Derry but for the north-west. The legacy of the City of Culture project and the ongoing development work around the One Plan has to be embedded. So, the people of Derry have to know what it looks like and feels like. They have to have a clear connection and expression of what the cultural programme has to offer. That is the job of Derry City Council. The people on it are the ones who have the licence

and the money to make sure that this is brought forward.

I will be looking with keen interest at how this is rolled out and developed. You cannot have significant tourist opportunities and cultural events without some cultural imprint being left to address inequality, look at regeneration and make sure that, by 1 January 2014, it is done and dusted.

I also hope that the Member who makes the winding-up speech takes on board the view of all Members, which is that it is an important opportunity. I would like to see how this debate will be taken forward, not just through the Executive's contribution but through what the councils in Derry, Coleraine, Limavady and other areas are doing to make sure that there is a structured investment programme brought into their cities, towns and villages. I am very keen to see how that happens and to be part of it. That is what the City of Culture project should be about: addressing the legacy of the past; and supporting the programmes and the calls for further investment. The £30 million is a significant amount of money, but as far as I am concerned, it is only a start to addressing decades of inequalities for the north-west region.

We have a wonderful opportunity, through the City of Culture project and the events around it, to make sure that we leave a longer lasting and better legacy. It is really important that we use these opportunities. Indeed, I am assuming that the broad thrust of the motion is about trying to capitalise on those opportunities, to look at different events, to make sure that there are employment opportunities for local people and to make sure that the project is built into an ongoing tourist package. To that end, I am happy to support the motion. I thank everybody for their contributions thus far. I suppose the less said about Jim Allister the better.

Mr Campbell: Given the number of Members who have spoken and given the history of the city of Londonderry and the number of Apprentice Boys there were, I note that I am the thirteenth Member to speak in this debate. There you go. It could not have been planned better.

Mr Wilson: Close the doors.

Mr Campbell: We will shut the gate on the way out.

I will give a rundown on the origins of the debate. I was approached some considerable

time ago and asked to table a motion on this subject. In the process of doing so, I was approached by a Limavady resident, who suggested that it might be an idea to add Limavady to the motion. Of course, Mr McClarty, who is unfortunately not with us — we wish him all the best — submitted an amendment. We are more than content to include that. If Strabane, Belfast or anywhere else had made a bid, we would have been happy to include them.

I will go through each contribution briefly. Mr Robinson, in proposing the motion, gave a very wide-ranging and comprehensive background to the historic origins of the north-west. He did that exceptionally well. I want to concentrate on the positives because the significant majority, by far, of contributions were positive. Unfortunately, that was not entirely the case. Some contributions seemed to indicate or infer that, for some reason, this motion inferred that the history of the city of Londonderry in the north-west began 400 years ago, when, in fact, there is no such reference, insinuation or inference at all. As Mr Allister pointed out, it is just that the significance of the event 400 years ago has to be marked in some way.

Mr Ó hOisín wondered why the motion had not been done earlier. As I said, I tabled it a considerable number of weeks ago, and it is just making its way to the Floor now. However, if anyone is complaining about motions such as this not being done early, we can all reassure them that they are quite at liberty to do likewise. There is nothing to prevent anyone tabling a motion in the context of the north-west or anywhere else. He and Mr Robinson referred to the Brighter board. That is a significant event, and, hopefully, the issue with that will be rectified in the coming months.

Pat Ramsey talked about the Flight of the Earls and the O'Cahans and gave a more comprehensive background. For the sake of time, I will not go into that. He also began a process of talking about the UK City of Culture and the significance of the events there, and a number of other Members followed on from that. Indeed, the Minister mentioned that on a number of occasions.

On two or three occasions, Ross Hussey threatened to sing, but he did not carry out his threat. On some occasions, we have cause to be grateful. I say that not having heard him sing; maybe I will have cause to regret saying that. Significantly, he said that, in 2011, the city walls in Londonderry saw 278,000 visitors, which was a significant increase on the year

before. My understanding is that there was a further increase again last year.

This is not just a parochial motion. It is to ensure that if visitors and tourists come to the Republic — they inevitably fly into Dublin — hopefully they make their way to this country. If they come to Belfast, hopefully they will get out beyond the confines of Belfast and to the likes of the Giant's Causeway, the city walls and all around the north-west.

Trevor Lunn said that the 400th anniversaries had passed him by to some extent. Hopefully, the debate will have addressed that and will ensure that they do not pass him by. Of course, we will welcome him up to some of the commemorations, if he chooses to come. He also referred to New Zealand's first Ulster-born Prime Minister, Mr Ballance. In the north-west, we celebrate the second Prime Minister, who was one of the longest-serving in New Zealand, Ferguson Massey.

Adrian McQuillan talked, as he would, about the many benefits of Coleraine and the Garvagh area and villages around the north-west.

As I said, the vast bulk of contributions were positive, and then Maeve McLaughlin spoke. Unfortunately, she talked about the cost of colonisation and sectarian headcounts. I will not go down the route of highlighting — Mr Allister did — sectarian headcounts in the past vis-à-vis sectarian headcounts in the present and the sectarian attacks that have gone on for many years, particularly to people in the Fountain and elsewhere. Those issues are better left to another debate. She also alluded to the fact that many of the city of London's livery companies were profit-driven. Whatever about the methodology and the modus operandi of the London companies, the facts are that, when they came, they made a significant beneficial difference to the people of the north-west.

1.15 pm

Raymond McCartney was another one who tried to infer from the motion that 1613 was the start of history in the north-west, and, of course, there is no reference whatsoever to that in the motion. He also referred to the fact that the plantation is not mentioned, and neither were 146,000 other things mentioned. The motion is as it is worded.

Colum Eastwood went into some detail about the UK City of Culture bid. We can understand that, given that he was mayor at some time during the bid. He also talked about the world

heritage site, which set a very positive tone for the rest of his contribution. How we take it forward is a matter for another time, and I am sure that we will come to that.

John Dallat used his speech to name-drop continually from a series of historical notes, some of which were beneficial and others of which we will leave for another day. He referred to Mount Sandel as the first known habitation on the island. He also talked about the confusion between Lundy and Walker. Mr Dallat may have some confusion, but we have none.

Jim Allister talked about the origins of the development of Londonderry, and he referred, quite pointedly, to the fact that DCAL itself had not marked the 1613 significance. That is a very appropriate point.

The Minister, in responding, adopted a positive note, and I am hopeful that that will be the case not only for the remainder of the UK City of Culture year — mentions of the fact that it is a UK City of Culture year would be a start — but for the continuation of the development of the positive job creation that can flow from the tourism potential in the north-west. The tourism potential has taken off, to some degree, and I referred to the increase in tourist numbers at the city walls. We are scraping only the surface of tourism potential and of people coming to Northern Ireland and seeing the beauty of the north coast and the north-west. Hopefully, the mostly positive tone in the debate will be carried forward, and we will be able to see significant benefits flowing from the 400th anniversary of the region of the north-west and the city that hereinafter for ever shall be called Londonderry.

Question put and agreed to.

Resolved:

That this Assembly recognises the significant historical legacy that the last 400 years have given to Northern Ireland and in particular to Londonderry and the north-west region, with the 400th anniversary of the building of the city walls and the granting of charters in 1613 for the city of Londonderry and the town of Limavady; and hopes that there will be significantly increased tourism and additional employment opportunities resulting from a spectacular and momentous year.

Constitutional Convention and Marriage Equality

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

A valid petition of concern was presented on Friday 26 April in relation to the motion. Therefore, I remind Members that the vote on the motion will be on a cross-community basis, while the vote on the amendment will require only a simple majority.

Ms McGahan: I beg to move

That this Assembly recognises the importance of the constitutional convention; notes the participation of parties from the Assembly; welcomes the 79% majority vote at the constitutional convention in favour of marriage equality; and calls on the Executive to bring forward the necessary legislation to allow for same-sex marriage.

Go raibh maith agat, a Cheann Comhairle. Sinn Féin is a party that is committed to the equality agenda, and we believe that all citizens, regardless of race, religion or sexuality, should be treated as equals in the eyes of the law. I recognise and respect that there are deeply held religious, cultural and personal views, and we respect and appreciate the views of each individual on this very important issue.

As a party, Sinn Féin advocates the right to social, economic, gender and cultural equality. That encompasses equality for all, irrespective of race, age, marital or family status, sexual orientation, physical or mental capacities, ethnicity, social origin, political or religious affiliations or membership of the Travelling community.

The rights of the lesbian, gay, bisexual and transgender (LGBT) community and human rights are not separate. They are one and the same. Barriers are breaking down step by step, but there is more to be done, that is for sure. You cannot support equality and be a racist. You cannot support equality and perpetuate

sexual discrimination. You cannot support equality and be homophobic.

MLAs, regardless of religious belief, represent every section of our community, including our LGBT members. The motion is about ensuring marriage equality for everyone, regardless —

Mr Speaker: Order. I am sorry for interrupting the Member, but mobile phones are being operated in the Chamber. That is seriously affecting the audio feed in the Chamber. I ask Members please to check their mobile phones.

Ms McGahan: The motion is about ensuring marriage equality for everyone, regardless of their sexual orientation. In a House of Commons debate on marriage equality, Maria Miller, the British Equalities Minister said:

"I still believe in marriage. It's part of the bedrock of our society. The state should not stop two people from making the commitment to be married unless there's a good reason. I don't believe being gay is one of them."

She went on to say, regarding the Olympics and Paralympics:

"One undeniable legacy of the Games, is that it made us think about disability differently. Thinking about what individuals can do, not what they can't. Treating each other with respect. As a society we have to make sure that gender, sexuality, ethnicity and disability are no barrier to full and equal participation."

Twelve countries, including Spain, Canada, the Netherlands, Argentina and, most recently, France, have extended marriage rights, as have nine US states. Britain, where the same-sex marriage Bill has passed, will follow suit.

The constitutional convention met in Dublin a couple of weeks ago and voted in favour of extending marriage rights to same-sex couples. Seventy-nine per cent of its members voted to recommend that the constitution be amended to allow for same-sex marriage, and the convention's recommendations will now be sent to the Government. The convention is a new venture in participative democracy in Ireland, tasked with considering certain aspects of the constitution to ensure that it is fully equipped for the 21st century and making recommendations to the Oireachtas on future amendments to be put to the people in referendums. The convention is a decision-making forum of 100

people, made up of 66 citizens, 33 politicians North and South, and an independent chair.

Every citizen should enjoy the same rights and entitlements under state law, and that includes those —

Mr Allister: Will the Member give way?

Ms McGahan: Sorry, no. I am not giving way at all, thank you.

What Churches do is a matter for Churches, but the state needs to treat everyone with equality. All family forms should be given equal respect and value in law. The traditional family form based on marriage should not be given higher status in law or practice than any other family form. Law and social policy should recognise the diversity of family life in Ireland. All families, including unmarried families, have the same rights to respect, care, support, protection and recognition.

There are no official statistics on the gay, lesbian and bisexual population in the North. Britain estimated that 5% to 7% of the adult population identified as being gay, lesbian or bisexual. On the back of that information, the thematic report published by the Policing Board, 'Policing with and for Lesbian, Gay, Bisexual and Transgender Individuals', suggested that, given that the North's population was 1.8 million in 2002, and while not making an assumption, there could be approximately between 90,000 and 125,000 lesbian, gay and bisexual people in the North.

The motion links to the report 'Policing a Shared Future Strategy', which outlines the need to ensure that everything that we do is underpinned by fairness and respect towards all members of our community. The PSNI has made a very clear commitment to ensuring equality in the delivery of its service to all lesbian, gay, bisexual and transgender people. It is important that our legal infrastructure be consistent, and in the past several years, great strides have been made in securing equality for the LGBT community.

The Criminal Justice Order makes provision for sentences to be increased where offences for which a person is convicted were aggravated by hostility based on grounds of race, religion, sexual orientation or disability. The judicial system recognises that sexual orientation discrimination is incompatible with national and international human rights standards. The Equality Act's sex discrimination regulations state that it is unlawful for service providers to

discriminate against a person because of his or her sexual orientation in the provision of services and public functions. From that evidence and given the failure to publish the sexual orientation strategy, could it be suggested that we are not complementing existing law and policy?

Surveys have shown that negative perceptions about lesbian, gay and bisexual people are getting progressively worse. A report on mental health has shown that one quarter of young gay or bisexual men in the North of Ireland have attempted suicide, and many people from the LGBT community have been forced to suppress who they are to protect themselves.

There is no doubt that lesbian, gay and bisexual people are valued in society and are seen as participating members of society. However, there remains prejudice and barriers to their accessing equality of opportunities. By supporting the motion, the Assembly can give a strong message that prejudice, discrimination and intolerance must be rejected. Article 2 of the Universal Declaration of Human Rights states that:

"Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status."

Article 16 states that:

"Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution."

Finally, no matter who we are, what we look like or where we come from, we are entitled to equality and human rights. In a speech on the LGBT community, Hillary Clinton said that:

"progress comes from being willing to walk a mile in someone else's shoes."

She said:

"We need to ask ourselves, 'How would it feel if it were a crime to love the person I love? How would it feel to be discriminated against for something about myself that I cannot change?'"

Mr Ford: I beg to move the following amendment: Leave out all after "equality;" and insert

"states its support for the extension of civil marriage provisions in Northern Ireland to same-sex couples, provided that robust legislative measures permit faith groups to define, articulate and practise religious marriage as they determine; and calls for respectful dialogue on this issue between all members of society."

I recognise that the Assembly needs to address equal marriage. It is a matter of great importance to many in our community and to the many citizens who have a legitimate expectation that they will be treated equally by the state. I acknowledge that it is an issue of huge sensitivity and huge significance for a number of religious denominations and other faith groups, while some faith groups are willing to solemnise same-sex marriages.

However, I am concerned at the manner in which the matter has been brought back to the Assembly. Although over the past six months there have been significant changes in a number of other places — for example, the changes to legislation in the US state of Rhode Island and, most recently, in France — little has essentially changed in our political system in Northern Ireland. We know that our leading Churches have expressed their concerns. I do not necessarily agree with them, but it is nonetheless a reality that we as legislators have to come to terms with. Furthermore, given the nature of our political system, the reality is that cross-community support will have to be found for any legislative progress to be made.

The DUP tabled a petition of concern for the motion today. The irony that those who were most scathing about the concept of a petition of concern when the Assembly recently discussed termination of pregnancy are those who have now put down a petition of concern on same-sex marriage should surely not be lost on any of us. However, even if a petition of concern had not been tabled, any legislation would still have to get through the Executive.

Therefore, there are two main reasons for the Alliance Party's amendment. The first is that we believe that the Sinn Féin motion is deficient and has not clearly balanced the support for same-sex civil marriage with an acknowledgement of religious freedom and the rights of faith groups. As far as we are concerned, that is an essential prerequisite for the Alliance Party's endorsement of same-sex

marriage. I believe that many others across society share that view.

1.30 pm

The second reason is that blindly and blandly calling for immediate legislation is futile and is grandstanding. It guarantees some heat, very little light, and absolutely no meeting of minds around the issue. There is an urgent need for constructive dialogue between elected representatives and all aspects of civic society in order to deal with the issue. The Alliance Party's amendment is the only one that is, potentially, capable of obtaining majority support in the Assembly and, indeed, in the wider community of Northern Ireland. By adopting the amendment, we would send a powerful message of our support for same-sex marriage, alongside a vital acknowledgement of the need for engagement and mutual respect.

I very much regret that what we have had from Sinn Féin members is a very simple aspect of what I have described as grandstanding. Their motion fails to restate the guarantees for Churches and faith groups which was part of the motion that they supported in October last. It does nothing to promote dialogue on this issue or any other difficult social issue. That is why our amendment is necessary. It is very easy to engage in grandstanding in the Convention on the Constitution and in this place, but what we need is not point-scoring but measures to address the serious issues of discrimination and some of the practical issues around that.

It seems to me that what we have had today is an attempt by Sinn Féin to create the impression that it is concerned about lesbian and gay equality, but I fear that, even in some of what Ms McGahan said, it addresses that party's failure to deliver on things such as a sexual orientation strategy, a single equality Bill, or the issue of homophobic bullying, which has not been properly addressed by the Department of Education.

In contrast, last week, wearing my ministerial hat, I launched the report of a project on hate crime, which noted that homophobic hate crime is just as much an issue for this society as the more obvious sectarianism or racism that tends to make the headlines more often. That is positive work, done by my Prison Service and the Northern Ireland Association for the Care and Resettlement of Offenders (NIACRO). I will shortly be able to announce the outcome of work being done by one of the staff diversity groups in the Department of Justice which deals with LGBT issues. My colleague, the

Minister for Employment and Learning, has awarded a contract to the Rainbow Project to raise awareness of LGBT issues in the workplace generally. These are practical issues addressing the concerns of those who come from that particular section of our society. That is rather more profitable than simply grandstanding.

There are so many issues that need to be addressed as we look at the different attitudes to the question of same-sex marriages in this community. Indeed, in the context of this community, our two nation states are undergoing significant social change at this time. For many in this society, the majority view — the currently dominant Christian view that marriage is only between one man and one woman — is the only acceptable one for civil as well as for religious marriages. Some accept that view with modification, for example, around the remarriage in church of those who have had a civil divorce. Others in society take a diametrically opposed view and see no significance whatsoever in the position of the Churches.

As one who believes in the separation of Church and state, I draw a clear distinction between their roles. On the one hand, there are those services which are provided by the state to all citizens on an equal basis, regardless of the citizens' background, beliefs and values: on the other, I believe that Churches should have an absolute right to define, articulate and practice their own beliefs on religious marriage as they determine, without interference from the state.

There is clearly a difference between my position and that of many, including many in the House who share my personal values and faith. For them, a Christian should use his influence in the public sphere to put forward Christian values, not only by example but also in legislation. That is not my position. I have never felt that it is my duty to impose my values on other members of society. If I lived in a majority Islamic state, I would oppose the introduction of sharia law on non-Muslims whether Christian or secular.

By the same token, we need to recognise that we live in a diverse society that is becoming increasingly diverse. The majority of our citizens no longer live as Christians in any meaningful sense. There may be a loose cultural affinity with Christian tradition, but there are a few who live their lives as though bound by the Westminster confession of faith, the thirty-nine articles of religion or Catholic canon law. The law of the state, which is influenced

by but not beholden to our Christian heritage, is what governs all of us, regardless of background, belief, gender, race, nationality, religion or sexual orientation. There are clear issues around the rights of Churches and faith groups which are not addressed by the motion.

There is clear evidence that the European Court will uphold the rights of Churches to define, articulate and practice their beliefs, and it does a disservice to the views of many in this society for a motion to be brought forward that does not acknowledge that, especially when protection for those rights was included in the motion before us last October.

We all know that today's motion is pointless, whether or not there was a petition of concern. The Executive are not going to legislate in this term for equal marriage, even if the House passed the motion. That is why our amendment specifically calls for respectful debate and dialogue on the issue, which is a view echoed in the letter that we have all received from Dr Norman Hamilton on behalf of the Presbyterian Church. Within the Alliance Party, we have had that respectful dialogue over recent months. It has not been easy, for there are significant differences even between those who agree on much else on the needs of this society. However, it is absolutely clear that, on issues such as this that touch people very deeply, there is a vital need for such dialogue — for listening as well as speaking — if we are to resolve our current differences.

I urge Members to pass the amendment and engage in respectful and serious dialogue about this difficult issue to recognise the rights of a minority in our society and to recognise the rights of those who differ with them to see what we can do to establish a way forward. However, even if the amendment is not passed, the Alliance Party will certainly seek to continue that engagement, because only through respectful dialogue can we increase the understanding and tolerance that this society so badly needs.

Mr Hamilton: I speak on behalf of my party, perhaps unsurprisingly, to oppose the motion. I do that not because we oppose anybody and not because we oppose how anyone chooses to live their life, but because we support something. We support the institution of marriage and the traditional, long-standing, centuries-old definition of marriage.

The premise of the motion that the activities of or a vote in the Irish constitutional convention should have any bearing on us in the Assembly is, quite frankly, ludicrous. It is as ludicrous as

it is to hear a Sinn Féin Member use the words of a British Minister to try to make her case. Why should those of us in Northern Ireland who oppose the redefinition of marriage care what the Irish constitutional convention says on the matter? What is agreed in the Irish Republic is of no concern to us here in Northern Ireland, any more than what we agree here in the Northern Ireland Assembly should be of any concern to them. What the Irish decide to do on this issue is a matter for them. We decide what happens in Northern Ireland. Members of this House can join and take seats in the Irish constitutional convention if they want, and they can vote on this, that and the other, but they cannot expect those votes to have any bearing on what happens in this place. We also oppose the Alliance amendment, which proposes to redefine marriage and does nothing to offer protection to Churches. The amendment is more about patching over the well-publicised internal differences in the Alliance Party than uniting this House. Perhaps this time, unlike the previous occasion when this issue was debated in October last year, Members from the Alliance Party who are physically present in the Building will, this time, be able to make it to the Lobbies and vote. Perhaps they did not hear the Division Bells last time; perhaps they thought that the journey from their offices to the Lobbies was just a little too taxing for them that day. We wait with interest to see how they vote today.

Supporters of redefining marriage often argue that it is an issue of equality. Indeed, we heard the proposer of the motion use that very argument. However, let me lay out the facts, which are pesky things that do not tend to change. Article 16 of the UN Universal Declaration of Human Rights, as upheld by the UN Human Rights Committee, defends the traditional view of marriage. In European law, article 12 of the European Convention on Human Rights also upholds that definition, and the European Court of Human Rights has deemed the definition of marriage not a matter of equality but for individual state law.

The Northern Ireland Human Rights Commission — not an organisation that those of us on this side of the House are prone to quote and agree with — has highlighted the international treaties that protect the right to marry, but concedes that:

"The restriction of marriage to opposite-sex couples does not violate the international standards and this is clear from both the International treaties and the jurisprudence of the European Court of Human Rights and

the United Nations Human Rights Committee."

So therefore it is clear — people may not like it, but it is clear —

Mr McDevitt: Will the Member give way?

Mr Hamilton: No. It is clear that the UN, Europe and our own Human Rights Commission all agree that it is not an issue of equality. I am in no doubt that there will be some — and, no doubt, there will be some in this House — who will seek to distort the views of my party and the opposition of ordinary folk in Northern Ireland to the redefinition of marriage. I was always taught that tolerance was when you disagreed with somebody, but you respected their right to have a different position to you. Today, unfortunately, it would seem that, for some, when you fail to fall in line with their thinking, you are the intolerant one. I have heard opponents of redefining marriage being portrayed as bigots, I have heard them being painted as narrow-minded, and I have heard them being pigeonholed as not part of the mainstream. They are nothing of the sort: they are good, ordinary people who care deeply about the society in which they live. They are from every walk of life. They are members of the Presbyterian Church, they are members of the Catholic Church, and they are members of no Church at all.

Mr Givan: Will the Member give way?

Mr Hamilton: Yes, I will.

Mr Givan: Will the Member agree that previously this place debated the Civic Forum, and it would be incumbent on those members to listen to the civic voices coming from our Churches on this issue?

Mr Speaker: The Member has an added minute.

Mr Hamilton: Thank you, Mr Speaker. I thank the Member for his intervention. He is right. These are people who are not some tiny minority. On this issue, they are the mainstream. I applaud the likes of the Catholic Church, the Presbyterian Church and others for coming out in defence, clearly and unequivocally, of the traditional definition of marriage. I commend the bravery of Father Owen Gorman for articulating his observation that his parishioners are starting to look elsewhere when it comes to politics and people who represent their views.

The Members opposite can choose to ignore the deeply held views of people who have voted for their parties for ever. They can even snub their noses and defy the leadership of the Churches that, in many cases, they have been lifelong members of and, indeed, senior members of, but we in the DUP will continue to oppose any redefinition of marriage, and unashamedly so. We oppose the motion.

Mr Eastwood: I am glad to have the opportunity to speak in this debate. I implore Members to realise that there is not one view on this. There are a number of views held right across the Chamber. In fact, I am not too big to recognise that there are a number of views held even within my own party, and I think that is because we are reflective of society. Even though I am clearly very much in support of equal marriage, I have never once run down anyone's opposing view to my own. I think that it is important that people are allowed to hold a view, whatever that view is, and that everybody else can treat those people with respect and can have a discussion and not a shouting match across the Chamber.

I praise Mr Ford for his speech, which was a very good speech, and for the stand that he has taken. It is not easy when there is quite a bit of pressure coming from different sections of our society, including our Churches, and they are absolutely entitled to hold that view. After much discussion and debate, the SDLP came to an overwhelming view at our party conference in November. The motion that was passed at our conference was that we applaud the party's values and rights-based tradition, reaffirm its 1992 conference motion, which calls for, in the context of gay rights, equal civil and legal rights for all citizens and calls for that to be extended to civil marriage, acknowledges the principle of separation of church and state and respects the rights of any faith or religious organisation and its membership to determine their definition of marriage.

I am not used to doing this, but I want to applaud again the Alliance Party's amendment. It recognises that churches should of course be protected in terms of their own beliefs. No Church should be forced to do anything against its beliefs. As we stand in support of gay people and their right to be married, we also stand in support of Churches and their right to carry out or not carry out gay marriages if they so wish.

I am a great believer in marriage. In fact, I am getting married in December if things go the way that I hope they are going to go and I do not get thrown out of the house before that.

My view is that marriage is an institution that we can all value. When two people love each other and are prepared to commit and share their lives, that should be supported, and, when two people of the same sex love each other and want to commit their lives together, that should be supported as well. My view on gay marriage is not that it threatens the institution of marriage. In fact, it strengthens and extends it to those who want to be married. That is not a position that we should be afraid of but one that we should support. I am very glad that the constitutional convention has again come to that position.

1.45 pm

Mr Hamilton said that it does not matter what the constitutional convention says. As Irish nationalists, we represent almost half the population of Northern Ireland, and we do care what the constitutional convention says. Our view on the constitutional convention is that it is an opportunity for the Irish nation to discuss the future of our country. It is important that people respect that. I do not disrespect any unionist's idea of how their country should be governed, but people need to respect that that is our viewpoint, and we are concerned —

Mr Agnew: Will the Member give way?

Mr Eastwood: No, thank you. I want to get through this. We are concerned about what the constitutional convention says, and I am glad that the constitutional convention has come to a view on this. It is a difficult view to come to. Ireland has moved very far in the past number of years. That is a brave decision for people to come to, and the overwhelming support at the constitutional convention was telling. That says to me that Ireland has moved significantly from where it was. I give way to the Member now.

Mr Agnew: I thank the Member for giving way. As somebody who took part in the Irish constitutional convention, I think the important thing is the importance of what the citizens said. As was pointed out, 66 of the 100 members are citizens. Even though the Catholic Church said that it was against same-sex marriage and Ireland is deemed to be a Catholic country, the citizens said that they wanted to move forward on the issue. Does the Member have any reason to believe that the citizens of Northern Ireland would take a different approach in response to some of the declarations from the Churches?

Mr Speaker: The Member has an added minute.

Mr Eastwood: Thank you, Mr Speaker, and I thank the Member for the intervention. I do not pretend to know what the citizens of Northern Ireland believe, but I do know that a significant number of people support this. There is also a significant number of people who are against it and will take advice from their Church. That is their prerogative; that is a matter for them.

We need to be careful in our language, because we need to send out a message to the gay people in our community, to those who may be struggling and may not have admitted to their friends and relatives that they are gay and those who have been bullied over the years. Many people have committed suicide as a result of not being able to come out —

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

Mr Eastwood: Thank you, Mr Speaker. We just need to ensure that we treat each other respectfully in this debate and those out there closely watching the debate. I am happy, on behalf of the SDLP, to support the motion and the amendment.

Mr Kennedy: I oppose the motion and the amendment. It is, I understand, just six months and a couple of days since the House rejected a very similar motion on the issue. I believe that those who tabled the motion are guilty of engaging in a cynical political exercise that has no benefit for any section of our community, not least the LGBT community, from which, presumably, Sinn Féin is seeking to garner support.

I choose to speak not as a Minister nor, indeed, on behalf of the Ulster Unionist Party. The House will know that my party believes that issues of this nature are matters of personal conscience. Therefore, although I was called as an Ulster Unionist, I will speak in a personal capacity.

It is a matter of regret that Members of all political parties are not allowed the liberty to speak freely to their conscience on this issue. It seems to me that the refusal by Sinn Féin in particular to allow its Members to express their individual views strikes at the very heart of its desire to effectively control its political representatives and party members in a way that is wholly distasteful and, frankly, undemocratic. There is clearly no room for individualism in Sinn Féin.

In the previous debate on the issue, I made clear my opposition to any change in the current legislation to allow same-sex marriage.

That remains my position. It is a position based on my religious beliefs; it is a position that, I believe, is consistent with the teaching of my church — the Presbyterian Church — and, indeed, with the publicly expressed views of other churches, including the Roman Catholic Church and the Church of Ireland; and, finally, it is a position that is fundamentally consistent with the teaching of Holy Scripture. The last reason is, clearly, the most important, given that the teaching of any Church can be subject to error, but the faithful teaching of scripture cannot.

I ask the Members who support the motion to consider this point: the law of the land is something that it is necessary for all of us to obey; indeed, as public representatives, we have an obligation to do so. I know, of course, that some in the House are recent converts to that notion. Nevertheless, it is an important principle for all of us to adhere to. I contrast that with obeying the teaching of the Church — not a Church, the Church — which is an entirely voluntary decision based on individual free will. The historic separation, therefore, of Church and state becomes of extreme importance. The Church should never be the slave of the state, and, consequently, the state has no right to dictate the terms of religious marriage to the Church. The state has created the mechanisms under which same-sex civil partnerships can be enacted with protections under the law, in most cases, equivalent to the rights enjoyed by married heterosexual couples. In my view, however, it is neither sensible nor desirable to allow the state to interfere in the religious institution of marriage simply for political convenience. Redefining marriage would have far-reaching consequences for our entire society.

Mr McDevitt: I thank Mr Kennedy for giving way. He made an observation about the state interfering in religious affairs. The heart of this debate is that no one has ever suggested that. In fact, to be fair to the Alliance amendment, it reminds us that the very purpose of this is to deal with the question of civil marriage and to continue to secure and guarantee Churches their independence and freedom to define marriage as they see fit.

Mr Speaker: The Member has an added minute.

Mr Kennedy: As a Presbyterian, I am obliged to accept light from any quarter, but, having listened carefully to the points raised by the Member, I am not sure whether I feel any more enlightened.

In holding my view, I do not believe that I should be regarded as homophobic. Indeed, any such suggestion would offend and abhor me. I do not believe that any Member has any grounds to make any such allegation against me. My public record shows and my personal behaviour confirms my tolerance to those who differ from me politically, culturally, religiously and on gender issues. However, while I remain tolerant of the views and lifestyles of others, the same cannot always be said of those who want to promote change of this nature to Christians whose personal convictions put them at odds on an issue such as same-sex marriage.

I listened carefully to Mr Ford. This is where I differ. The role of a public representative is a challenging one. All of us face compromises that, perhaps, we would never naturally seek, and there is, of course, the reconciliation of obnoxious opposites, which we all have to contemplate on a regular basis. As a Christian involved in politics, I often recall the words of Cardinal Wolsey — confidant of Henry VIII — who, just before his death, hastened by his ungrateful royal friend said, "I would that I had served my God as I have served my king."

For the reasons that I have set out — personal and deeply held convictions that I cannot and will not set aside — I remain opposed to the proposal. In the words of Martin Luther, the great Protestant reformer, I say this to the House:

"Here I stand. I can do no other."

Mr McElduff: Go raibh maith agat, a Cheann Comhairle. I thought that Danny Kennedy was going to quote Martin Luther King, but it turned out to be Martin Luther.

I disagree with David Ford on one point. He said that little had changed by way of our political system since the last debate. I think that the context has changed and there is a rationale for tabling the motion at this time. I disagree with Simon Hamilton's comment that the constitutional convention has no relevance. In his contribution —

Mr Beggs: Will the Member give way?

Mr McElduff: No. I will just carry on until the very end — uninterrupted, if I can manage it.

I disagree with Simon on that point because he appears to be in denial about important North/South elements not only of the Good Friday Agreement but of the St Andrews Agreement. It has been asked, "Who is the

mainstream in all of this?". I have lobbying letters here from trade unions and the Irish Council for Civil Liberties. We can all argue about who the mainstream is in the debate.

I want to affirm the importance of the constitutional convention and note the participation of parties from the Assembly. Our party voted in favour of establishing the convention in a Dáil vote in July 2012, even though we had submitted amendments aimed at widening the scope of the convention. We were, however, successful in ensuring that the constitutional reform process demonstrated appropriate regard to both the Good Friday Agreement and the St Andrews Agreement. They were important changes.

As Steven Agnew said, the convention is predominantly a citizen-based assembly with an overall membership of 100, 66 of whom are citizens or residents. Thirty-three are elected representatives, including one from each of the parties elected to this Northern Assembly who are willing to participate, and there is an independent chair, Tom Arnold, who has the casting vote. I commend those parties for participating and encourage unionist parties to participate as well. Of course, we are dealing with the outdated constitution from 1937, which was written for a very different time. We seek an all-Ireland constitution, but, in the meantime, we engage constructively with the constitutional convention.

The constitutional convention sat earlier in April to deal with marriage equality. Preceding sittings dealt with the representation of women, the status of women, the presidential term and the voting age. Future sittings will look at electoral reform, presidential voting rights and religious beliefs.

I now turn to the specifics of the topic of marriage equality, which was debated at the April sitting and is under discussion here today. I welcome the 79% majority vote at the convention in favour of marriage equality and of removing any possibility of constitutional discrimination against LGBT citizens by recognising explicitly the right of those citizens to marriage equality. I attended and participated in the Saturday session of the two-day sitting and listened to an evidence-based debate. I listened to experts from all sides in a respectful way, free from recrimination or rancour. I welcome the fact that there has been an absence of recrimination and rancour in the Assembly debate today, which has not always been the case. That is very welcome.

It is worth noting that there was overwhelming support for change and ending this discrimination in law. Among those who gave evidence that day were Clare O'Connell and Conor Prendergast. They both talked about how they had been reared by same-sex couples. Those two young people were very rounded and articulate individuals. One of them said, "We are a family like any other. We love and support one another. Unlike other families, we do not have the legal protection of being a fully recognised family". He made the point that he has a legal relationship with one of his parents and not with the other, who, in the eyes of the law, is a stranger to him.

2.00 pm

Mr Kinahan: The motion, its timing, its content and all that accompanies it in the lobbying and petty politics encapsulate so much that is wrong with the Assembly, which often stops this gem of a country of ours being as great as it should be in the world. However, I am pleased about the mood that the debate has been played out in so far. That is the way in which it should continue.

I do not believe that the motion is really about achieving marriage rights for the gay community. I suspect that it is more about the two major parties playing a little bit of politics purely to gain votes. Mr Speaker, I hope that you will ensure that the Business Committee does not bring such repeat motions to the Assembly and that, in future, we will concentrate on business that help us on other subjects such as jobs, education and health. Those who tabled the motion have unashamedly based it on an Irish constitutional matter so that it creates conflict. This does not achieve anything for Northern Ireland, and it therefore fails before we even reach a discussion about the gay community.

The motion fails to deal with the issue of faith, which is so essential to so many. It is treated here almost as though it does not matter. In many ways, that is typical of Sinn Féin as a quasi-communist party. The last motion promised to legislate to protect and respect an individual's faith, and, in so doing, it was possible for me to vote for it. I believe that this motion was allowed to reach the Floor because some saw it as a chance to continue their pursuit of votes rather than to govern Northern Ireland more effectively. They saw a possible vote-winning campaign.

I received some dozen letters and 40 e-mails on this, and my office has received 10 or so phone calls. All except one opposed the

motion. What amused me was that one of the people who was so keen to make me vote the other way and who said that they would never vote for me again turned out to be a leading member of the DUP.

The Ulster Unionist Party has not put a Whip on the motion. We vote on such motions in line with our conscience, as everyone here should. We are able to think for ourselves. We are not Lobby fodder, and we do not hide behind a Whip. This is a chance for me to speak from the heart, and that is what a free vote provides. This subject raises a very serious conflict that will not go away, but today's motion ignores how we in the Assembly can find a solution. The old "Ulster says no" or "Never, never, never" attitude will not help to resolve this conflict, and it certainly did not in the past. The conflict of faith versus freedom is upon us now. Instead of opposition and more conflict, we need leadership to find a resolution to this matter.

Lord Morrow: Will the Member give way?

Mr Kinahan: No, I will carry on. Thank you.

We have to recognise and protect everyone's right to a faith and respect all faiths. Many people see today's motion as an attack on their beliefs. For many, the enforcement or threat of enforcement under section 75 is one step too far, just as frequent repetitions of this debate are unnecessary and of no help. In the previous debate, there was a chance to recognise that, but too many in the Chamber and in the press missed it.

If you read the census, you will see that we have 60 forms of Christianity in Northern Ireland. No one should see their faith as more important than that of another or think that it allows them to abuse or place limits on the freedom of others. After the previous debate, the first person to congratulate me was a senior member of the Church.

Northern Ireland needs leadership. Everyone here is elected to represent everyone, and, if you are not willing to do that, you should not be here. Leadership is also needed from the Churches and the gay community. Legislation is coming from Europe and possibly the UK, but all that we are doing in here is bickering. Legislation often makes things worse and lawyers richer.

The Ulster Unionist Party supports the rights of all in society to equality of opportunity and freedom from fear and discrimination.

Mr Speaker: The Member's time is almost gone.

Mr Kinahan: Thank you very much.

When people seek to promote their beliefs above those of anyone else, we have conflict. As someone said to me the other day, Christianity is about practising the goodness within us.

Mr Speaker: The Member's time is gone.

Mr Kinahan: I oppose the motion and the amendment.

Mr Beggs: I declare an interest as a committee member of Raloo Presbyterian Church and an officer of the Boys' Brigade. So, my personal beliefs influence my views on the subject.

I question the purpose of the motion today. Why is it in the Order Paper? Is it directed at changing people's viewpoints and perhaps having a different outcome, or is the party grandstanding? Who expects a different outcome today? If no one does, why are false expectations and emotions being raised?

I believe that Sinn Féin is grandstanding on the issue. If it were really serious, rather than grandstand continually, it should first have lots of discussions and have some sense that change has occurred. I heard indications that the motion may even come back in another six months. Guess what? If that is the case, I suspect that you will get the same result.

Ms Ruane: Will the Member give way?

Mr Beggs: I will give way in a moment.

The precise wording of the motion asks that the Assembly:

"recognises the importance of the constitutional convention".

I am sorry, but I thought to myself, "What constitutional convention?". I did not know that there was a constitutional convention occurring. I am a British citizen. Even if I happened to agree with everything else that was said, I would have voted against the motion because of the mere inclusion of that phrase. So, you are being deliberately provocative, because you know that you are not going to change anyone's mind. In fact, you might even lose a few votes from those that you may have garnered before. That is irresponsible politics in the extreme.

I notice that civil partners have the same rights and responsibilities as married couples in many areas, including tax, social security, inheritance and workplace benefits. However, there are differences. There are some 3,000 references to marriage in UK legislation, so I would ask anyone wishing to change that interpretation to do so with great care because of the significant changes that will result. The United Kingdom has respected differences and has allowed civil partnerships for those who choose that as a lifestyle, but it is also important in any situation to understand the inequalities that could be created should this motion go through and should the definition of marriage be changed in Northern Ireland.

I noticed in particular a briefing from Aidan O'Neill QC, who has advised the Coalition for Marriage. He highlighted one instance where a Church of England minister, who is also the chaplain at his National Health Service hospital, was conducting a wedding service in his parish church —

Lord Morrow: I thank the Member for giving way. Does he agree that there is only one party in the House today that had this redefinition of marriage in its manifesto? Not one other party had that in its manifesto. I am sure that he therefore agrees that the Assembly should debate the things that people are concerned about and not trivial things, such as trying to redefine marriage, which the vast majority of the citizens of Northern Ireland are totally opposed to.

Mr Speaker: The Member has an extra minute.

Mr Beggs: I could do with two minutes after that intervention. I will be careful in future. If you are making such a fundamental change to our rules and laws in Northern Ireland, it should be in party manifestos before they adopt such a fundamental change. I ask that those who wish for this to happen put it in their manifesto and see what the people think about it.

I was saying that a Church of England minister who is also a chaplain at his local health service hospital preached while conducting a wedding service in his parish church that marriage is only for one man and one woman. His local health service boss found out, and he was later disciplined for breaching the National Health Service diversity policy.

This is not too far away; it could easily have similar results. What may be perceived as one person's inequality could very easily come back as another person's inequality. I am very strong

in my beliefs about civil and religious rights for everybody — not just me and my community, but for everybody. That ought to be respected by everyone. I would not wish to bring in any changes that would inhibit many members of our society from freely expressing their viewpoint because of the subsequent implications in their workplace. That would be a fundamental change that would cause great inequality in this society. There are potential implications for our schools and schoolteachers. The changes are so great and carry —

Mr Speaker: The Member's time has almost gone.

Mr Beggs: — such a great risk that we should not go there. I support the existing definition of marriage. I ask everyone to continue to back marriage as being between a man and a woman.

Mr Copeland: Mr Speaker, you took me somewhat by surprise. I was trying to work out what I was going to say. I have been struggling with this, because I became aware of a statement by Thomas Jefferson that I will paraphrase: whenever someone casts his eye on public office, a rotteness begins in his conduct.

Much as it will come as a surprise to the Alliance Party, I support its amendment. I have listened carefully to what my Democratic Unionist colleagues, my own party and others have said. I did some research some weeks ago. In a part of my constituency that is not noted for reasonable views, I asked a gentleman in a football shirt for his view on equal marriage. He confided to me that, many years ago, he had married a woman and that he would not recommend it to anybody.

The truth is that a generation of young people — I see them every day in my office — find themselves feeling on the margins, excluded and prejudiced against because of their treatment by society. I have a cousin in Canada whose father was a lance sergeant in the Irish Guards at the age of 17 who was not given to readily accepting the fact that his son was gay. My cousin is a fine individual and a successful citizen, but the relationship between him and his father was broken because of his sexuality.

I stand here with sets of voices in my ears. In one ear are those of the honest, good, convinced, Christian people who believe that their position and interpretation is fundamentally

right. In the other is my knowledge of what being gay means in this society. As Roy Beggs said, the debate in here will amount to nothing, because no legislation will come forward. If that reflects the views of the majority of the people in this place, so be it. However, sometimes we need to be careful that what we say does not drive some individuals to feel further worthlessness or to be more inclined to take their own life.

Every time I use my telephone, I am reminded of a chap called Alan Turing, without whom practically everybody in the Chamber would be speaking German. Alan Turing, in conjunction with a guy called Tommy Flowers — there is an involvement with parts of the Castlereagh area in this — was an Oxford or Cambridge university don who, to be quite frank, was barking mad. He rode everywhere on a bicycle with a gas mask on it and chained his water cup to the radiator. However, in conjunction with Tommy Flowers, he broke the Shark algorithms. This led to the breaking of the Enigma code, which led to tens of millions, if not hundreds of millions, of people remaining alive who would not otherwise have done so.

Turing was outed — if that is the right word — as a homosexual after the war. His reward for his service at Bletchley Park was to be chemically castrated, in the days when such things were seen to be normal. He put on weight, and, more importantly to him, he began to lose his powers of thought and analysis. In a last, lonely act of defiance, he killed himself alone in his bedroom by biting a poisoned apple.

On the back of my phone is an apple with a bite out of it. Some people think that it signifies Adam and Eve and the tree of wisdom.

2.15 pm

No legislation will come from this debate, but that does not mean that legislation should not be examined. If legislation is brought forward, we must ensure that it affords protections to those who, by conviction, do not wish to be involved in, recognise or play a part in such ceremonies.

Mr Beggs: Will the Member give way?

Mr Copeland: I am not sure that I should, but I will.

Mr Beggs: Does the Member accept that there has been a European ruling that the current status of marriage is within the law, but that any

change would endanger it to a subsequent ruling? If the current definition of marriage is changed, the current protection that exists for many may no longer be there.

Mr Speaker: The Member has an added minute.

Mr Copeland: I am not sure that I will need it, Mr Speaker. I certainly accept that. I also ask the Member to accept that, when Alan Turing was chemically castrated, it was done within the law. However, that was then and this is now. I do not feel that the views of my cousin or the young man who works for me in this Building and who is a member of another party, and who is gay, are any less valid than my own.

Truth be told, I would rather not be debating this issue today because, as has been said, it will raise expectations that will not be realised. I think of the other things that we could be looking at, such as the 3,555 children who are living in poverty in east Belfast and the 40.3% of the working-age population who are on benefits. We still await the arrival of legislation to deal with that. If you ask me, I would say live and let live, let no one's will prevail over anyone else's, and, certainly, treat all people with respect.

Mr Speaker: I call the Minister of Finance. I encourage the Minister to finish before 2.30 pm, when Question Time starts.

Mr Allister: On a point of order, Mr Speaker. With regard to the Standing Order that expects a balance of Members to speak on a particular subject, why is it that, by the time this debate will finish, 12 Members will have spoken and only four will have been opponents of same-sex marriage?

Mr Speaker: The Member will know that the Business Committee sets the timings for debates in the House. We have heard views from Members who are for the motion and Members who are against it. There has been a balance. Let us move on.

Mr B McCrea: On a point of order, Mr Speaker.

Mr Speaker: No. I am not taking any further points of order. We are running out of time. I am happy to talk to the Member outside the Chamber. I call the Minister.

Mr Wilson (The Minister of Finance and Personnel): Thank you, Mr Speaker. It is a great disappointment that the balance of the

debate has not reflected what I believe to be the balance in the Assembly and, even more importantly, the balance in the general community. I am absolutely certain that the speeches that we have heard do not reflect the views of the general public in Northern Ireland on this issue.

At the outset, I want to make a couple of points very clear. First, the reason why the debate is on the Floor of the House, despite what Mr Kinahan alleged, is not because the two big parties are looking for ways of garnering votes. We did not support this motion coming to the Floor of the House. I say to Mr Kinahan that I would not care if there was not one vote in this issue. As far as I am concerned, this issue transcends vote-seeking and goes right to the heart of how we order society. My views and the views of those in my party are predicated on that basis and not on the basis of looking for votes.

Secondly, as far as the constitutional convention is concerned, we do not believe that what happens in the Irish Republic has any jurisdiction here. Therefore, the views of the constitutional convention in the Republic do not count as far as we are concerned.

Ms Ruane: Will the Minister give way?

Mr Wilson: No; I will not give way.
[Interruption.]

Mr Speaker: Order. The Minister must be heard.

Mr Wilson: Normally, I would give way in a debate like this. However, due to the fact that we have to finish at 2.30 pm for Question Time, the time that I have to sum up has been curtailed, and I will not be giving way. That is not because I am afraid to have my views tested, but simply because my time has been curtailed by four minutes by the Speaker to get us to Question Time.

I want to address two things. First, this has been put forward as an issue of equality. It is not an issue of equality. It is an issue of redefining marriage — not marriage as defined by the state, but marriage as has always been understood. In fact, the state did not define marriage. All that the state has done is enshrine the view that always pertained, even in ancient societies, long before there were religious views on it — that marriage was between a man and a woman for security, comfort, support and the procreation of children. That was enshrined in law, but it is

not a definition. Therefore, I do not believe that the state has any right to redefine marriage in that way.

The second thing is this: it is not an equality issue. Indeed, the Human Rights Commission sought to present it as an equality issue, but the Minister who introduced the legislation in England has written back to the Human Rights Commission and made it quite clear that it is not a rights issue. It is something that the Government in Westminster decided that they wanted to do, but not because they believed that there were any rights. They simply took a political view that they wanted to do it. Indeed, for the various components of the United Kingdom, she has made it quite clear that it is up to devolved Administrations to reflect their own wishes as far as that is concerned. She goes further and indicates that, as far as article 12 of the human rights convention is concerned:

"Men and women of marriageable age have the right to marry and to found a family, according to the national laws governing the exercise of this right."

So, as far as the Minister who introduced it at Westminster is concerned, and as far as the Human Rights Commission is concerned, it is up to national Parliaments to decide. It is not a right or an issue of equality. Therefore, I believe that we are perfectly right in making the decision that we have as a party, that that change should not be extended.

Let us look at the logic of the arguments that have been put forward on the basis of equality. Where does equality stop, then? Just because a minority say that they want the right to be married and that they demand equality with the rest of the heterosexual community who have the right to marriage, what happens when somebody says that they want to be married to two people — I do not know why they would want to be — or to three people? There is a minority view that believes that. If we go down that rights and equality route, do those people then have the same rights, or would the proposers of the motion say that that is where equality and rights stop? What about people who have other, more bizarre, views about who they should be allowed to get married to? They might be a minority. They might even be regarded as a perverse minority, but are their rights not meant to be recognised?

The argument that the equality issue or the rights issue trumps every argument is false and shallow. I will tell you what will happen though, and this is where people's rights will get

trampled on. Once there is a change in the legal definition of marriage, those who take a contrary view will find themselves up against the law. Their rights will be infringed. They will be on the back foot. They will be the people who courts will be making decisions against.

I want to come to Mr Ford's amendment in a moment or two. What if a clergyman decides that he does not want to marry someone? An expert in discrimination law, Neil Addison, stated in the research paper to the House of Commons that:

"Once same-sex marriage has been legalised then the partners to such a marriage are entitled to exactly the same rights as partners in a heterosexual marriage. This means that if same-sex marriage is legalised in the UK it will be illegal for the Government to prevent such marriages happening in religious premises."

What does that do for those who refuse to do it? They find that their rights are infringed. That is where it does become a rights issue. It is not a rights issue at present, but it will become a rights issue. What of those teachers who refuse to teach the new definition of marriage or those registrars who refuse to implement it? What of those social workers who refuse to recognise the rights that will be associated with the new definition of marriage? They are the people who will find that their views are discriminated against.

That brings me to the second issue, which is Mr Ford's amendment. I know that Mr Ford is embarrassed about this, as is his party, but he knows full well that his amendment is absolutely meaningless. He makes his call:

"provided that robust legislative measures permit faith groups to define, articulate and practise religious marriage as they determine; and calls for respectful dialogue on this issue".

Mr Ford is in charge of the Department of Justice. He knows that, once a law is passed, it is up to the courts to interpret that law. Let us look at what has happened even before the law has been passed. Already, a Strathclyde police chaplain who, because he expressed a view that was contrary to the definition of marriage that is in the Bill that is only going through the House of Commons and the House of Lords, has been dismissed from his post on the basis that the police could not possibly have a chaplain who took a view that was contrary to the law — a law that has not even been passed.

That should be a warning for those who think that you can put in place robust protections. First, institutions will interpret what they believe to be appropriate views and behaviour. Secondly, the courts will interpret how the law should be applied. Time and time again, we have seen that, once the state decides that it wishes to implement something, the courts will be far less cautious in their rulings on how exactly those rules are implemented.

To say, "We will support this, even though we know that it is difficult for many people in Northern Ireland who are opposed to it, but we will put in place robust protections" is a fig leaf. I do not believe that it is possible to do that. I do not believe that it is right to redefine marriage or that there is an equality or a rights issue at play in the first place.

When I hear Sinn Féin talking about rights and equality, I think that people become even more cynical. There is not a party in this House that has trampled over the rights of people in Northern Ireland as it has done. Let us not run away with the idea that there are shining beacons of equality on the opposite Benches who wish to see people treated decently in this society.

We tabled a petition of concern. I believe that we have every right to do that, because our position on this matter has been publicly stated. We believe that, because this is such an important issue, it is appropriate to use the mechanism that allows us to stop reckless legislation in this Assembly. *[Interruption.]*

Mr Speaker: Order.

Mr Wilson: Therefore, we will continue to apply that blocking mechanism if Sinn Féin or others persist in their obsession with this particular issue. I ask the House to support our view that the motion and the amendment are wrong-headed and will not promote equality or provide safeguards. If Members really do value freedom — the freedom for those who wish to express their views freely — they will support our opposition to the motion.

Mr Speaker: Order. Question Time is at 2.30 pm. This debate will continue after Question Time, when the next Member to speak will be Chris Lyttle, who will make the winding-up speech on the amendment.

The debate stood suspended.

2.30 pm

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

Oral Answers to Questions

Health, Social Services and Public Safety

Mr Deputy Speaker: As Mr Sean Rogers and Mr Alban Maginness are not in their places, I call Mr George Robinson.

Cardiovascular Disease

3. **Mr G Robinson** asked the Minister of Health, Social Services and Public Safety what action he is taking to raise awareness of cardiovascular disease. (AQO 3881/11-15)

Mr Poots (The Minister of Health, Social Services and Public Safety): Awareness of cardiovascular disease is being raised through a variety of means including health improvement programmes that highlight the relationship with known risk factors such as smoking and obesity; primary care initiatives that identify high-risk groups such as those diagnosed with hypertension or diabetes; and more major public information campaigns such as FAST, the stroke campaign that provides information on signs and symptoms of strokes.

In addition, I recently launched a revised service framework for cardiovascular health and well-being for public consultation. It will build on earlier success and set new priorities for cardiovascular health in Northern Ireland. The consultation closes on 19 June 2013.

Mr G Robinson: Will the Minister provide an update on the establishment of primary percutaneous coronary intervention (PCI) provision?

Mr Poots: The planned introduction of a new primary PCI service will mean that patients who have a heart attack will be taken to a cath lab that is capable of undertaking the procedure 24/7. The patients will bypass the emergency department and be taken directly to the cath lab, where they should have the procedure within 120 minutes of the first call for medical help, before transferring back to their local hospital for subsequent care. There are nine permanent cath labs at four hospitals in Northern Ireland: Altnagelvin, Belfast City, Craigavon and Royal Victoria.

Demand for the service is projected to increase. The Health and Social Care Board (HSCB) has approved proposals for the expansion of cath lab facilities at the Belfast Health and Social Care Trust and the Western Health and Social Care Trust to include the provision of a primary PCI service. That is planned to take place by September 2013. The board is providing an investment of £8 million in this over the next three years. It will be taken forward through the establishment of a regional implementation plan. Every hour that is lost in not getting the stents applied can take a year off your life. It is much better to get to a facility that can provide that service than to languish in a facility that cannot.

Mr McDevitt: I endorse the Minister's assertion that time is of the essence when it comes to cardiac care. Another aspect of cardiac care that the Minister will need to make a decision on very soon is paediatric cardiac services. Will the Minister tell the House whether he is in a position to promote a two-site solution between Dublin and Belfast so that children in this part of Ireland and the border counties continue to be able to avail themselves of a surgical service in Belfast?

Mr Poots: I planned to deal with that issue in answer to question 9, which I was very hopeful of getting to. However, I can give a response on it now.

Last week, the HSCB and the Public Health Agency (PHA) made a recommendation on the basis of clinical observation. It is not about saving money or reducing service. It is about having the qualified people available 24/7 to provide the standard of care that people expect.

There is an inability to do that in Northern Ireland, because we do not have the numbers and, consequently, do not get the surgeons. I am interested in continuing a discussion with my counterpart in the Republic of Ireland to identify whether, if the network is based in Dublin, there will be any ability to provide key surgical services in Belfast while enhancing provision on the cardiological side of the service. So, there is more work to be done on that. I am aware of the campaign and of the deep concerns and reservations of those behind it.

Antrim Area Hospital: Accident and Emergency

4. **Mr Kinahan** asked the Minister of Health, Social Services and Public Safety for his

assessment of accident and emergency care at Antrim Area Hospital. (AQO 3882/11-15)

Mr Poots: I had intended to answer questions 2 and 4 together, but Mr Maginness was missing for some reason. Maybe it was something to do with the previous debate.

I visited Antrim Area Hospital on Monday 22 April to hear at first hand the consultants' concerns. I am advised by the Northern Health and Social Care Trust that it is working with the emergency department consultants to mitigate the potential risks to patients in the hospital's emergency department.

The Northern Trust has put in place a range of measures to improve performance and ensure patient safety at the emergency department. Those include expanding the medical assessment unit, which allows GPs direct access to specialist assessment beds, meaning that patients can be seen directly by in-house specialty teams without having to be admitted through the emergency department. The trust is also increasing support for triage, reviewing and strengthening the escalation process and making further investment in nursing staff and increasing paediatric support. My Department has invested £9 million in a new emergency department, which will cater for up to 90,000 attendances a year. The new unit is expected to be operational from 26 June 2013.

Mr Kinahan: I thank the Minister for his answer, in which he outlined some of the changes being made to make things better. However, the figures are getting worse in that hospital. Staff are not getting breaks during 12-hour shifts, and people are being brought in from midwifery, gynae and anywhere they can to help when eight to 10 ambulances are waiting outside. Will the Minister put in more resources to get more nurses per bed so that we have a hospital that can function? If not, it is time that we had someone else running the Department. At the moment, it is going horribly wrong.

Mr Poots: Having inherited a mess from the Member's colleague, I think that we are doing the work that needs to be done. There are more permanent nurses in Antrim Area Hospital than there were when his party was in control of the hospital.

Since 2010-11, which might be the date when things started to change, bed capacity in Antrim Area Hospital has increased by 25% from 319 to 400 people. Medical staffing levels in medicine and surgery have increased, the

number of emergency consultants has increased from four to eight, and the nursing staff complement has increased from 54.89 WTE nurses to 60.89 WTE nurses. There has also been an investment in bank, agency and overtime nursing to support the emergency department in dealing with significant pressures. I understand that the hospital has huge problems. Those are inherited problems, and we will get on top of them.

Ms Brown: I thank the Minister for his answers so far and congratulate him on his efforts to ease the pressures at Antrim Area Hospital. What efforts has the Department made to maximise safety across the health and social care sector?

Mr Poots: With safety, it is absolutely critical that we have quality throughout. We developed Quality 2020, which is a 10-year strategy to protect and improve quality in health and social care. That defines quality against three components: safety; effectiveness; and patient and client focus. Among other things, it aims to protect and improve quality in health and social care to minimise risk and harm to service users and staff.

Over the years, we carried out substantial work to improve patient safety, including Best Practice, Best Care, which puts in place a framework to raise the quality of services and tackle issues of poor performance, implement clinical and social care governance arrangements, introduce a statutory duty of quality and the serious adverse incident reporting system established in the Regulation and Quality Improvement Authority (RQIA) and develop 'Safety First: A Framework for Sustainable Improvement in the HPSS', which has a particular focus on patient and client safety.

An awful lot of good work going is on in Antrim Area Hospital. I often get letters from the public saying that, in spite of all the headlines, they have received excellent care. I commend all the staff who are working in that facility under huge pressure.

We have a particular problem in the emergency department, and we are looking at that in a very clear and coherent way. Our turnaround team has been looking at that, and I hope to be able to report to the Assembly in the very near future, through a written or oral statement, on its advice and how we plan to move forward.

Mr Allister: The Minister refers to the new extension to the accident and emergency

department, which is good. Specifically, however, will that open up and entail the provision of any new beds? Will there be any new beds for patients coming through A&E or will we simply provide more space for people to continue to lie on trolleys?

Mr Poots: I am somewhat surprised that the Member should ask such a question because he represents the north Antrim area, and, of course, people from there use this facility. A brand new 24-bed unit opened last week, and everybody knew that it was in the pipeline. It has not been officially opened, but most people with local knowledge knew that it was open.

Ms Lo: Has the Minister's Department made any effort to link up with some of the newer immigrant communities to help them to access GP services? Some have difficulties registering with GPs and turn up at A&E when they become ill. Are there any plans to help them?

Mr Poots: The Public Health Agency works very closely with community groups in general to get messages out. One of the key messages that need to be applied is that, when you come to this country, you need to register with a general practitioner, and when you are unwell, that is generally the first port of call, not an emergency department. There is an abuse of the system, and people need to recognise that abusing the system is wrong and causes delays for others. Many from indigenous and ethnic minority communities are abusing the system and impacting on others as a consequence.

Mental Health

5. **Mr Douglas** asked the Minister of Health, Social Services and Public Safety what action his Department is taking to raise awareness of mental health issues. (AQO 3883/11-15)

Mr Poots: Action taken by the Public Health Agency to improve awareness of mental health issues, reduce stigma associated with mental illness and encourage help-seeking behaviours includes the delivery of a public information campaign; local seminars and educational workshops; mental health awareness training; the hosting of websites providing advice and information; and work with the media to encourage more positive reporting on the issue. The agency has also been working with Business in the Community to promote the benefits of mental health awareness in the workplace. My Department has been working with the Health and Social Care Board on the development of a user-friendly web portal to improve mental health service users' access to

mental health service information at regional and local level.

Mr Douglas: I thank the Minister for a very comprehensive response and for the work that he has been supporting in east Belfast. He outlined a number of initiatives, and those are very welcome. Will he outline the cost of those, please?

Mr Poots: We spend £227.5 million on mental health services, which represents 7% of the total HSC spend, and planned expenditure for 2012-13 is approximately £240 million. So the spend is increasing, and I welcome that because I have always said that I feel that mental health is the poor relation. We must consider that one in five adults in Northern Ireland has a mental health condition at any one time; half of all women and a quarter of all men will have been affected by depression at some time in their lives; 10% of new mothers suffer from postnatal depression; one in four people over 65 have symptoms of depression; around one in 10 15- to 16-year-olds have self-harmed; 30% of consultations with a GP are related to mental health; and we have increased prescription of antidepressant drugs, up from nine million in 1991 to 34 million across the UK by 2007. That is a demonstration of the vast problem with mental health and shows the sort of support that we require to help people through very difficult times.

Mr Brady: Go raibh maith agat, a LeasCheann Comhairle. Will any additional money be made available for mental health strategies? How many of the Bamford recommendations have still not been implemented?

Mr Poots: In line with Bamford, expenditure on mental health community services increased by more than £25 million since 2007, and we want that to continue. That has allowed us to facilitate early intervention, promote recovery in the community and reduce demand for the acute psychiatric beds. The 2011-12 expenditure on community and mental health services was £125.6 million, which represents over half the total mental health budget. So, there is still work to do on Bamford, and we will continue to do it. We are taking positive steps and are moving in the right direction. As I indicated, an increase in funding has been identified this year, and I hope that we will continue to be able to carry that out in future years.

2.45 pm

Mrs Overend: Considering the current crisis in our hospitals, can the Minister outline how he is looking after the mental health of the doctors, nurses and other staff who work in Antrim Area Hospital and who deal with the daily pressures there?

Mr Poots: In all our facilities, we will have support mechanisms, and counselling services will be available to people who require them. Obviously, many of the people who work in the health and social care system are under great pressure in the work that they are carrying out, and I think that it is very important that people who feel under that kind of pressure go to see their GP. If they need counselling services, they should get them and act upon it quickly, as opposed to allowing things to fester.

Accident and Emergency Departments

6. **Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety, in view of the pressure that accident and emergency departments are under and the lengthy waiting times within them, what plans are in place to address these and support staff to provide the best care. (AQO 3884/11-15)

8. **Mr Agnew** asked the Minister of Health, Social Services and Public Safety for his assessment of current waiting times in accident and emergency departments. (AQO 3886/11-15)

Mr Poots: Mr Speaker, with your permission, I will answer questions 6 and 8 together, as they are both about emergency department waiting times.

The emergency care waiting time figures for the first quarter of 2013 indicate that performance against the four-hour target declined from 76.1% to 71.1% between January and March. During that period, 2,360 patients waited more than 12 hours, with the month of March seeing particularly high numbers of 12-hour breaches. Although that is an improvement on the number of people waiting more than 12 hours during the same quarter last year, it is unacceptable that anyone has to wait such a length of time. These figures are particularly disappointing, given the intensive efforts to reduce waiting times and the allocation of an additional £7 million in-year, non-recurrent funding from the January 2013 monitoring for winter pressures and unscheduled care.

Staff in emergency departments work in what is often a difficult and pressurised environment,

and we owe it to them to try to reduce those pressures as far as possible. The Health and Social Care Board and the improvement action group are continuing to work with the trusts to improve hospital processes. They are developing services to reduce pressures on hospitals and emergency departments in particular. That process includes a review of the workforce across emergency departments to ensure that medical, nursing and other health and social care professionals are available at the times when emergency departments are busiest. A review of capacity and demand for unscheduled services across all hospital sites is also being undertaken. That review will help to inform commissioning decisions and manage demand.

Against that background of additional funding and intensive efforts to reduce waiting times, I look to the board and the trusts to take further action to improve our emergency departments' performance.

Ms S Ramsey: Go raibh maith agat, a LeasCheann Comhairle. I agree with the Minister that it is disappointing that we have an increase the number of in 12-hour breaches.

Minister, whistle-blowers still find it a bit difficult to go to their line manager, and I know that you put out a statement and guidance on that. I am also aware that you have visited some A&Es unannounced, and I appreciate that and commend you for it. Do you have any plans to talk with staff in our A&Es without management involvement so that they can get to you face to face and raise their concerns?

Mr Poots: I thank the Member for her question; she asked something that is practical. We did exactly that last week in Antrim, where we spoke with the consultants and senior nursing staff. No management was there. The turnaround team in that facility has been giving us very clear guidance, and we will be acting on the recommendations that come from that team.

So, where there is fragility in the service, we need to know about it. If management is falling down, we need to be made aware that that is the case. When people make us aware that that is the case, if management does not respond to the needs of the clinical staff when there are safety issues in particular to consider or where patients are not receiving the care that they should expect, we have to call into question how managers are performing and then take actions.

Mr Agnew: I thank the Minister for his answers and for acknowledging that current waiting times are unacceptable. Around one third of waiting times across the major A&Es are beyond the Minister's own target of being seen within four hours. Indeed, it was mentioned that significant numbers are waiting over 12 hours.

The Minister talked earlier about inherited problems, but does he accept that all those who campaigned against the closure of the City Hospital's A&E department have had their fears realised and that we have seen increased pressures at other A&Es, such as the Ulster Hospital, since?

Mr Poots: Certainly, the Ulster Hospital has been having a lot of problems, although the Royal picked up a lot of the work — probably most of it — from Belfast City Hospital, and its figures have improved dramatically this year.

There are issues in and around the populace in the Ulster Hospital. We do know that we have an older population, and the consequence of that appears to be that there have been a lot of winter pressures among our older community this year, more than anticipated. There has been a substantial increase in demand for emergency care at the Ulster Hospital, with attendances going up by 13% to some 83,000. There has also been an 18% increase in ambulance arrivals, and, more importantly, admissions have gone up by 21.7%.

Therefore, it is not just the numbers of people coming to the emergency department — a 13% increase — but an increase of almost 22% in those being admitted, and that is where the problem lies. That is where the 12-hour breaches kick in in the Ulster Hospital. It is actually bed space that becomes the problem, not so much the emergency department. However, the problems further on in the hospital then tail back into the emergency department, and that is where the public see them.

Mr Dunne: I thank the Minister for his answers today. I understand that there is an ongoing consultation on the Belfast emergency departments. Can he give us a progress update, please?

Mr Poots: The consultation on the future configuration of emergency services in Belfast was launched on 5 February. It is a 13-week consultation being undertaken by the Health and Social Care Board. The preferred option is that there should be two emergency departments in the Belfast Trust — that is, at

the Royal Victoria and the Mater hospitals — supported by direct access via GPs to a range of specialist services at the Belfast City Hospital.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a chuid freagraí. I thank the Minister for his answers.

I do not expect him to have this level of detail with him today, but it would be helpful if he could subsequently provide it to us. I ask him to detail the number of patients across all health trusts in the North not seen inside the 15-minute triage waiting times in A&E. That is per trust in the past year.

Mr Poots: I can tell Members how many have to wait for more than 12 hours, but I cannot tell you how many got triage within 15 minutes, so that is perhaps something that we can look at. Some 98.6% of people are either admitted, seen or discharged within 12 hours, but we will take a look at that and see whether we can come back to the Member on his question.

Newtownstewart and Fintona Fire Stations

7. **Mr McAleer** asked the Minister of Health, Social Services and Public Safety, given that the business cases for Newtownstewart and Fintona fire stations have been completed, when these projects will receive final approval. (AQO 3885/11-15)

Mr Poots: Although Northern Ireland Fire and Rescue Service has developed draft business cases for Newtownstewart and Fintona fire stations, those have not been submitted to my Department for appraisal as yet.

Owing to competing demands on my capital budget, business cases are progressed to appraisal and approval only when the projects are of sufficiently high priority for funding to be available within the overall programme. Although the rebuilding of Newtownstewart and Fintona fire stations remains a need, the two projects are not profiled within the current Budget period.

Mr McAleer: Does the Minister agree that the current dilapidated state of those stations prohibits their ability to reach out to the local community, particularly the primary schools? Moreover, the fact that there is only one toilet and one shower in those buildings inhibits the possibility of recruiting females, who are

currently under-represented, into the Fire Service.

Mr Poots: In the first instance, what we need to ensure is that the Fire Service can respond to emergencies. In all the past number of years, that has been the case, and the Fire Service has not failed us. It has not failed us in the west of the Province, either in Fintona or in Newtownstewart.

The Member makes a case, and it is not unreasonable, for new fire stations, but there are lots of good cases out there that we have to categorise and put into some sort of order of preference, given the capital funding available to us. Of course, our colleagues at Westminster in the Conservative and Liberal Democrat parties, which are the sister parties of the Ulster Unionists and the Alliance Party, massively cut the capital budgets and left us in a very difficult situation.

Dr McDonnell: Pursuant to an response some weeks ago to the Member for East Antrim Mr McMullan, in which the Minister stated that he believed a business case would be made for the Cushendall fire station by April this year, can he confirm whether that has happened and whether he will prioritise that, given the well-documented need and the fact that the case has been delayed through no fault of the people there, but because of the Department and the Northern Ireland Fire and Rescue Service?

Mr Poots: We always knew that the leader of the SDLP was a glen man. He has gone back to his roots on this one, and there is no harm in that.

Obviously, the case for the facility has been made for some time. Again, it is about the same financial pressures: are we going to be able to build a new fire station? It is competing with all the other stuff in the Health Department. That is not to say that it cannot or will not happen. I have not received the business case yet; April is not quite over. Certainly, draft business cases were being developed for Fintona, Newtownstewart and Cushendall. Work on all seven proposed new fire stations had been parked so that attention could be focused on the Fire Service's must-do capital priorities. That is the situation as it stands.

Mr Clarke: In the first supplementary question, there was focus on the toilets at Fintona fire station. Maybe the Minister could outline what the Fire Service itself is indicating as the capital projects that are most essential in Northern Ireland at the moment.

Mr Poots: The Northern Ireland Fire and Rescue Service (NIFRS) has identified Dunmurry as a priority location for a new fire station. In case someone tries to say that that is me looking after my own constituency, most of Dunmurry has actually moved out of Lagan Valley and into West Belfast, so I can be accused of looking after West Belfast in this instance. It must be that the Committee Chair's work has been very effective.

Completion of an effective appraisal for Dunmurry will require extensive risk analysis and Fire Service emergency cover modelling. All the relevant software data sets and technical capability will become available in 2013. Consequently, the Fire Service anticipates a business case being sent to the Department in the first quarter of 2014-15. The other must-do priority for NIFRS is its logistic support centre, which is the one-stop shop. The strategic outline case for that is currently going through an internal approval process in NIFRS. The Department expects to receive the business case 2013-14.

Royal Belfast Hospital for Sick Children: Paediatric Cardiac Surgery

9. **Mr McDevitt** asked the Minister of Health, Social Services and Public Safety whether paediatric cardiac surgery will continue at the Royal Belfast Hospital for Sick Children. (AQO 3887/11-15)

Mr Poots: I am answering this question for the second time. This is the official answer, by the way.

Members will be aware that I received the paediatric congenital cardiac services (PCCS) working group's recommendation, endorsed by the Health and Social Care Board, on the future commissioning of the service. The recommended option involves building on the existing service provided by the Dublin paediatric cardiac surgery centre for the Belfast Trust. I have said that, before I make my decision, I want to take the opportunity to hold further discussions with our counterparts in the Republic of Ireland and explore the scope for flexibility in the location for the future delivery of this service without compromising any aspect of patient safety.

My key priority in all this is to ensure the delivery of a safe and sustainable service for those vulnerable children. In so doing, I want to ensure that we have fully explored every possibility for addressing the concerns that have been raised with me by parents and

cardiology consultants. I will now take time to consider the report and its recommendations in full. I will make my decision shortly.

Mr McDevitt: For the second time, too, thank you very much, Minister. Will the Minister just place on the record of the House again his determination to ensure that there will be some sort of surgical framework remaining in Belfast as part of a new all-island network?

Mr Poots: I have been working closely with people, including the cardiologists, to identify what best we can achieve out of this. We have a recommendation, and I will continue to work to see what best we can achieve. There is more work to be done and more discussions to be had. However, I really welcome the fact that we have moved away from any suggestion that all the care should be provided somewhere in England. I was wholly opposed to that idea from the outset. Getting it to an all-Ireland network in the first instance is a success. If we can achieve having some surgery in Belfast — and I do not know whether we can — that will certainly be something that I will view positively.

3.00 pm

Mr Deputy Speaker: Mr Robin Swann. We are running out of time, so you will have to be quick.

Mr Swann: I thank the Minister for his answers so far. I declare an interest, as I have a three-month-old son currently awaiting cardiac surgery. When the recommendation was made on Thursday, Dr Reilly, the Minister for Health in the Irish Republic, seemed very well briefed. How far on are the negotiations between his Department and the Minister's about the potential of moving all the surgery to Dublin?

Mr Deputy Speaker: Minister, please be brief.

Mr Poots: There will be a discussion in the next two to three weeks which will assist us in furthering the outcome.

Mr Deputy Speaker: Thank you for being brief.

Justice

Mr Deputy Speaker: Questions 7 and 11 have been withdrawn, and written answers are required for them.

PSNI: Efficiency Savings

1. **Mr Cree** asked the Minister of Justice what discussions he has had with the PSNI regarding efficiency savings during this budgetary period. (AQO 3894/11-15)

Mr Ford (The Minister of Justice): I have not had any meetings with the PSNI to discuss efficiency savings. Any discussions that have taken place have focused on specific pressures which the PSNI faces. It is very important, for me as Minister and for the Department of Justice as a whole, that the PSNI is adequately resourced to deliver an effective, efficient, impartial and accountable police service to the people of Northern Ireland. Updates on progress against all of my Department's efficiency targets are regularly published on the Department's website, usually twice a year.

Mr Cree: I thank the Minister for that. Can he outline the amount of money that has been spent on training during this comprehensive spending review (CSR) budgetary period, and any recruitment costs which may be imminent?

Mr Ford: Without notice, I cannot give a total figure for what has been spent on training. As Members know, a business case for recruitment is being worked through at the moment, and, clearly, the detail of that will inform the costs of that particular point.

Mr McDevitt: I declare an interest as a member of the Policing Board. Without prejudice to any conversations which the Minister may have with the PSNI or others about potential efficiencies, will he assure the House that, irrespective of the outcome of those conversations, the future funding of the Historical Enquiries Team (HET) will be protected and guaranteed, so that its work can be completed without impact on other aspects of operational policing?

Mr Ford: I thank Mr McDevitt for that slightly off-beam supplementary question. The Department has approved the PSNI business case for the continuation of funding for the HET. That is being looked at in a way consistent with the previous funding arrangements, which do not impinge on the independence of the HET. I am satisfied, therefore, that I can answer in the affirmative.

Community Relations: Interfaces

2. **Mr Lyttle** asked the Minister of Justice for an update on initiatives to address interface structures. (AQO 3895/11-15)

Mr Ford: I am encouraged by the level of activity currently under way, with excellent engagement in a number of communities. In addition to work led by the Department of Justice, the investment made through the International Fund for Ireland (IFI) peace walls programme has led to engagement in seven projects across a wide range of areas in Belfast and Derry city. Belfast City Council is also taking forward work through its own initiative, supported by Special EU Programmes Body (SEUPB) funding. In addition, the Northern Ireland Housing Executive (NIHE) is reviewing the interface structures that it has across Belfast. Those bodies are working together in exactly the sort of collaborative approach needed to support communities in addressing issues at interface structures.

I want to stress that, whether it is through Department of Justice-led work or the programmes put in place by the IFI and Belfast City Council, the community remains at the centre of considerations concerning the future of interface structures. Successes to date, which include the recent alterations at North Howard Street in Belfast and work to remove gates around the walls in Derry, have been based on working with communities to identify an agreed way forward. That will continue to be the case. The objective is the eventual removal of all interface structures. We know that that will take time, but we must all work to bring about the conditions that will give people the confidence to support change.

A key priority for my Department is addressing the safety and security of residents living close to interfaces. My officials, in conjunction with the police, are constantly assessing how to design out crime and reduce the fear of crime at interfaces. There is more to do, but there are many positives and I thank those communities and our partners for their work.

Mr Lyttle: I welcome the work that the Minister of Justice is doing with local communities to address interface structures. Does he agree with the analysis of the DUP Finance Minister that the interface structures may just disappear if we give everyone a job?

Mr Ford: I thank my colleague for that question. I think that he knows my view, which is that, although we certainly need to address

economic issues — there are, undoubtedly, some people who, because of a lack of jobs, engage in antisocial behaviour and crime — there is absolutely no doubt that, even when the economy is booming, there have been problems around interfaces. That is why there has been a concentration in my Department, as part of the Programme for Government, on reducing tensions around interfaces, working with local communities and seeing the kind of successes that we have been able to report in recent years. There may now be more so-called peace walls than there were at the time of the Good Friday Agreement, but, at the moment, they are coming down and opening up, not being added to.

Mr McCartney: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for his answer and for the outline and, in particular, the fact that he acknowledges that there should be a collaborative approach and community input. Does he agree that any sense of trying to impose a solution on local communities would be counterproductive?

Mr Ford: I thank Mr McCartney for that point, which I entirely agree with. There is no sense in which the Department of Justice is seeking to impose on local communities. However, it is also the case that we do not intend to proceed at the pace of the slowest. Where there is movement or engagement, we will facilitate and encourage and do all that we can to assist in building conditions that enable those interface structures to be removed.

Mr Campbell: The Minister alluded to the fact that the community is at the centre of the discussions. Does he agree that central to the very substance of ensuring that peace breaks out and communities start to relate to each other more directly in interface areas, there has to be community confidence that they will not come under attack when the fences and walls come down and that they must get that confidence in both communities before we can even begin that process?

Mr Ford: I do not know that I agree entirely with Mr Campbell's last point. We certainly need to work to build confidence. However, to suggest that we have to have total confidence before we can do anything is at variance with what we have been doing where, for example, we have seen work on the temporary opening of gates and barriers and where we have seen work done to address with CCTV and white lights the opportunities to enable movement. We cannot get everything right before we do things. We

need to ensure that we provide the confidence that justifies small incremental steps that lead eventually to complete removal.

Mr Swann: The Minister outlined what needs to be done with the residents in all these constituencies. Has he met residents living in the immediate vicinity of interfaces? Can he give an indication of their views on the retention or removal of physical structures and interface structures?

Mr Ford: I have met representatives of a number of the relevant local communities. It will not surprise Mr Swann or anybody else to know that they have a variety of views about the pace at which progress can be made and the conditions that need to be put in place. That is why the Department is engaging so consistently and solidly with those communities.

Human Trafficking

3. **Ms Ruane** asked the Minister of Justice whether there is sufficient legislation in place to deal with all aspects of human trafficking. (AQO 3896/11-15)

Mr Ford: I believe that we have sufficient legislation in place to equip law enforcement agencies with robust powers to tackle traffickers. The Criminal Justice (Northern Ireland) Act 2013, which received Royal Assent on 25 April, has further strengthened the legislative framework by creating new human trafficking offences that will ensure that traffickers operating across international borders are not immune from prosecution in Northern Ireland. The new provisions will allow for prosecution where an individual has been trafficked for any type of exploitation anywhere outside the United Kingdom by a UK national, by a habitual resident of Northern Ireland or by a body incorporated under UK law. They will also make it an offence for an individual who has not previously been trafficked into the United Kingdom to be trafficked internally within it for the purposes of non-sexual exploitation, as is already the case in respect of sexual exploitation. Significantly and uniquely across the UK, the Act also ensures that human trafficking offences in Northern Ireland are triable on indictment only.

The provisions made under the Act also ensure that criminal law in this jurisdiction complies with the requirements under the EU directive on preventing and combating human trafficking. I consider that, with these additions, the appropriate legislation is now in place. Law enforcement partners on the Organised Crime

Task Force have also indicated that they are content with the powers at their disposal. However, as I have previously made clear, I will consider any changes that will assist in the fight against human trafficking.

Ms Ruane: Go raibh maith agat. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for that answer. Does the Minister believe that changing the laws on prostitution may help in the fight against human trafficking? If so, I would appreciate a view on that.

Mr Ford: I have already made it clear to the House more than once that I am not minded to amend the existing law on prostitution. There are issues, but, in the Republic of Ireland and here, the consideration that has been given to trafficking has not identified benefits from changing the law on prostitution. There are issues around prostitution such as enforcement, whether it is an appropriate deterrent and whether action would drive it underground that need to be taken into account, but, at this stage, I am not minded to look in that direction. I am concerned that the fight against trafficking deals with all the offences of trafficking, all the purposes for which people are trafficked and all the victims, whether male or female.

Mr Beggs: If I have understood the Minister, he has said that, because our legislation meets the minimum requirement at a European directive level in this area, he is satisfied. Will he acknowledge that there has been a very low number of prosecutions and convictions and we may need to do more? Can he advise how he is working with the Policing Board and the PSNI to ensure that those involved in this heinous crime are brought to account?

Mr Ford: I do not think that I have ever said that compliance with the European directive is all that we need to do as the minimum; indeed, I highlighted the fact that we have gone further than other local jurisdictions, for example, in ensuring that cases of trafficking are triable on indictment only. I am determined to ensure that we have the appropriate package of law in place, but, if the Member is talking about the issues of enforcing the law, there are issues of resourcing and co-operation, and those matters are discussed by a number of agencies frequently through the Organised Crime Task Force stakeholder group, which I chair, to ensure that we get the necessary co-operation between agencies.

The fact that trafficking is a crime and the fact that it continues is something that needs to be

addressed, but I am not convinced that there is a change in legislation, as opposed to ensuring that the public report, the police get the evidence and we assist the victims to give the evidence that gets prosecution. That is where we will really fight trafficking.

Criminal Assets

4. **Mr McCarthy** asked the Minister of Justice for an update on the distribution of criminal assets that have been recovered. (AQO 3897/11-15)

Mr Ford: The assets recovery community scheme was first launched towards the end of 2011, following the passage of the Justice Act 2011. So, 2012-13 has been the first full financial year that the scheme has been up and running. I recently announced that almost £564,000 was allocated to projects aimed at tackling crime and the fear of crime. Not only is it important to remove those assets from the organised crime gangs who prey on our community, but it is positive that they are reinvested in seeking to make Northern Ireland a safer place for everyone. In the recent scheme, the recovered money was allocated to almost 60 projects. These engage a wide range of people and include making older people feel safe in their home, parenting programmes and providing diversionary activities for young people.

I am aware that a successful Youth for Christ cage soccer initiative took place in the Member's constituency. It was funded by £10,000 of recovered assets. I attended a cage soccer initiative at Stormont last year and have seen that grow, thanks to recovered assets, into a cage soccer tournament held at Benone beach earlier this year.

Mr McCarthy: I thank the Minister for his response, and I welcome the distribution of the money to useful and deserving causes. Can the Minister confirm that the figure of £564,000 is on top of money paid out in the first year of the scheme? Will the scheme continue in the years ahead?

Mr Ford: I can confirm to Mr McCarthy the intention that the scheme will continue. Overall, in the first two years, somewhere in the region of £1.3 million has been allocated to initiatives under the scheme, which is very substantial, and it followed through from being able to obtain that money reallocated to Northern Ireland for our use. Unfortunately, at times, money only becomes available too late in the year to be allocated. We are looking at end-of-

year flexibility to ensure that we can get the best use of that money and ensure that that money, when recovered from criminals, is used in the best way to fight crime and the fear of crime in Northern Ireland.

3.15 pm

Mr Givan: I am sure that the Minister recognises that, although that money is helpful, it is a drop in the ocean compared with the hundreds of millions of pounds accrued by organised crime in the Province. To that end, what efforts are being made to get the National Crime Agency brought into Northern Ireland and those who are caught, particularly leading republicans in south Armagh, convicted and sent to prison for their crimes against the people of Northern Ireland?

Mr Ford: Although I would certainly like to agree with the sentiments of the Committee Chair, I fear that Mr Givan has gone slightly over the top in confusing wishing to send people to prison for criminal activity with the issue of assets recovery. We should also be careful when we talk about organised crime and suggesting that it is confined to one area of Northern Ireland.

I am determined to ensure that we do all that we can to obtain those assets. As Members are well aware, I am also firm in my belief that there would be benefits from the National Crime Agency being able to operate in Northern Ireland in the devolved sphere to deal with issues such as child exploitation and human trafficking. Otherwise, that will fall to the PSNI, which does not have the resources that would be available through the NCA.

The issue about whether it is possible to make progress on assets recovery has, at this stage, to be discussed between different agencies, and those discussions continue.

Mr Lynch: Go raibh maith agat, a LeasCheann Comhairle. What criteria does the Minister use to allocate the moneys?

Mr Ford: I thank Mr Lynch for the question, although I fear that I will not be able to answer it in the detail that he may wish. I am happy to say that I do not discuss the projects; they are discussed by an impartial board. Otherwise, there may be a tendency for too much money to go to South Antrim projects.

The important issue is to find projects that will make a real and tangible difference to the lives of people in different areas; to ensure, because

of the difficulties just highlighted, that money, when allocated, is able to be spent within the financial year; and to ensure that it spent by and through organisations that have robust governance mechanisms to ensure that they can make progress. That is why a significant amount of money has been distributed through policing and community safety partnerships (PCSPs) and other bodies that have a local connection. It has been positive to see good ideas such as the cage soccer initiative that started in Strabane now being extended across a number of areas as PCSPs learn from each other about the best way to fight crime.

I have no doubt that my officials could supply a full list of criteria to the Member, if that would be helpful. However, that is as far as I can go at this point.

Mr Rogers: Are all the proceeds of recovered assets reinvested in measures to prevent crime here?

Mr Ford: I am afraid that we are not able to reallocate all recovered assets. That is partly because it is unpredictable and random. There may be very large sums in one year and small sums in another, so it is difficult to take on, for example, projects that have a continuing cost. The easiest project to fund is one that has a small capital expenditure. There is also a difficulty in that, if assets are recovered towards the end of the financial year with no EYF, we are simply not able to carry those over. There were losses in the financial year that has just ended because a significant amount of money was recovered in February and March. Those issues are under discussion with other Departments to see how we can best improve the operation of the scheme.

Domestic Abuse: Convictions

5. **Mr Moutray** asked the Minister of Justice, given the high number of recorded incidences, to outline the number of convictions for domestic abuse over the past three years. (AQO 3898/11-15)

Mr Ford: High incidences of domestic violence continue to be recorded in Northern Ireland, and my Department aims to ensure that those perpetrating this heinous crime are brought to justice. On average, a crime is detected in 41% of such incidents, meaning that those cases may be submitted by the PSNI to the Public Prosecution Service (PPS) for a decision on prosecution.

In Northern Ireland, as in other jurisdictions, there is no specific offence of domestic violence under criminal law. The conviction data recorded by the Courts and Tribunals Service are for generic offences such as assault, actual bodily harm or grievous bodily harm. There is no detail in the data set about the circumstances of the offence, so it is not possible to identify whether a conviction relates to domestic abuse.

For a number of years, the PPS has recorded cases with a domestic violence motivation on its system. From April 2012, the PPS has implemented a system that captures the outcome of such cases as are prosecuted at court. The outcomes are obtained from the Courts and Tribunals Service results data, which are shared through the Causeway system. Statistics on domestic violence convictions are, therefore, available for only the past nine months. Those statistics indicate that, during the period April 2012 to December 2012, 53.9% of defendants were convicted at a Magistrates' or Crown Court. Broken down further into the two separate courts, 52.3% of defendants were convicted when the case was disposed of at a Magistrates' Court, and 76.6% of defendants were convicted where the case was disposed of at a Crown Court.

Mr Moutray: I thank the Minister for his answer. Does the Minister consider the imminent opening of the sexual assault referral centre (SARC) in Antrim as a possible way forward in securing more convictions in future in relation to sexual and domestic violence?

Mr Ford: Mr Moutray highlights a very important point. It is my belief that the operation of the sexual offences centre will ensure that people have the care and treatment and perhaps the psychological counselling that they require at the same time as a criminal investigation is under way by the Police Service. That should improve the availability of the evidence on which the police can act, and we hope that it will increase the number of offences that will be successfully prosecuted.

Ms McGahan: Go raibh maith agat. What cross-departmental work is going on to address the issue, given the cross-cutting nature of domestic violence?

Mr Ford: There is significant work going on, led principally by the Department of Health, Social Services and Public Safety and my Department through a ministerial group, to ensure that we join up the working arrangements between the Departments involved, principally our two

Departments. Domestic violence cannot be dealt with solely as a health and social care matter or solely as a justice matter; that is why the SARC in Antrim has such benefits. It is also something that we are determined to see operating generally across a range of Departments.

Mr Byrne: I thank the Minister for his answers. Can the Minister outline whether consideration has been given to further proposals to help the victims of domestic violence to report more easily and to make the assessment of their situation more friendly?

Mr Ford: I appreciate Mr Byrne's question. I certainly hope that at the more serious end we will see the SARC making the changes that will make it easier for reporting. Significant training and joint working have also been done by social workers and police officers, for example. I attended a conference last year that brought groups of professionals together. It is important that we get joining up at departmental and operational level to ensure that we provide the care, counselling, treatment and criminal investigation in a joined-up way. I think that we are seeing that better now than we used to, but, undoubtedly, much is still to be done.

Mr Elliott: I thank the Minister. Will the Minister update the House on the work and effectiveness of the independent domestic violence advisers (IDVAs)?

Mr Ford: The appointment of independent domestic violence advisers was recommended by Criminal Justice Inspection following its examination of how domestic violence was handled. The business case was recently approved, and work is ongoing to source a provider, with the hope that the full IDVA service will be available in the autumn of this year. Unfortunately, it is taking longer than perhaps we might have wished, but I think that we now have the system right. The important thing will be to get the right people in post carrying out the services.

Crumlin Road Jail Project

6. **Mr Humphrey** asked the Minister of Justice for an update on the programme and timescale for the development of the Prison Service site at Crumlin Road, Belfast. (AQO 3899/11-15)

Mr Ford: As I informed the Assembly on 19 March, it is my intention to redevelop the prisoner assessment unit on the Crumlin Road as a working-out unit for prisoners approaching

the end of their sentence. A business case for an interim solution has been prepared and is undergoing internal scrutiny. Much detailed work is being taken forward in parallel to business consideration. That work includes developing the optimum staffing and operational model, as well as comprehensive standards as a framework for ensuring that the unit has appropriate governance and management processes in place. Subject to approval, the work required will commence later this year, with a planned completion prior to the end of this year. The Prison Service will engage with public representatives in the area to inform them of proposals in the near future.

Mr Humphrey: I thank the Minister for his answer. I welcome the Minister's further information today, and I welcome the placement of the working-out centre in north Belfast, as I did on the day he made the statement. Will the Minister outline to the House exactly what the programme will be for prisoners in the working-out centre, how it will help them to become better members of society and how, when they leave prison and become members of society, that will play out for the benefit of wider society in Northern Ireland?

Mr Ford: Mr Humphrey raises a fair point about exactly how things will operate. Clearly, as we are developing the plans, it is not possible to give details. What is absolutely clear, however, is that providing prisoners with opportunities for constructive activities, particularly around work, whether it be voluntary work or in a direct workplace, is the kind of way in which we will help to prevent reoffending. There is absolutely no doubt that a prisoner who leaves prison with something secure and practical to do, some kind of human relationships and somewhere to live will not reoffend in the way that so many others will. That will be the key element of what the working-out unit will aim to do.

A number of organisations already provide working-out opportunities in different ways, principally in the voluntary and community sector. Subject to risk assessment — clearly, people will be risk-assessed before they ever go to the working-out unit — there will also be the opportunity for people to apply for jobs through the open job market. Prison Service and probation service staff will be available to assist prisoners going through that process. It will be very similar to what already happens at the Foyleview resettlement unit at Magilligan prison. Obviously, on the Crumlin Road, it would give people the opportunity to have much greater access to a range of jobs than is currently the case.

Mr A Maginness: Mr Deputy Speaker, I apologise for my non-appearance for question 2 in the previous session.

Given the importance of the working-out unit, will the Minister explain what alternative methods were used to deal with prisoners while it was closed?

Mr Ford: Mr Maginness highlights the key point that, in fact, it was difficult to provide facilities on the same basis. Even for those nearing the end of their sentence at Maghaberry, it was difficult to provide opportunities to go out and engage in any kind of constructive activity. Although we have developed the work done in the learning and skills centre in Maghaberry, it is, clearly, not in the same league as that which is done with someone who has been risk-assessed as suitable to live in the working-out unit and engage with the wider community. I hope that the unit will be a significant step forward in enabling a number of prisoners to benefit from that.

Ms McCorley: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a chuid freagraí go dtí seo. Is the Minister content that the correct procedures and protocols are in place to ensure that the issues that led to the unit being closed will not reoccur?

Mr Ford: I assure Ms McCorley that significant work has been done by the Prison Service to ensure that the problems that arose previously will not recur and that the staffing ratios, arrangements and protocols under which prisoners will live have been addressed properly to ensure that they are there to benefit from the new arrangements and not to exploit them.

Mr Deputy Speaker: Question 7 has been withdrawn.

Illegal Drugs: North Down

8. **Mr Dunne** asked the Minister of Justice what plans his Department has to control the use of illegal drugs including cannabis within North Down. (AQO 3901/11-15)

Mr Ford: The Misuse of Drugs Act 1971 is reserved legislation, and, therefore, the Home Secretary is responsible for any amendments. Under that legislation, changes can be taken forward only following advice from the Advisory Council on the Misuse of Drugs. If there were any future amendments to the supporting

regulations, the Department of Health, Social Services and Public Safety would take the lead. Although that Department would lead on the delivery of the New Strategic Direction for Alcohol and Drugs 2011-16, the Department of Justice and its agencies are also key stakeholders. The application of the law is an operational matter for the Chief Constable and his district commanders. Statistics indicate a consistent level of illicit drug seizures over the past two years in north Down.

Mr Dunne: I thank the Minister for his answer. Following on from that information, does the Minister recognise that cannabis is very much a starter drug and, therefore, poses a risk to young people of getting involved in and taking harder drugs?

Mr Ford: I fear that, if I answered that question directly, I would stray into the role of the Minister of Health. Clearly, it is the case that, although not huge, there is, nonetheless, a significant problem with a number of drugs in Northern Ireland. Action is being taken through education and enforcement to seek to deal with that problem.

3.30 pm

Prisoners: Non-payment of Fines

9. **Mr McDevitt** asked the Minister of Justice for his assessment of the impact on the Prison Service, PSNI and Courts and Tribunals Service of the recent judicial review decision that the automatic imprisonment of people for non-payment of fines was unlawful. (AQO 3902/11-15)

Mr Ford: On 22 March 2013, the divisional court found that the long-established practice for dealing with the non-payment of fines and other monetary penalties failed to comply fully with the legislative provisions. In particular, the court held that there should be a further court hearing at which a defendant can attend and make representations before a decision is made on how any outstanding fine should be enforced.

There are more than 36,000 warrants outstanding, with a value of £7.5 million, for 20,000 defendants. Although the validity of the fines themselves is not in question, it is clear from the judgement that no further enforcement action can be taken on those fines until the defects in the process have been remedied.

The Magistrates' Court rules committee is considering how to give effect to the

recommended procedures set out in the judgement. Once rules are in place, my officials in the Northern Ireland Courts and Tribunals Service will work with the judiciary to ensure that all outstanding fines are brought back before the court for review. It is clear that that will be a resource-intensive and time-consuming exercise.

Where, following a hearing, the court issues a warrant of commitment, enforcement will remain the PSNI's responsibility. However, Members will be aware that I recently consulted on a range of measures to reform the way in which fines are collected and enforced, and I am working to establish a new civilian fine enforcement service in this Assembly mandate. The new service will have an enhanced range of powers to collect and enforce fines and other monetary penalties.

Following the judgement, further instructions are being provided to the Prison Service to recalculate the release dates for any current prisoners whose sentences include a period of time for a fine default. At present, defendants are not being arrested for fine warrant default.

Mr Deputy Speaker: I am afraid that there is not time for a supplementary question.

Mr Rogers: On a point of order, Mr Deputy Speaker. I apologise to you, the Minister and the House for my non-appearance for question 1.

Mr Deputy Speaker: Your apology will be passed to the Speaker.

Private Members' Business

Constitutional Convention and Marriage Equality

Debate resumed on amendment to motion:

That this Assembly recognises the importance of the constitutional convention; notes the participation of parties from the Assembly; welcomes the 79% majority vote at the constitutional convention in favour of marriage equality; and calls on the Executive to bring forward the necessary legislation to allow for same-sex marriage. — [Ms McGahan.]

Which amendment was:

Leave out all after "equality;" and insert

"states its support for the extension of civil marriage provisions in Northern Ireland to same-sex couples, provided that robust legislative measures permit faith groups to define, articulate and practise religious marriage as they determine; and calls for respectful dialogue on this issue between all members of society." — [Mr Ford.]

Mr Lyttle: I welcome the opportunity to consider this important issue and to speak in support of the Alliance amendment.

The amendment reflects the Alliance Party's support for the extension of civil marriage to same-sex couples, provided that legislative protection upholds the religious freedom of faith groups to define and practise marriage as they determine. I am willing to rely on the abilities of people with more intellectual rigour than a Finance Minister who refuses to believe that global warming could be man-made to explore the viability of such a law. The amendment also reflects the Alliance Party's longstanding commitment to build a shared society for everyone that is based on religious and civil liberty and equality for all citizens, regardless of age, gender, disability, race, ethnicity or sexual orientation.

I thank the Members who will support our amendment. Indeed, I am baffled that Danny Kinahan will vote against it, given that, in many respects, he made a positive contribution today. This position also reflects the Alliance Party's commitment to stand against discrimination or stigmatisation of any kind.

Mr B McCrea: I am genuinely grateful to the Member for giving way. That is not a platitude,

because were it not for his generosity, neither I nor Mr McCallister would have had a chance to speak on this issue. We speak as unionists, and we will vote for the amendment and the motion. I really would have liked the opportunity to confront those in the House who have homophobic tendencies and to challenge them over whether they consider these law-abiding citizens of our country —

Mr Deputy Speaker: Order, please.

Mr B McCrea: — to be individuals who deserve to be recognised.

Mr Deputy Speaker: The Member knows fine well that an intervention should be short and to the point.

Mr Lyttle: Thank you, Mr Deputy Speaker. I have carefully considered a wide range of sincerely and strongly held views on the issue. People oppose the proposal, because they believe that equality is afforded to same-sex couples via civil partnerships. Others oppose it because they believe that it contravenes their Christian faith. However, other people support it because of their Christian faith or because they believe that it is the state's duty to treat all citizens equally.

Mr Beggs: Will the Member give way?

Mr Lyttle: I want to make some progress. I might let you in later.

I believe that the principles of freedom of religion, freedom from religion and equality for all citizens that democracy affords us provides us with the best framework in which to build the most safe, fair, shared and prosperous society possible under government by the people.

As a Christian, I cherish the freedom of religion that I have in a democracy to communicate and practise my faith and belief that marriage is the voluntary lifelong union of one man and one woman to the exclusion of all others under God. I give my assurances that I am in no way embarrassed or ashamed to say that that is who I am. I therefore believe that the religious freedom of people and groups of faith to define and observe their understanding of marriage should be upheld absolutely.

However, I also take very seriously my responsibility as a democratically elected representative to uphold not only the democratic principle of freedom of religion but freedom from religion and equality before the law for all citizens. Those principles exist for

some very good historical reasons, not least to protect society against the abuse of religion and majoritarian rule.

How, then, should those principles apply to the law on marriage in Northern Ireland? I must admit that, despite being happily married for five years — hopefully, my wife agrees with that view — I had never closely examined the legislation relating to marriage in Northern Ireland. Despite the strongly held views on the issue, I wonder how many other people have yet to closely examine the law as well.

On examining the law on marriage in Northern Ireland, which is the Marriage (Northern Ireland) Order 2003, I discovered that a distinction is made between religious marriage and civil marriage. Indeed, an explicit requirement of civil marriage is that it is conducted in a secular manner, with no religious or spiritual basis. The proposal is that civil or secular marriage be extended to all citizens, regardless of sexual orientation; not the redefinition of religious marriage.

Mr Allister: Will the Member give way?

Mr Lyttle: I want to make progress.

I find it reasonable that a person of same-sex orientation, which is a legal sexual orientation in Northern Ireland, expects, under the principles of democracy, to have equal access to state-provided civil marriage. I also believe that, if the ability of people in groups of faith to define and observe religious marriage as they determine is upheld, aspects of the marriage that they hold dear will survive and thrive. I am acutely aware of the need for respectful, accurate and fair dialogue about this issue. I hope that my contribution today has reflected that aim.

The Alliance Party is wholly committed to delivering a shared society for everyone in Northern Ireland. I support the amendment.

Ms Ruane: Go raibh maith agat, a LeasCheann Comhairle. Sinn Féin supports the Alliance amendment. Molann Sinn Féin an ceart um comhionannas sóisialta, gnéis agus cultúrtha. Sinn Féin advocates the right to social, economic, gender and cultural equality. That encompasses equality for all, irrespective of race, age, marital or family status, sexual orientation, physical or mental capacities, ethnicity, social origin, political or religious affiliations, or membership of the Travelling community.

Creating the conditions for establishing an equal society means recognising that many diverse groups and sections of Irish society need enhanced protection. We must tackle the trend of blaming a person or group for their exclusion from society. Republicans are only too well aware of what it means to be treated as second-class citizens. Our policies are the result of decades of resistance to marginalisation and discrimination.

There appears to be confusion among some Members as to how Sinn Féin arrives at policy. We have full discussion. We then go to our ard fheis, which happened two and a half weeks ago. At that ard fheis, in the glare of the media, we have discussion and debate. People speak for and against, and we arrive at our decisions. We did that. Marriage equality received overwhelming support at our ard fheis two and a half weeks ago in my beautiful hometown of Castlebar.

The constitutional convention was established by resolution of both Houses of the Oireachtas. It is a decision-making forum of 100 people, made up of 66 citizens, 33 parliamentarians and an independent chairperson. It is unfortunate that some Members in the debate tried to denigrate that process. I am a member of the Sinn Féin team. Three weeks ago — the same week as our ard fheis — the topic of equal marriage was discussed.

At noon on the Sunday, 79% of the constitutional convention voted that the constitution should be changed to allow for same-sex marriage. The convention was then asked to vote on the following statement:

"having regard to the changed arrangements in relation to marriage, the State shall enact laws incorporating changed arrangements in regard to the parentage, guardianship and the upbringing of children".

The vote for that was 81% in favour.

Sinn Féin had a full team there that weekend, even though our ard fheis was on. Members of our team left Castlebar in the early hours of the morning to ensure that our votes in favour of change were counted. Despite the fact that his party conference was on, Steven Agnew was there because he also believes in equality. The SDLP was not there for that topic. Its representative, Alban Maginness, was there every other weekend, so you can read into that what you like. In the past, the SDLP has used different excuses for some of its people not voting in Stormont or Westminster. On the

days when the vote was in Westminster, the excuse was that they had pressing business in Stormont, and vice versa when the vote was here.

Mr McDevitt: Will the Member give way?

Ms Ruane: No; I will not. *[Interruption.]* No. You have had plenty of opportunities. It was unfortunate for the SDLP that the convention was on a Sunday — *[Interruption.]*

Mr Deputy Speaker: Order.

Ms Ruane: — in Dublin. It will have to think up —

Mr Deputy Speaker: The Member should resume her seat. I must remind Members that, while other Members are speaking, they must be given the Floor.

Ms Ruane: It is unfortunate for the SDLP that the constitutional convention was on a Sunday in Dublin. It will have to think up another excuse. While it is at it, it should stop double-jobbing.

Mr McDevitt: Will the Member give way?

Ms Ruane: You had your opportunity. Attitudes in Ireland are changing, because people do not want citizens discriminated against and because our lesbian, gay, bisexual and transgender communities have said, "Enough is enough." They are standing up for themselves and their communities. They understand that, if they do not, the hateful words of the "never, never, never" brigade will continue to fan the flames of homophobic behaviour. They understand that, if they do not stand up and become visible, more young people will die by suicide, because if they do not hear a counter voice to the vitriolic gay-bashing, they will internalise it and their self-esteem will be affected. Maith sibh GLYNI, GLEN, the Rainbow Project, Cara-Friend, ICCL and Marriage Equality.

During the debate, Sinn Féin has been accused of lots of things. We have been accused of grandstanding and wasting the Assembly's time. It is not a waste of time to talk about rights. It is not a waste of time to talk about protecting our children. If we were having a debate on suicide, we would all be up. You have to look at the root causes of suicide and the high percentage of people in the gay and lesbian community who take their own lives because of the way that our society treats them.

We have also been accused of raising expectations. Wow. Yes; we are raising expectations. We are raising the expectation that they, like all of us, are entitled to equality, equality, equality. Fundamentally, that is what this is about. It is unfortunate that our Minister of Justice thinks that we are wasting time. I am on the Policing Board and I have seen the figures for homophobic attacks.

We have been told that Sinn Féin is doing this for votes and that, if we do it, we will lose votes. Which is it? We are doing this because it is the right thing to do. I want to pay tribute to those wonderful, brave people who have come out. They are the modern equivalent of the suffragettes and they will not be silenced. Their families, friends and the political parties that support change will also not be silenced. There is no room for sitting on the fence on this issue. All our children are affected and it is about fighting for all our children's rights.

I welcome John McCallister's and Basil McCrea's votes for the motion today, and I want to put that on record. The UUP is all over the place. Mike Nesbitt needs to show leadership. A free vote is not leadership; it is ducking the issue. Parties are supposed to have policies; tell us what the UUP policy is. There is nothing more insulting to people whose rights are being denied than to see the wringing of hands and to hear the hollow words:

"I, as leader, have to respect consciences."

Religious groups are free to define and practice marriages as they wish, but the state has a duty to treat all citizens equally. The DUP has a little-known slogan: "Save Ulster from Sodomy." Do you remember that campaign? It was begun by Rev Ian Paisley to prevent the decriminalisation of homosexuality. Ultimately, and thankfully, that campaign was unsuccessful. Then we had the "never, never, never" to civil partnerships. Now we have the Civil Partnership Act 2004, so that was another unsuccessful campaign. Now, their latest is "never, never, never" to equal marriage. Well, watch this space. *[Interruption.]* The DUP Members might block it today, but they know that they are standing in the ocean trying to hold back —

3.45 pm

Mr Deputy Speaker: Order, please. I ask the Member to resume her seat. Moderation and good temper are required at all times in the House, as the Speaker has repeatedly reminded Members. The Member is concluding

her remarks, and she should have the opportunity to do that.

Ms Ruane: Go raibh maith agat. Today I heard an interview with Peter Weir, and he could not answer the question on whether he supports civil partnerships. He could not answer it, and he was asked it five or six times. What is happening now is that the DUP is twisting and turning on a hook on that issue. It has moved away, thankfully, from the language of sodomy, perversion and deviance to the new language. They now talk about protecting the traditional institution of marriage between a man and a woman and protecting society. That is the same argument used by the apartheid regime when its laws banned black and white people from getting married.

The DUP now attempts to claim the space of defending children's rights, but do you know what, it fails to define which children it is talking about. Is it the children of gay parents who are currently discriminated against? Is it the children who will define themselves in later years as gay? If there are five children in a family, four are straight and one is gay, which rights do they protect? Which children's rights are they protecting here? What about the young people now who are in torment because they are internalising a mistaken message that there is something wrong with them, and who are full of self-hate? What about those poor children and young people? The DUP argument is also insulting to single parents. I have no doubt that, if we were arguing 100 years ago about votes for women, we would hear the exact same claptrap about that.

The DUP might block the motion today, but equal marriage is coming. Sinn Féin is proud to stand shoulder to shoulder with the LGBT community. We will play our part in ensuring that change happens, because Sinn Féin is a party of equality.

Mr Deputy Speaker: Before we proceed to the question on the amendment, I remind Members that it requires only a simple majority.

Question put, That the amendment be made.

The Assembly divided:

Ayes 46; Noes 51.

AYES

Mr Agnew, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Copeland, Mr Dickson, Mr Durkan, Mr Eastwood, Dr Farry,

Ms Fearon, Mr Flanagan, Mr Ford, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Ms Lo, Mr Lynch, Mr Lyttle, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr B McCreagh, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms S Ramsey, Ms Ruane, Mr Sheehan.

Tellers for the Ayes: Mr Dickson and Mr Lyttle

NOES

Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Campbell, Mr Clarke, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr Lunn, Mr McCausland, Mr I McCreagh, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Noes: Mr Clarke and Mr McQuillan.

The following Members voted in both Lobbies and are therefore not counted in the result: Mrs Cochrane, Mr McCarthy

Question accordingly negatived.

Main Question put.

The Assembly divided:

Ayes 42; Noes 53.

AYES

NATIONALIST:

Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Ms Ní Chuilín,

Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms S Ramsey, Ms Ruane, Mr Sheehan.

UNIONIST:

Mr Copeland, Mr McCallister, Mr B McCrea.

OTHER:

Mr Agnew, Ms Lo.

Tellers for the Ayes: Ms McGahan and Ms Ruane.

NOES

UNIONIST:

Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Campbell, Mr Clarke, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCausland, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

OTHER:

Mrs Cochrane, Mr Lunn, Mr McCarthy.

Tellers for the Noes: Mr Clarke and Mr McQuillan.

Total Votes 95 Total Ayes 42 [44.2%]

Nationalist Votes 37 Nationalist Ayes 37 [100.0%]

Unionist Votes 53 Unionist Ayes 3 [5.7%]

Other Votes 5 Other Ayes 2 [40.0%]

The following Members voted in both Lobbies and are therefore not counted in the result: Mr Dickson, Mr Ford, Mr Lyttle.

Main Question accordingly negatived (cross-community vote).

Adjourned at 4.14 pm.



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