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The Editor of Debates, Room 248, Parliament Buildings, Belfast BT4 3XX.
Tel: 028 9052 1135 · e-mail: simon.burrowes@niassembly.gov.uk

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Northern Ireland Assembly

Tuesday 23 October 2012

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

Members observed two minutes' silence.

Ministerial Statements

Youth Justice Review

Mr Ford (The Minister of Justice): With permission, I wish to make a statement on the implementation of the youth justice review.

I will begin by briefly reminding the House of the process that has brought us to this important stage. In furtherance of the Hillsborough Castle Agreement, I appointed an independent team of experts to review our youth justice system and to report its findings to me. I want to pay tribute again to the way that the review team approached its task, which culminated in a report that was balanced, thoughtful and, judging by the public consultation response, well received.

I also want to thank all the individuals and organisations that have contributed to the review through dialogue or by submission. I am pleased to note that our open, transparent and inclusive approach to the process has encouraged a very positive level of engagement. I also acknowledge the important role that the Justice Committee played in helping to shape the review with perceptive advice and guidance from the outset of the process. I was also pleased with the hearing that I received from the Committee when I outlined for it at the end of June how I was minded to proceed. I gave a commitment then to publish in the autumn an implementation plan setting out how the review recommendations would be taken forward. That is the purpose of my announcement today.

The report provides a blueprint for the effective transformation of our youth justice system. That is my considered view, and it is the overwhelming view of those who responded to the public consultation. It is, therefore, my intention to see it substantially implemented over the next 18 months in line with the commitment that I have already made in the Programme for Government. I am, today, publishing an implementation plan to give effect

to that commitment and to demonstrate publicly that I intend to see this agenda through. The implementation plan sets out actions and timescales against each of the review's recommendations and indicates whether the recommendation is a matter that is under my direct control or whether I need to work with others where cross-cutting issues are involved. That latter group involves wider social policy issues that are often complex and likely to require sustained and co-ordinated action over a prolonged period.

My Department is pressing ahead with matters that lie within my ambit. For example, I have already announced that the Woodlands Juvenile Justice Centre (JJC) will be the sole justice location for the detention of juveniles by 1 November 2012. I am pleased to report that, today, there are no juveniles held at Hydebank Wood Young Offenders Centre (YOC) and that that will continue other than in the most exceptional circumstances. That contrasts with the situation that I inherited on devolution, when there were 16 under-18s held there. I want to be clear that, in using the term "exceptional circumstances", it will be rare indeed for anyone under 18 to be housed in the YOC and, if that is ever to be needed, the JJC regime would apply to their care and support.

We continue to tackle the delay in the system highlighted by the review team and others, and we are taking forward a wide range of initiatives, with improved timeliness in youth cases a particular priority. I have also announced my intention to introduce statutory time limits within the mandate of this Assembly, beginning with the youth courts.

The Criminal Justice Board has approved plans to pilot a new approach aimed at providing better support and information to young people in the criminal justice system, as well as reducing the time taken for cases to be dealt with. This youth engagement pilot was launched on 1 October. It will promote early engagement between children who have offended and youth specialists from the police and the Youth Justice Agency to facilitate better

communication and decision-making and encourage a greater uptake of diversionary disposals.

The police, the Public Prosecution Service and the Youth Justice Agency are also taking forward the recommendations directed specifically towards them. The PSNI has developed a model of training that provides officers with the necessary skills base to develop positive interaction with children. That training is being piloted in conjunction with the PSNI's human rights training adviser and policing with the community branch, with the intention of full roll-out over the coming months. The Youth Justice Agency has embraced the recommendations aimed at enhancing the success of youth conferencing. They include maximising the opportunities for direct victim attendance; examining issues of proportionality; reducing the time taken for conferences; and establishing parameters for cases in which youth conferencing may not be the best option. Similarly, following consultation with the National Society for the Prevention of Cruelty to Children (NSPCC), Victim Support and others, the Public Prosecution Service has revisited all its correspondence with children and their parents or guardians to simplify its content to make it more easily understood. All that activity is reflected in the implementation plan, along with the plans for delivering on the rest of the review's recommendations.

The review team made a number of significant recommendations on joining up our overall approach to children at ministerial and strategic levels, particularly in relation to early intervention. That is why I am progressing this aspect of the review agenda through the Delivering Social Change framework, which now incorporates the ministerial subcommittee on children and young people. It provides the necessary overarching approach across all the key social policy areas that affect the lives of children.

Poor outcomes for children do not always manifest themselves in offending. However, there is strong evidence that early poor experiences in the home, at school or through unmet need and social exclusion can lead them in that direction. There is a heavy responsibility on all of us to do all we can to prevent that. I, therefore, welcome the recent announcement by the First Minister and deputy First Minister of a substantial investment of £26 million over two years in early intervention. It fits with the direction that I and others have been advocating of taking a more joined-up cross-government approach to some really challenging social policy issues. My

Department and the justice system generally will play their part in the development of schemes and programmes in areas where we can make a meaningful contribution.

No statement on the review of youth justice would be complete without mention being made of the one really contentious recommendation in the review: raising the minimum age of criminal responsibility to 12. Personally, I agree with the overwhelming majority of those who responded to the public consultation that a child of 10 is just too young to be dealt with by the weight of a criminal justice system. Medical research on brain development around understanding consequences and social policy research on the negative impact of criminalising young children tells us that we should seek non-criminal justice interventions for the very small number of children in that age group who offend. I recognise, though, that an important minority in the House is not yet persuaded by that argument. I am, however, committed to pressing the case for an increase and intend to continue the dialogue to establish what scope there is for progress, perhaps with safeguards to allow for the extremely rare case of a very serious offence by a child under the age of 12 to be addressed. This arrangement has operated without difficulty in the Republic of Ireland for the past six years.

An implementation team, reporting to a cross-agency programme board, will co-ordinate the overall delivery of the planned work. The team will report regularly on progress to me and to the Criminal Justice Board. I have also undertaken to keep the Justice Committee informed on the same basis.

The matter of independent oversight has been raised with me. In this connection, I am pleased to advise that the acting chief inspector has agreed that Criminal Justice Inspection Northern Ireland (CJINI) will undertake and publish an assessment of progress at key stages to provide the necessary independent and objective assurance that we are sticking to the task.

Of course, transforming the youth justice system is not the only task we are engaged in. Since becoming Minister of Justice, I have gone through a systematic process of reviewing key elements that constitute the criminal justice system to ensure that they are fit for purpose. Members will have seen the resulting reports. We are now moving forward on delivery. Work is progressing apace on implementing the access to justice review and the review of the prison system. We are developing an overarching strategic framework for reducing

offending; we have published a community safety strategy underpinned by funding; and we are consolidating the police and community safety partnership network to facilitate engagement and accountability at local level. We are tackling head-on important issues around child prostitution and exploitation, domestic and sexual violence, hate crime and the interests of victims. Work is progressing on the criminal justice Bill, the faster, fairer justice Bill and the mental capacity Bill.

These issues relate to the work on youth justice. They are only some of the highlights in an unprecedented modernisation programme aimed at making our community safer and more secure than ever. This constitutes a far-reaching reform programme that demonstrates the difference that devolution is making. Central to that programme is the input that political representatives, NGOs and the wider community provide to the work of my Department. I am delighted to say that today marks another milestone in that journey and demonstrates our commitment to having an effective and efficient youth justice system in Northern Ireland.

Mr Givan (The Chairperson of the Committee for Justice): As a Committee, we will continue to engage on these important issues. In respect of a number of points that the Minister highlighted, I welcome first the fact that he recognises that increasing the minimum age from 10 to 12 is not going to happen. That will allow us to move on and focus on important issues, now that we have dealt with that. It will be for the judiciary to decide whether someone in that age bracket has committed an offence, and we should not frustrate it in its efforts to protect society. Secondly, the Minister announced today that nobody currently under the age of 18 is in Hydebank. That is something that, operationally, the Prison Service can do, and the Minister should explain why he wants to put that in legislation, when, clearly, it is not necessary to do so. It is important that we do not use legislation to make political statements when, clearly, there is no need to do so.

Finally, the whole House will wholeheartedly welcome the Minister's remarks on early intervention. It recognises the need — before people even engage in antisocial behaviour or ever have contact with the criminal justice system — for us to do more to identify areas at risk and families at risk, in conjunction with health, education and the justice system, and engage in serious programmes of early intervention. Will the Minister outline the resources in his Department that he intends to

allocate to early intervention to support schemes that will come forward?

Mr Ford: I thank the Chair for his comments. I am not sure that the statement recognised that the minimum age of criminal responsibility was not going to be raised. I indicated a willingness to engage on possible ways in which the matter might be addressed and highlighted the issue where the most serious offences are exempt from that change in the Republic of Ireland, a lesson that was in line with what was being suggested to me by some unionist Members.

I welcome the extremely good work of the Prison Service and the Youth Justice Agency to, effectively, case conference the under-18s away from the juvenile wing, as it was, in Hydebank Wood. However, when the Chair says that legislation should not be used to make a political statement, I think that, a lot of the time when we make legislation, it is as much as anything about a political statement — a statement of intent of the correct direction of travel that underpins the good work that is being done. I believe that there is a case for legislation on the issue.

The Member correctly highlights the fact that a lot of early intervention responsibility lies with the Departments of Health and Education. That is largely around what you might term "early years intervention". My Department is more concerned with what might be described as "early stage intervention", diverting those at risk of becoming involved in the criminal justice system at an early stage of what would otherwise be a potentially criminal career. There are limits to what the Justice Department should be doing with respect to early years. It is not appropriate that we should be involved at that stage. However, where the issues of early intervention are around the early stage intervention, the Department will certainly commit resources. For example, we have just agreed to contribute to the project in west Belfast and the Shankill. It is very much not Justice-led, but I see a role for Justice as a minor partner alongside the significant work being done by Health and Education. So the issue for me is ensuring that we get that partnership approach and joined-up working between Departments.

10.45 am

Mr McCartney: Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas ar maidin. I thank the Minister for his statement. I am sure the Minister will welcome the fact that Derry was announced this morning

as the fourth most likely city that people will want to visit in the whole world in 2013.

Turning to the youth justice review, I welcome the fact that there will be independent oversight and the inspectorate will carry that out. Can the Minister outline how frequent that will be and confirm that it will not replace the need for ongoing and continuing monitoring and scrutiny?

Mr Ford: I thank the vice Chair for his comments. I suppose the only response I should make, if he is playing the constituency card, is that, as long as people come from around the world to visit Derry via Belfast International Airport situated in South Antrim, that is all right by me.

On the more serious issue of oversight, there is a specific role for CJINI, which has agreed to provide formal reports in March of next year and March 2014. There will also be regular quarterly updates outside the formal recording mechanism by CJINI. Obviously, the Committee and others may well be interested in the work that is being done that relates to the wider work of the justice system and to the role of other Departments. I have no doubt that, through the Delivering Social Change network as well as through the more specific departmental structures, where CJINI will play the lead, there will be a degree of checking up on what the Department is doing.

Mr Elliott: I thank the Minister for the statement. He noted early poor experiences at home and at school and unmet needs and social exclusion for young people. He indicated that there was a wider responsibility on all of us. I agree with that, but what are the Minister and his ministerial colleagues doing collectively to resolve that matter or to improve it?

Mr Ford: I thank Mr Elliott for that question. As I made clear, I believe that the specific issues around the early age interventions are, in very few cases, likely to be for my Department primarily, given that the criminal justice system should not be involved with very young ones. The important issue, as I see it, is that we should see joined-up working through the Delivering Social Change work being done by the Executive. We have a structural problem in that our Departments are set up almost as Whitehall images operating in silos. In my time as Minister, certainly, I believe that we have seen an increasing willingness at ministerial and official level to work across those silos to ensure that we get joined-up government, which means that our work is done more

effectively and more efficiently. That is a particular necessity at times of financial stringency.

Mr A Maginness: I welcome the Minister's statement this morning. I congratulate the Minister on his good work on the review of youth justice. Indeed, I do not think I could have done it any better myself. *[Laughter.]* The Minister deserves great support and praise for the work he has done.

Time limits and statutory time limits are very important. Justice delayed is justice denied, particularly in the youth justice system. When does the Minister believe that statutory time limits will be introduced in this important area?

Mr Ford: I thank Mr Maginness for his comments. If he had had the same team as I had, he would probably have been able to do as good a job as I did. That praise from a lawyer, knowing the ability of barristers to have 20/20 vision in hindsight, is to be welcomed by me.

I have indicated that we intend to have statutory time limits for youth cases during the lifetime of this Assembly mandate. It is only part of the work that is being done to speed things up, including the work being done around youth engagement, which has already started this month, as I highlighted. We are seeking to build on the provisions of the Criminal Justice (Northern Ireland) Order 2003, where there is already legislative provision around statutory time limits. It is perhaps not the best legislation around, but it is already in existence. No doubt Mr Maginness is as well acquainted with the precise provisions of the 2003 order as other Members of the House and will, therefore, be able to follow it in Committee.

Mr Dickson: I congratulate the Minister on his statement and on the excellent work that the Department has done on these matters. *[Interruption.]* I am trying to do it in an understated way. *[Laughter.]* I refer the Minister to the issue of the juvenile justice centre. Can he assure the House that arrangements will be in place to care for and manage those who might previously have been sent to Hydebank?

Mr Ford: My colleagues normally get accused of being effusive in their congratulations, although, on this occasion, Stewart has been unable to compete with Alban.

The necessary support for Woodlands Juvenile Justice Centre is a key issue in ensuring that Woodlands is able to manage the small number

of very difficult young people whom it has to deal with. This morning, I understand that there are 25 young people in custody in Woodlands. I think back a generation ago to my early days in social work, when there would have been in the region of 400 young people in custody in Northern Ireland. That shows the extremely good work being done by social services, the Youth Justice Agency and others in working with those young people in the community and keeping them out of custody. However, I am certainly committed to ensuring that we get the necessary resources to ensure that the work can be done at Woodlands. That involves a lot of intensive staff work, excellent training, significant measures of support and ensuring that Woodlands is not overfull and is, therefore, able to deal with particularly difficult young people. We have seen excellent work done by the team in Woodlands, which, I am convinced, will be able to continue.

Mr Humphrey: I thank the Minister for his statement. He mentioned integrated services in west Belfast and greater Shankill, and that is a project that, I believe, should be rolled out across the city. I agree with the Minister's assertion that early intervention is the key not just in youth justice but across government. The Minister mentioned the youth engagement pilot. How exactly will that work?

Mr Ford: I thank Mr Humphrey for his positive remarks about the operation of a variety of cross-departmental working on early interventions. The youth engagement clinics, which have been operational since 1 October, are designed to ensure that young people who would be likely to accept a diversionary option are given the opportunity to agree that at an early stage, which would therefore remove them from the formal system at an early point. At the moment, the pilot is examining the best ways in which that works. Obviously, you will appreciate that, just three weeks in, there have not been many young people for whom that has been relevant. However, it is a way of bringing together those who would otherwise be involved in a prosecution — representatives of the Youth Justice Agency, along with the child and their representatives — to see what the best options are; to see whether a diversionary option is available and suitable; to ensure that, if that is the case, young people are given the incentive to recognise that at an early stage, so that the diversion can happen at a time when the young person is still aware of what they have been doing; and to ensure that we do not clog up the justice system by potentially waiting for a court hearing, which could well result in a diversionary option some months down the line. It is all about making it a speedier system,

avoiding the blockages in the formal system and ensuring that the best treatment for the young offender happens at the earliest possible stage.

Mr Lynch: Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas inniu. I thank the Minister for his statement. Can he expand on the concept of the ministerial subcommittee on children and young people and tell us who is involved and how often it will meet? Are all other Departments committed to the plan?

Mr Ford: I thank Mr Lynch for his positive comments. In fact, the ministerial subcommittee has now been subsumed into the Delivering Social Change framework, which is an OFMDFM-led initiative. That initiative attempts to ensure that all relevant Departments work together on the aspects that are, as it says, about delivering social change and involving the needs of children and young people, particularly in this context. I cannot give Mr Lynch the precise detail of who is involved, because it is not my initiative. However, I can say that the Department of Justice is involved and is committed to being a full partner in it.

Mr McGlone: Go raibh maith agat, a Cheann Comhairle. Like my colleague, I compliment the Minister on his announcement. With regard to the overall independent oversight and effective monitoring of the implementation plan's delivery, can the Minister clarify that the cross-departmental aspects of the plan will also be overseen and taken into account?

Mr Ford: I thank Mr McGlone. I am glad that he is slightly more modest than his colleague anyway.

Oversight is an issue at different levels. Clearly, CJINI has an oversight role in anything that relates to the criminal justice system or to the Department of Justice's responsibilities. Wider oversight on cross-cutting issues would be for whatever arrangements are set up. The Executive will have a wider role to ensure delivery through the Delivering Social Change programme. Whether that means that the OFMDFM Committee will take the lead at Assembly level, I am not sure. Certainly, in areas where my Department has responsibility, I can commit to saying that it will answer to the Committee on anything that it wishes to ask. We will make public the formal reports that CJINI publishes on the work that we are doing.

Ms McCorley: Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom mo bhuíochas a ghabháil leis an Aire as ucht a ráitis ar maidin. I thank the Minister for his statement. In the context of my experience as a former member of the DPP and the DPCSP in west Belfast, my question relates to preventing young people from coming to the attention of the youth justice system. When doing that work, I was involved in consulting young people on their experiences of the police. They reported that they felt that the police had very negative preconceived ideas about them. Could the Minister be convinced that elements of the recommendations would help to change that mindset, which may exist among some PSNI members?

Mr Ford: I am not sure that the youth justice review goes into that level of detail on the relationship with the Police Service. Clearly, there are issues to ensure that the Police Service operates to the highest professional standards in every part of Northern Ireland. It is undoubtedly the case that dealing with teenagers where there are suspicions of antisocial behaviour can be one of the biggest problems. I certainly hope that the review's lessons, as they are applied by all the agencies, would be applied at every level of those agencies, including those who have the most difficult job of dealing with problems as they arise on the streets.

Mr Beggs: I welcome the reduced number of young people who are being detained at Woodlands Juvenile Justice Centre, as well as the success of the early intervention programmes that the Minister referred to in his statement. Can the Minister advise whether the documented success of schemes such as that run by Action for Children will encourage him to put more funds into that intervention stage, meaning that work will be done with young people and their families where there is a risk of offending?

Mr Ford: I thank Mr Beggs for the general tenor of his question. At this stage, in difficult financial circumstances, I cannot give specific financial commitments. I can say that, over the past few weeks, I have seen three different youth engagement projects working. They were led by three different organisations in three slightly different ways. All of them demonstrate value for money and help to turn round the lives of young people who might otherwise get into trouble. I am keen to see that we learn lessons from them and apply those lessons as widely as possible.

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

11.00 am

Mr Lyttle: I welcome the Minister's statement and the publication of an implementation plan for youth justice reform. I also put on record my recognition for the PSNI Victoria youth independent advisory group in east Belfast, which does a lot of excellent work with young people on this issue. How does the criminal age of responsibility in Northern Ireland compare with that in other European countries, and what further work is needed on that issue?

Mr Ford: I thank my colleague for his complimentary remarks about a lot of the good work that is being done around youth engagement. The issue of the minimum age of criminal responsibility in Europe is slightly wider than the brief I have with me, but, at 10 years old, the minimum age of criminal responsibility in Northern Ireland is very much at the lower end by European standards. I believe that in Scotland it is 12, with consideration being given to increasing it. It is 10 in England and Wales. It was increased six years ago, except for the most serious offences, in the Republic. The important thing is to ensure that we get a minimum age of responsibility that is consistent with what we understand about the developmental psychology of young children in a way that is meaningful. We can ensure that we discuss that sort of evidence and try to take a rational decision rather than one swayed by prejudice or, indeed, by the very rare event that occurs in other jurisdictions and with which there has been nothing comparable, as far as my officials can trace, in Northern Ireland ever.

Ms McGahan: What is the Minister's strategy for dealing with hate crime? Coming from a rural area — Dungannon — I am getting feedback that hate crime is not being tackled properly on the ground.

Mr Ford: I am not quite sure where hate crime fits into the youth justice review. I will happily meet the Member if she wishes to discuss the initiatives being taken on hate crime in different parts of Northern Ireland. Clearly, it is very worrying. It was particularly worrying to see a national television programme last night that featured a victim of hate crime — a disabled person who, I believe, lived in the Lisburn area, certainly within Northern Ireland. As I referred to in discussions at Question Time last week, I am determined to do what we can to ensure that hate crime is addressed by all the relevant agencies in every part of Northern Ireland.

Mr Allister: The Minister may not be surprised if I do not follow the back-slapping trend of the morning. I suppose I could say I have come to question the Minister, not to praise him. *[Laughter.]* The Minister is a great advocate of the processes and architecture of the House. Being such, why is he so intent on trying to subvert the reality that there is not the requisite support for his foolish notion of increasing the minimum age for criminal responsibility? Why waste time and effort on a proposal that is patently stillborn?

Mr Ford: I am not sure, Deputy Speaker, whether it is in order to accuse a Minister of seeking to subvert the processes of the House. I think the evidence would show my engagement with the House and the Committee is anything but.

Mr Agnew: The Minister, rightly, draws a distinction between early intervention by his Department and early years provision, primarily taken forward by the Department of Health and the Department of Education. He cites an example of good practice, where his Department has supported the work of the Departments of Education and Health in this regard. However, does he not believe that it would be better for this to be a requirement of government, so that we can make good practice common practice?

Mr Ford: I suppose I have slightly longer experience in the ways of the House than Mr Agnew and am not sure whether we can enforce certain provisions on other people. Indeed, in the Justice Act 2011, introduced in 2010, shortly after devolution, it proved not possible to put a requirement around other agencies to co-operate with the work of policing and community safety partnerships — a view that, I think, is now being reconsidered in certain quarters. We will do the work that we can do best in the Department of Justice in co-operation with all other Departments where it improves the outcomes for our people. Whether or not compulsion is required, we will do our best to ensure that co-operation.

North/South Ministerial Council: Education

Mr O'Dowd (The Minister of Education): Go raibh maith agat, a LeasCheann Comhairle. Le do chead ba mhaith liom ráiteas a dhéanamh, in oiriúint do alt 52 den Act TÉ 1998, faoi fhormaid cruinnithe oideachais den Chomhairle Aireachta Thuaidh/Theas. Mr Speaker, with your permission, I wish to make a statement in compliance with section 52 of the NI Act 1998 regarding a meeting of the North/South Ministerial Council in education format. The meeting was held in Armagh on 17 October 2012. I represented the Executive as Minister of Education, along with the Minister for Social Development, Nelson McCausland MLA. The Irish Government were represented by Ciarán Cannon TD. This statement has been agreed with Minister McCausland and is made on behalf of us both. I will summarise the main points from the meeting, ranging across all the agreed areas of education co-operation.

The Council received a detailed presentation on the work being done by the educational underachievement working group (EUWG) in literacy and numeracy. It noted that the EUWG met on 4 September 2012 to review and advance its work programme, including a review of progress on the production of a joint report by the two inspectorates on best practice in literacy and numeracy in post-primary settings and the potential for a similar publication on good practice in supporting those with special educational needs.

As regards youth exchanges, my Department continues to liaise and co-operate with the Department of Children and Youth Affairs on the Causeway youth programme. The programme is an important initiative in the non-formal education sector that allows for youth exchanges and special projects between groups from across Ireland, England, Scotland and Wales.

The Council noted the most recent work that has been undertaken to progress the recommendations contained in the joint inspectorates' evaluation report on the dissolving boundaries programme. Discussions are taking place between my Department and the Department of Education and Skills to progress part 2 of the study on North/South co-operation in the education sector. A progress report will be presented at the next meeting of the NSMC in sectoral format.

We noted the content of the joint report from the two teaching councils on outstanding issues

and obstacles to teacher mobility. We also noted that both Departments of Education had, through the North/South teacher qualifications working group, initiated immediate discussions with both teaching councils on implementing the suggestions for improving teacher mobility included in the report. We noted the ongoing discussions between Marino Institute of Education in Dublin and the University of Ulster regarding the UU's proposal to deliver a preparatory course to enable students to undertake assessments administered by Marino college leading to the scrúdú cáilíochta sa Ghaeilge, which is the Irish language qualification. We noted that the UU hopes to offer the preparatory course in the current academic year and is currently attempting to establish the level of interest among students on its diploma in Irish. The renewed interest shown by St Mary's University College, Belfast in delivering the Irish language requirement was also noted.

On Irish-medium education, we noted the decision to extend the jointly funded collaborative programme for the 2012-13 academic year and the content of the proposed programme, which included educational conferences in both jurisdictions, a blended learning project on language and literacy development and an Irish-medium community of practice in the border areas.

The Council welcomed the ongoing exchanges between the inspectorates from the Departments, and the sharing of the Departments, in June 2012, of the joint inspection report on the Middletown Centre for Autism was also noted.

Progress continues in the development of the joint cross-border planning survey that is to be undertaken shortly by my Department and the Department of Education and Skills. The purpose of the survey is to inform our position on attitudes to cross-border pupil movement and the potential impact on school planning and the schools estates, North and South. Officials from the two Departments have taken forward the practical details. The questionnaire to be used in schools in the North was piloted by my officials during August, with positive results. The findings were shared with colleagues in DES, as they will undertake a similar pilot exercise in the near future. The survey will take the form of an online questionnaire that will be available to parents of pupils attending schools that lie within six miles for primary schools and 12 miles for post-primary schools of the border. Parents of pupils in primary 1 and in year 8 of post-primary education will be asked for their views on cross-border education, as they

represent the most recent cohort to have possibly considered it. Parents of pupils in primary 7 will also be included, as they may be about to consider it. The questionnaire will issue in the North in the final week of October and in the South in November. The results of the survey and the proposals on the way forward will be available for the first North/South Ministerial Council meeting of 2013.

I understand that applied A levels and BTECs are not considered by Irish universities or institutes of technology. They accept GCSEs, A levels and the Cambridge Pre-U, but there may be subject-specific requirements for individual course entry and minimum grades for which those types of qualifications are accepted. I will continue to discuss the matter with Minister Quinn. High-quality, relevant vocational qualifications with clear pathways for progression can be the right choice for pupils who then seek to go to university in the South, and it would be very positive to see greater flexibility in recognising those achievements. That would also support the mobility of students across the island of Ireland.

I understand that the Central Applications Office will allocate points only in respect of A-level qualifications taken in the same academic year. That puts students in the North who choose to take an A-level subject a year early at a disadvantage, as up to 150 CAO points — the maximum available for an A level — will not be counted. There is no reference to it in the CAO handbook, which simply refers to leaving certificate examinations having to be taken in one sitting to attract CAO points. I feel that the system is unfair, and I have asked the Council for the Curriculum, Examinations and Assessment, as the qualifications regulator here, to raise the issue with the CAO. I have also asked my officials to highlight the matter to careers advisers in the Department for Employment and Learning, as it could clearly affect the university choices of students.

In relation to the work on special educational needs and the work to develop the Middletown Centre for Autism, the Council discussed the progress made in developing the necessary budget processes that will enable the expansion to take place as soon as possible. I renew my commitment to the expansion of services at the centre. The quality of the service provision is an excellent example of the benefits that can be promoted through North/South co-operation. I congratulate the centre on its ongoing work, which resulted in a recent joint inspection report describing the service provision at the centre as outstanding.

Mar fhocal scoir, d'aontaigh Airí gur chóir cruinniú de choiste oideachais na Comhairle Aireachta Thuaidh/Theas a reachtáil arís ar 27 Febrúaire 2013. In closing, Ministers agreed that the North/South Ministerial Council in education format should meet again on 27 Febrúaire 2013.

Mr Kinahan (The Deputy Chairperson of the Committee for Education): I thank the Minister for his statement to the House this morning. I note his reference to the second part of a study on North/South co-operation in the education sector, and I look forward to further information on the progress report.

The Minister also referred to a number of problems in the Republic of Ireland, where universities or the CAO have decided that they will not recognise certain Northern Ireland qualifications. Like him, I am disappointed to learn that, in some circumstances, that includes GCE A levels. On behalf of the Committee, I wish to indicate its growing concern in respect of that issue. I welcome the Minister's intervention on behalf of hard-working Northern Ireland students who have achieved good results in their exams and have chosen to study elsewhere.

There is much in the statement to question. As Deputy Chair, I ask the Minister whether he will use his best offices, including, as appropriate, future North/South Ministerial Councils to help maintain the general transferability of Northern Ireland GCSEs and A levels to other jurisdictions, particularly in the UK, or is his concern purely confined to the transfer of students between this jurisdiction and the Republic?

From a party point of view, I would like to ask why we are concentrating on post-primary literacy and numeracy. Why are we putting so many resources into the cross-border initiative? When you look at the distances, it will involve a mass of people. It will, therefore, be a costly exercise, when there is so much in Northern Ireland that needs to be resolved and made better first.

11.15 am

Mr O'Dowd: I thank the Member for the question. I will update the Assembly on the cross-border studies report following the next North/South Ministerial Council meeting, when we will get a report.

As regards exams and Southern universities, the attitude adopted by the body in charge of

universities in the South towards our examinations is disappointing. I am happy with the work of Minister Quinn on this matter; he is doing everything in his power to resolve it, but the body we are dealing with is independent and will take its own counsel and make its own decisions on these matters. As for the transferability of our exams system, the reason I have concentrated on North/South aspects in this statement is that I am reporting back on a meeting of the North/South Ministerial Council. I have made it clear to the House before that I want to ensure that our current exam system and whatever examinations system we end up with after the review will be transferable across these islands. That includes England, Scotland and Wales, as I am perfectly aware that many, many students choose to travel there to further their studies, and I have no intention of hindering that process in any way.

I think I have covered all the points that the Member raised — sorry, he asked about the best use of resources. We are dealing with the border corridor and border communities, and we could end up in a position where the best use of resources would be to share more than we do currently, rather than operating an education system back to back. As regards his question about numeracy and literacy only focusing on post-primary schools, I assure the Member that our attention spans all areas of education. The current work involves post-primary schools, but we are focusing on all areas of education.

Mr Hazzard: Gabhaim buíochas leis an Aire. Can the Minister outline the importance of overcoming mobility barriers to the professional recognition and registration of teachers across the island?

Mr O'Dowd: Gabhaim buíochas leis an Chomhalta as a cheist. I thank the Member for the question. I do not think that we have answered the question of teacher qualifications and the ability to move across the island yet. I welcome the fact that both the GTC and the TCI have recently, at the request of the North/South Ministerial Council, provided us with a progress report. Within that, they ask a number of questions of Ministers and future work programmes that may stand in their way.

I will write to the GTC here and reaffirm that, in any future changes to teacher training, I will bear in mind the need for teachers to be able to operate across all these islands and to be able to operate across the border. I will reassure it that I do not intend to place any further barriers in its way. The Teacher Council of Ireland has raised a question about whether it would be

appropriate for Minister Quinn to intervene to give special status to teachers from the North. I have asked Minister Quinn to explore that matter further, and he will take his own counsel and come back with a decision. Progress has been slow to date, but I think the most recent meeting of the North/South Ministerial Council in education sectoral format has given added focus to this matter. I expect early results to flow from that.

Mr Rogers: I welcome the Minister's statement. The cross-border survey shows that there are not just financial benefits; there are benefits for isolated Catholic and Protestant communities. The results of the survey will go to the North/South Ministerial Council. Will they be known in time to be incorporated into the post-primary area planning process?

Mr O'Dowd: The results will come to the North/South Ministerial Council meeting in or around February. Departments will be aware of them before that time. If there is relevant information required to flow into my area planning decisions, I will take cognisance of that and be minded of it when I come to any decisions. The final decisions on how we interpret, deal with and implement the findings of the survey will be a matter for further discussion with Minister Quinn at the North/South Ministerial Council meeting. However, as I have said to the House previously, area planning is not like the Big Bang theory; it will not happen all at once. It will be evolutionary in that sense and will evolve over time. The North/South survey will be of benefit to area planning as it progresses over the coming months and years.

Mr McCarthy: I thank the Minister for his statement this morning, particularly the part on special educational needs. We welcome the progress that has been made at the Middletown Centre for Autism. Despite the cynicism of some parties in the initial stages, it is going well, and the Minister intends to extend it. Has there been any discussion apart from the discussion on autism? We know that there are other special needs requirements for children. I am thinking about speech and language. What about classroom assistants? Have the Ministers discussed those other aspects of special educational need?

Mr O'Dowd: Special education needs is an area of co-operation under the North/South Ministerial Council, so there have been broader discussions in my time and that of my predecessor on that matter. I will write to the Member about the items of work that have been

conducted. I do not have all the details in front of me at this time. I again welcome the progress made at Middletown. The most recent joint inspectorate report found the work at the centre to be outstanding, which is very welcome. It was treated with suspicion at one time, but I think that suspicion has now been broken down due to both the Committee visit and the reports coming back. It is now a valued part of our special educational needs framework. It has provided training and assistance to thousands, and its work will continue.

One of the issues causing difficulty, although it is not insurmountable, is that the South's Budget process differs slightly from ours. Its Budget process is from December to December, whereas we operate from April to April. We are trying to see how we can synchronise that for the further development of the Middletown centre.

Ms Boyle: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement. Will he elaborate on whether the youth exchange programme includes our NEETs children, and are there any examples of good practice in how that works?

Mr O'Dowd: It includes all categories of young people. I see youth exchange and youth provision as an integral part of education, so it covers all aspects of youth provision as part of our educational work. I do not have specific examples in front of me, but I will pass those on to the Member. Experiences of youth unemployment and disengagement and a lack of youth opportunities are familiar on both sides of the border. What is also familiar is the good youth work that is going on. The opportunities that youth brings to our communities and our society can and will be shared, and the enthusiasm that youth brings to projects is an element that should and will be shared as part of the exchange programmes. I will give the Member greater detail in writing.

Mr B McCrea: I note the Minister's comment in his statement about applied A levels and the difficulties with the CAO. Will he outline when he first became aware of the obstacles to cross-border undergraduate education and what engagement he has had in the past months and years to deal with that issue?

Mr O'Dowd: This matter was really highlighted when we changed the provision around the A* in A levels. A number of universities in the South did not fully recognise that, as we would have liked. So, it has been in place for possibly

three to four years. There has been ongoing work by my predecessor and me with our respective ministerial colleagues in the South. As I said to your colleague and previously in the House, I believe that Minister Quinn is doing everything that he can to assist us in this matter, but the CAO, which is an independent body in the South, is making the call on this. I have again asked CCEA to engage in face-to-face meetings with the CAO to offer it reassurances, to explain the rigour of our examination and marking processes and to reassure any universities that require it that our A levels and applied A levels are robust examinations that can be read across into the South's examinations. So, we have had a problem with A* grades for several years. The issue with applied A levels has now been highlighted to me as well, and we are working to resolve that.

Mr Allister: The Minister told us something about the discussion on cross-border pupil movements. At any stage, did that discussion move to or will it move to payment for the education provided on a cross-border basis? We know that, at present, 400 pupils from the Republic are educated for free in Northern Ireland and maybe less than half that number in the opposite direction. We also know that the Finance Minister, who is now here, is on record as saying in the House that it must be done on the basis that it is not a gift, especially when budgets are under pressure. So, has any progress been made in getting to the point where the Republic provides funding for the free education that we provide for its children? If the Minister did not raise that, did his minder on that occasion, Minister McCausland, think to raise it?

Mr O'Dowd: It was raised at the first discussions that we had on the cross-border survey, dating back the best part of a year. Minister Quinn and I discussed the financial implications of the outworkings of the cross-border survey, and both of us recognised that there might be financial implications for both jurisdictions. So, it is on record. It is part of the work programme, and it will have to be resolved to the satisfaction of both jurisdictions before we move forward.

Mr Deputy Speaker: I remind the Member that "minder" is not an appropriate term to use in the House.

Mrs Hale: I apologise to the Minister for not being here for all of his statement. Further to the question that Mr McCrea raised on access to the higher institutions in the South, does the

Minister have any idea of the number of young pupils who feel that they have been disadvantaged by having the applied A level and BTEC in the North?

Mr O'Dowd: I apologise to the Member; I do not have those specific details in front of me, but I can get them forwarded on to me. Several Members from across the Floor have raised that matter to me. They say that it is disenfranchising a number of their constituents. If it applies to one or two cases and the matter can be resolved, let us resolve it. However, I believe that the numbers are more significant than that at this stage. It could be a growing problem if you look at it in the context of student fees, travel costs etc, as well as in the context of the wide range of courses and degrees that you can actually achieve through further and higher education colleges just across the border. So, there is growing interest in those matters, but I do not have the exact numbers available at hand. I will forward them to the Member.

Executive Committee Business

Construction Contracts Exclusion Order (Northern Ireland) 2012

Mr Wilson (The Minister of Finance and Personnel): I beg to move

That the Construction Contracts Exclusion Order (Northern Ireland) 2012 be affirmed.

At the very outset, I apologise to Members for the impenetrable nature of the speech that I am about to make. I assure Members that, for future orders of this nature, I wish those who advise me to have lessons in plain English so that we can all understand what the nature of the business is.

Basically, the nature of the order is to make sure that there is wider scope for safeguards for subcontractors in the construction industry when it comes to ensuring payments and fair treatment. I hope that that bit at least is explicable and that people understand it. There may be some difficulty with the rest of it; nevertheless, I will plough through it, and we can have questions at the end.

The statutory rule is made under powers set out in the Construction Contracts (Northern Ireland) Order 1997, which the Assembly recently updated through the Construction Contracts (Amendment) Act (Northern Ireland) 2011. I am also laying another related statutory rule, the Scheme for Construction Contracts in Northern Ireland (Amendment) Regulations (Northern Ireland) 2012.

Given the impact of the current economic recession on the construction industry, it is critical that the benefits of government funding are provided not only to the main contractors who win government business but to their supply chains. I have often stressed the importance of fair payment in government construction contracts and my desire to ensure fair dealing for subcontractors. Government has worked hard to improve the promptness of payments to its suppliers and contractors. It is still disappointing that not all main contractors are holding up their side of the bargain and that some subcontractors are suffering as a consequence of that unacceptable practice.

The amendments to the 1997 order will afford greater protection to smaller businesses participating in supply chains.

11.30 am

The 1997 order sets out measures to improve payment practice and provide access to adjudication as a quick means for the interim resolution of disputes in the construction industry. Following the amendments to the 1997 order under the Construction Contracts (Amendment) Act (Northern Ireland) 2011, it is necessary to update the Construction Contracts Exclusion Order (Northern Ireland) 1999 to reflect those changes. The main purpose of this exclusion order is to exercise the power vested in the Department by the 2011 amendment Act to disapply particular provisions of the Act from first-tier private finance initiative subcontracts; that is, the contract between the special purpose company and the main contractor appointed to carry out the construction works.

The refinement of this exclusion order will help improve payment practice and facilitate greater access to adjudication in a wider range of construction work. That will allow for the speedy resolution of disputes, meaning that subcontractors will not face long and expensive litigation. Contractual arrangements for other private finance initiative supply chain members will now be included. Previously, all contractual relationships associated with the private finance initiative were excluded.

The 1997 order provides that construction contracts must comply with various requirements. Prior to its amendment, the 1997 order permitted the Department to define and exclude any particular type of construction contracts from all the requirements of the order. The new power provided in the 2011 Act allows that any or all of the amendments of the 1997 order may be disappplied.

The effect of this order will be to allow payments to first-tier private finance initiative subcontractors to be conditional on obligations being performed in other contracts. With regard to wider payment issues, the 1997 order will also prevent the use of pay-when-paid clauses in construction contracts; that is, a clause whereby a main contractor will not pay a subcontractor unless the main contractor has been paid. The consultations with the construction industry in Great Britain, however, suggested that some firms continued to avoid the effect of this by making payment dependent on the issue of a certificate such as a valuation of the work by the clients' representatives under the main contract. The 2011 Act closes that loophole.

Because the new measures introduced by the 2011 Act may adversely affect private finance initiative projects to an unwarranted degree, this excluding rule is required. The rule excludes only the operation of new measures in the 2011 Act as regards first-tier private finance initiative subcontracts. All the other requirements of the 1997 order, such as the right of parties to a construction contract to refer a dispute to adjudication or to suspend performance if payments are not made, will apply to these contracts.

Article 1 sets out the title of the statutory rule and gives its operational date as 14 November 2012. I look forward to hearing the comments of Members and commend the statutory rule to the Assembly.

Mr McKay (The Chairperson of the Committee for Finance and Personnel): Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for keeping his opening remarks short and simple.

This primary legislation provides that construction contracts must comply with various requirements. The Committee noted that this rule excludes first-tier private finance initiative subcontracts from specific requirements of the Construction Contracts Order 1997. A first-tier PFI subcontract is a contract between a non-public body party to a PFI agreement and a third party, essentially the main construction contractor, in which the former subcontracts construction obligations in the PFI agreement to the latter.

The Department advised the Committee that, upon commencement of the Construction Contracts (Amendment) Act 2011, the first-tier PFI subcontracts would otherwise be caught by all the new construction contract requirements provided for by the 2011 Act. It is for that reason that the excluding rule is being made. The order will allow payments in first-tier PFI subcontracts to be conditional on obligations being performed in other contracts. The Committee noted that it is largely a technical rule that closely replicates recent amendments to corresponding legislation in Wales, Scotland and England.

The Committee considered the proposal to make the order at its meeting on 19 September and had no objection to the policy proposals at that time. The formal SR before the Assembly today was considered at the Committee's meeting on 10 October together with the accompanying report from the Assembly's Examiner of Statutory Rules. The Examiner

raised no issues by way of technical scrutiny. I support the motion.

Mr Girvan: I thank the Minister for bringing this to the House. I looked around the Chamber and saw Members glaze over at the technical detail. What really amazes me is how something that should be relatively straightforward can sound so convoluted and difficult to bring in. It is a common sense approach to what has been a problem. It closes a loophole that has been there for quite some time, as PFI contracts were outside the order.

The lead person and the contractor can now continue, because they are taking the risk and have the potential to bear the losses associated with some of these contracts. The subcontractors that come in below them are protected by the Act that went through Westminster in October 2011. It was subsequently put in place by the Scottish Administration in November 2011, so we are somewhat behind. However, we welcome the fact that this is coming forward.

It is a helpful approach that will ensure that private subcontractors and SMEs are not hung out to dry and that arbitration can be entered into to resolve payment issues that can ultimately arise. Given the number of schools and public contracts that are now delivered by PFI schemes, it is important that we give that protection.

I could not quite fathom the mention of the exclusion of private residential. The wording meant that it became a residential occupancy. I felt that the mention of residential occupancy could be misconstrued to include even houses that are provided through housing associations, which are publicly funded. I am glad to say that that loophole is not there, but unfortunately the wording is convoluted and could give people the impression that any residential occupancy can be excluded. However, I am glad that that is covered.

Mr Wilson: I thank Members for their contributions. The fact that there has been so little response means either that no one understood a word that I said or that Members have decided that they will leave this in the hands of the Department and do not want to say a great deal more about it.

It is an important rule. As the Chairman and Mr Girvan pointed out, it ensures that there is greater protection for subcontractors who are engaged in delivering PFI schemes. I recommend the rule to the House.

Question put and agreed to.

Resolved:

That the Construction Contracts Exclusion Order (Northern Ireland) 2012 be affirmed.

Scheme for Construction Contracts in Northern Ireland (Amendment) Regulations (Northern Ireland) 2012

Mr Wilson (The Minister of Finance and Personnel): I beg to move

That the Scheme for Construction Contracts in Northern Ireland (Amendment) Regulations (Northern Ireland) 2012 be affirmed.

This statutory rule is made under powers set out in the Construction Contracts (Northern Ireland) Order 1997, which the Assembly updated recently through the Construction Contracts (Amendment) Act (Northern Ireland) 2011. The order is associated with a statutory rule, the Construction Contracts Exclusion Order (Northern Ireland) 2012, which we have just debated.

The purpose of the scheme is to provide default contractual terms that will apply where a contract does not include the necessary terms to meet the statutory requirements. This order updates the Northern Ireland scheme of 1999 to correspond with changes introduced to the corresponding 1998 scheme in England and Wales.

The proposals set out in the amended regulations were subject to the scrutiny of the Finance and Personnel Committee. Following a full public consultation earlier this year, it was evident that there was a strong desire in the industry to maintain parity with the amended legislation in GB. I have therefore tried to reflect that desire and align our legislation as closely as possible to that of Great Britain.

The main amendments to the scheme are as follows: the adjudicator will inform the parties to the contract of the date a dispute is referred; the adjudicator can allocate liability for the payment of the adjudicator's fees and expenses between parties; there is clarification of the period within which the adjudicator must reach a decision; powers are given to adjudicators to correct minor errors in their decisions within five days; provisions that allowed adjudicators to make peremptory decisions are repealed; terms will be implied in contracts where express terms are either absent or deficient to make appropriate payment provisions; it will be the responsibility of the payer to issue a payment notice where parties to a contract fail to make an express provision; and there is provision to challenge or revise the sum in a payment notice by the issue of a notice of intention to pay less than the sum. The changes will provide further safeguards for contractors and subcontractors

to help to ensure that small businesses receive fair treatment.

The Central Procurement Directorate and the centres of procurement expertise, in consultation with the construction industry, have already put measures in place to help alleviate the difficulties experienced by subcontractors in supply chains. In future, where contractors fail to comply with the requirements of government contracts relating to the treatment of the supply chain, they will be prevented from tendering for future government contracts.

I stress again my commitment to improving payment practices in public contracts. It is important that firms avail themselves of the remedies provided by the amended 1997 order to ensure that it has the desired effect and changes attitudes in the supply chain. Article 1 sets out the title of the statutory rule and gives its operational date as 14 November 2012. If the measures are approved today, they will ensure a level playing field for our local companies. Along with my ministerial colleagues, I want to ensure that procurement continues to play its part in supporting the local economy in these challenging financial times.

I look forward to hearing the comments of Members and commend the statutory rule to the Assembly.

Mr McKay (The Chairperson of the Committee for Finance and Personnel): Go raibh maith agat a LeasCheann Comhairle.

The Committee noted that this rule amends the Scheme for Construction Contracts Regulations 1999. Related primary legislation, such as the Construction Contracts Order 1997, makes provision for the contents of construction contracts, and the scheme applies where parties have failed to provide for those contents, in effect by supplying the missing contractual terms.

Most amendments are consequential, reflecting the changes made to the 1997 order by the 2011 Act, which the previous Committee scrutinised in detail during Committee Stage. At the Final Stage of the Construction Contracts (Amendment) Bill, the then Chairperson of the Committee referred to advice given by officials to the Committee that it would be necessary to amend the scheme before the Bill, once passed, could come into effect and that any proposed amendments to the scheme would be subject to further consultation. This rule is a consequence of that consultation. The Committee considered the proposal to make the order at its meeting on 19 September and

had no objection to the policy proposals at that time. I support the motion.

11.45 am

Mr Wilson: I thank the Chairman for his response. I ask the Assembly to support the statutory rule, which, as the Chairman and I have indicated, will ensure that, where contracts are not satisfactorily drawn up and are deficient, there is a fallback position that will ensure that subcontractors have protection and a certainty that there is a scheme in place that will give them the ability to have disputes resolved. Given the importance of the construction industry and of these contracts in the supply chain to the Northern Ireland economy, it is important that we keep that supply chain healthy. That means that payments must be made regularly.

I want to emphasise the warning that was in the speech. I have raised this matter with the construction industry, and I expect support from the industry on it, because the industry itself has raised the issue of the treatment of subcontractors, especially during this recession: where main contractors do not comply, do not make payments on time and do not treat companies in the supply chain properly, we will exclude them for a period from applying for public sector contracts. As I have said time and time again, the important thing is that we now have a mechanism for adjudication of which people can avail themselves where there is a dispute. Of course, firms must have the courage to say that a main contractor is not paying them. In the past, there has sometimes been a reluctance to do that because of a fear that it might jeopardise an opportunity for future work. Project managers, the firms themselves and those who oversee contractors must make sure that, where there is not fair treatment of small firms in the supply chain, we are notified.

Mr A Maginness: I thank the Minister for giving way. This is a fairly arcane piece of regulation, but the general drift is to assist subcontractors. The Minister said that measures could be taken against main contractors to suspend them for a period. Does the Minister have any idea of how long those suspensions would be for? Does the legislation in any way affect insurance by main contractors in workplaces, or is that outside its parameters?

Mr Wilson: That is outside its parameters. Any suspension or any decision made in relation to non-compliance by main contractors could involve them being suspended from applying for public sector work for up to one year, so it is a

real sanction. I hope that it does not have to be used, but the Assembly has endorsed it. The industry has indicated that it believes that there is a problem there. I hope that it does not happen, but the real test will come if we have to exclude a contractor from applying for public sector contracts. The reaction of the industry will be very telling at that time, because this requires everyone to work together to have a healthy supply chain. That is the whole point of the regulations.

Mr Girvan: Will the Minister give way?

Mr Wilson: I will give way in a moment. The whole point of the regulations today is, first of all, to include more of the industry than currently is included in the protections under the 1997 order. Secondly, it is to put in place a scheme whereby there can be effective adjudication and terms if the terms are not explicit in the contract. Thirdly, when firms do not abide by those, sanctions will be applied to them.

Mr Girvan: Does the Minister agree that, in bringing forward the scheme as protection, we will encourage small companies to tender for contracts? Until now, a number of contractors have decided not to tender for or get involved in major contracts. The protection might encourage them to come back into the market, therefore bringing some business back into our economy.

Mr Wilson: Hopefully, it will give greater certainty to small and medium-sized enterprises, which tend to be the subcontractors within main contracts. It will give them greater certainty and protection. That is healthy, of course, because it means that there will be more competition for work. It also means that firms can remain a bit healthier during the recession. The importance of having an effective supply chain must not be underestimated because, if we do not have a range of contractors, subcontractors and sub-subcontractors available to do jobs, we lose a lot of flexibility in the system. As the Member said, anything written by lawyers tends to get turgid, arcane and everything else.
[Interruption.] There are howls of protest from members of the legal profession dotted around the Chamber. They tend to be very dry —
[Laughter.]

Mrs Foster: The regulations or the lawyers?

Mr Wilson: Both. The language can be impenetrable etc. Nevertheless, the regulations are important. I trust that the practical import of

the two statutory rules will be felt across the industry, after the House accepts them.

Question put and agreed to.

Resolved:

That the Scheme for Construction Contracts in Northern Ireland (Amendment) Regulations (Northern Ireland) 2012 be affirmed.

Enterprise and Regulatory Reform Bill: Legislative Consent Motion

Mrs Foster (The Minister of Enterprise, Trade and Investment): I beg to move

That this Assembly agrees that the provisions in the Enterprise and Regulatory Reform Bill as amended in Committee in the House of Commons dealing with the UK Green Investment Bank and payments to directors of quoted companies should be considered by the United Kingdom Parliament.

We are here to consider two distinct issues arising from the Enterprise and Regulatory Reform Bill, which is currently making its way through Parliament. The main purpose of that UK Bill is to encourage long-term growth and simplify regulation. The consent of the Assembly has been sought for provisions relating to matters devolved to Northern Ireland. The provisions under consideration relate to the UK Green Investment Bank and to payments to directors of quoted companies.

I turn, first, to the UK Green Investment Bank, which is a public company established by the Secretary of State for Business, Innovation and Skills under the Companies Act 2006. Its purpose is to facilitate and develop investment in the green economy. The provisions relating to the bank in the Enterprise and Regulatory Reform Bill have two main purposes, the first of which is to ensure that it engages only in activities that contribute to achieving green purposes. The second is to require the Secretary of State to provide an undertaking to facilitate the bank's operational independence. The legislation will also provide powers for the Secretary of State to fund the company. Although banking is a reserved matter, the green purposes for which the bank has been set up bring it into the area of transferred policy. A legislative consent motion is required to give the bank the statutory authority to operate in Northern Ireland. Without the LCM, there is a risk that Northern Ireland would not see the benefits of the initiative and local companies would be excluded from the additional source of finance.

The second aspect of the motion concerns payment to directors of quoted companies. This issue forms part of the UK Government's broader review of corporate governance. The UK is widely considered a global leader in this area. However, in recent years, there have been increasing concerns that the link between executives' pay and company performance has diminished. Those concerns were among the

views expressed in response to a UK-wide consultation on the issue carried out by the Department for Business, Innovation and Skills. There has also been recent opposition from shareholders in a number of companies to the executive pay that does not reflect company performance. I am sure that Members are aware of that.

Through the Enterprise and Regulatory Reform Bill, the UK Government intend to address the issue by giving shareholders more power to engage with their companies and greater influence on executive remuneration through enhanced voting rights. Shareholders will be given a binding vote on directors' pay policy, and that will take place at least every three years. It will encourage companies to adopt a longer-term approach to pay policy and will put in place effective and binding limits on directors' pay. Shareholders will also have an advisory vote on how the improved policy has been implemented. If the company fails to secure 75% of votes from that advisory vote, the entire pay policy must be put back to shareholders for reapproval by way of a binding vote. The policy aim is to encourage better engagement between companies and shareholders at an early stage in the process of developing remuneration policy. There will also be greater control of exit payments, and companies will not be in a position to pay more than shareholders have agreed.

Through the reforms, the UK Government are not proposing to dictate how much directors are paid. The reforms are about giving businesses and shareholders the tools that they need to engage effectively. The proposals on directors' pay will apply to UK quoted companies, which, in essence, are those listed on a major stock exchange. There are around 1,000 such companies in the UK, with only two in Northern Ireland at present. With so few local companies affected, the impact of the proposals on Northern Ireland businesses will, therefore, be very limited. However, if the opportunity to avail ourselves of the provisions in the Enterprise and Regulatory Reform Bill is missed, the existing legal uniformity of the UK company regime could be affected and a legislative gap could be created that could expose local businesses to the inefficiencies that differing legal codes would create.

So, maintaining legislative parity helps to ensure consistency and reduce uncertainty, and I believe that it is important for local businesses that the Assembly pass this legislative consent motion. Northern Ireland businesses will benefit from access to a significant additional source of funding and from a continued single

company law regime, and shareholders of local quoted companies will have a greater say in the running of their firm.

Mr McGlone (The Chairperson of the Committee for Enterprise, Trade and Investment): Go raibh maith agat, a LeasCheann Comhairle, agus gabhaim buíochas leis an Aire chomh maith as ucht an rún a thabhairt os ár gcomhair inniu. I thank the Minister for bringing the legislative consent motion before us today.

The Committee for Enterprise, Trade and Investment welcomes the legislative consent motion on the Enterprise and Regulatory Reform Bill. On 6 September, the Minister wrote to inform the Committee of the Department's intention to seek an LCM to enable the Department for Business, Innovation and Skills, first, to ensure that the Green Investment Bank engages only in activities that contribute to achieving green purposes and remains operationally independent, as well as to ensure that the provisions extend to the North; and, secondly, to give shareholders in quoted companies greater control over the remuneration of directors. The Department informed the Committee that that approach would preclude the development of a legislative gap and the administrative and regulatory difficulties that could ensue. The Committee received oral evidence from departmental officials on 27 September.

In recent years, executive pay in Britain's largest companies has quadrupled with no correlation to an increase in performance or shareholder returns. The Enterprise and Regulatory Reform Bill is intended to enhance shareholder voting rights. Currently, no company is bound by a shareholder vote on directors' pay, which is purely advisory. The Bill will provide for binding voting rights for shareholders on annual pay, performance and exit payments to directors. The legislation applies only to quoted companies that are listed on the stock exchange, and there are only two quoted companies in Northern Ireland. The Department has assured the Committee that industry as a whole is supportive of the provisions for voting rights.

The purpose of including provisions for the Green Investment Bank in the Bill is to ensure that it adheres to its green purpose and maintains its operational independence and that the Westminster Government can continue to provide funding. The Department reported that the bank is being established as part of the UK Government's initiative to pursue the green economic agenda.

The Committee was informed that the novel and long-term nature of green investment infrastructure can often deter private sector investors. The Green Investment Bank is intended to provide financing for green investment that can produce commercial returns in due course.

12.00 noon

The Committee questioned officials in detail on the types of business that might be eligible. Any business from any sector will be eligible to apply for funding from the initial £3 billion pot, providing it fulfils one of the purposes for which the bank is established. There are five purposes for which funding can be provided: greenhouse gas emission reduction; advancement in efficiency in the use of natural resources; protection or enhancement of the natural environment; protection or enhancement of biodiversity; and promotion of environmental sustainability.

The Committee particularly welcomes assurances from officials that businesses from the agrifood sector will be eligible to apply, especially given the establishment of the Agri-Food Strategy Board and the current difficulties faced by agrifood-based businesses in securing finance along the criteria outlined.

The Committee looks forward to any state aid issues being resolved so that the bank can be operational on schedule by the end of this year. The Committee will, in due course, take evidence from the Green Investment Bank to ensure that matters of specific concern to businesses are fully considered and taken into account by the bank.

Having considered the evidence, the Committee agreed to support DETI in seeking the Assembly's agreement to the Westminster Parliament considering provisions of the Enterprise and Regulatory Reform Bill dealing with the devolved matters of the Green Investment Bank and payments to directors of quoted companies.

Mr Newton: I support the legislative consent motion, and I thank the Minister for bringing it to the House. There is no doubt that, over this past number of years, executive pay that does not match performance has been a bone of contention for those who have invested in companies, whether they are individuals or organisations investing, perhaps, through a pension fund. Where shareholders are investing, there have been grievances when the annual general meetings of companies treat

shareholders with a large degree of disrespect and, indeed, in many cases award large sums to chief executives who underperform.

I know that this is restricted to companies on the stock exchange, and, as both the Chairman and the Minister said, there are only two such companies in Northern Ireland. However, this is something that has a UK-wide perspective, and Northern Ireland has to play its part.

It is of concern when such large payments are made to chief executives who have been underperforming. It is good that, through this legislative consent motion, shareholders will be awarded a greater role and, in many ways, greater security for the performance of their company as a whole. So I welcome the legislation.

Mrs Overend: I will make just a few brief remarks about this legislative consent motion, as the Enterprise, Trade and Investment Committee and the Executive have already received the relevant briefings, and I understand that they are both happy to proceed.

There are two major issues in the Bill. The first is the Green Investment Bank. The purpose of the bank is to facilitate and develop investment in the green economy. It was established by the Companies Act 2006, and the outworkings of this Bill for the bank are threefold. First, the Bill will ensure that the bank engages only in activities that contribute to achieving one or more of the statutory green purposes. There are five green purposes: reduction of greenhouse gas emissions; advancement of efficiency in the use of natural resources; protection or enhancement of the natural environment; protection or enhancement of biodiversity; and promotion of environmental sustainability. I believe that all of us in the Assembly can agree that those five purposes are positive and it is right that the Green Investment Bank should be solely focused on them. Secondly, the Bill ensures that the bank maintains its operational independence. In order to do that, there is a requirement on the Secretary of State to provide an undertaking to the UK Green Investment Bank plc. Thirdly, the Bill ensures that the UK Government can continue to provide funding to the bank, and that is, of course, a requirement for it to have a meaningful impact in the longer term.

The Committee has been made aware that the bank will receive initial funding of £3 billion from the UK Government and will be given borrowing powers. Any business will then be eligible to apply for funding within the five purposes. It is,

therefore, important that we sufficiently advertise that option for businesses so that they are fully aware of this source of finance for green investment, which can then produce commercial returns in due course. I seek an assurance from the Minister that the work of promoting the Green Investment Bank among the business community is ongoing.

As time progresses, it will be interesting to find out how Northern Ireland benefits from this. I would also point out that it is important for the Minister to monitor the workings of the Green Investment Bank, given that banking is a reserved matter. We know well that it is difficult to gauge the level of lending from banks to Northern Ireland businesses on the whole, and we must have a better knowledge as this project progresses.

I also support the provisions in the Bill that give binding voting rights for shareholders on annual pay and performance and exit payments to directors. It is not a massive change for Northern Ireland, as the legislation applies only to the two companies that are listed on the stock exchange here. However, it will lead to a more accountable and fairer legal framework regarding company directors' remuneration. We support the continuance of regulative uniformity across the UK and support the motion.

Mr Dickson: I support the legislative consent motion. I note from Hansard that no objections were raised in Committee on 27 September.

Many countries now have to face up to the consequences of unsustainable development, which has resulted in the exploitation of resources, increased pollution and climate change. If current trends continue, damage to our environment will undoubtedly accelerate. By pursuing the green economic agenda, we can help our economy and our environment.

In Part 1, we support the provisions relating to the Green Investment Bank, particularly those aimed at ensuring engagement in activities solely dedicated to achieving one or more of the statutory green purposes. Those purposes are wide-ranging and have an initial budget of £3 billion. The bank certainly has the potential to advance our green economy. The market can bring about much innovation and change, but there is merit in intervention and assistance to drive that innovation and change forward. However, my party has raised concerns with the UK Government over their definition of green investment and whether this could be used to invest in high-carbon infrastructure and technologies, rather than fulfilling the purpose

that the Government have set out, namely to support a low-carbon investment where the returns are too long-term or too risky for the market. For example, we could have a case where projects receive funding for reducing greenhouse gas emissions or improving efficiency in the use of natural resources but could still be relatively high-carbon. We wanted more consideration to be given in that regard, but, failing that, we hope that those judging the applications will make the right decisions on the basis of the Government's stated aims.

We note that there are no quotas for the allocation of funding to different regions of the UK. We are told that decisions will be based solely on the quality of the applications received from businesses. Therefore, it is important that they receive all the appropriate advice and support from the Department in advance of the scheme and during the application process. I know that some of the operational details of the bank are still being worked out, but it is our hope that the Department will provide all the information and support that it can to local businesses when those plans become clearer.

Finally on this point, we have expressed concern that the bank will be unable to borrow from capital markets from day one, whereas leverage in private investment could provide it with the extra impetus and mandate that it needs to help build a clean, green economy. I will be interested to hear the Minister's assessment of this point and whether her Department has made any representations to the UK Government on the bank's borrowing arrangements.

I move on to directors' pay, which is an issue that many feel very strongly about. Executive pay seems to keep going up and up while the public and shareholders see little correlation to an increase in performance and returns respectively. That is simply not right. Although executive pay is primarily an issue for the boards and shareholders of companies, we, as legislators, must use our powers to set the corporate governance framework and put in place fairer arrangements. We support the efforts to empower shareholders, and we support those provisions.

Ideally, we want to formulate and implement legislation for ourselves, but enacting the provisions will ensure that the law is updated here in Northern Ireland at the same time as it is in the rest of the United Kingdom, thus avoiding the development of a legislative gap and the administrative and regulatory difficulties that could follow.

Mr Agnew: I support the legislative consent motion; it is very much to be welcomed. In recent weeks, we have seen the growth of the green economy and the benefits it can bring to Northern Ireland. The launch of the offshore wind projects and tidal projects off the north coast in the past week or so have demonstrated the great benefits that renewable energy can bring to our economy. Yesterday, the Minister outlined that £52 million of sales have already been realised by 250 Northern Ireland companies in relation to offshore renewal energy projects. Indeed, we could see private investment of around £1.8 billion in one offshore wind project. Those are the Minister's figures. That shows that green policies can go hand in hand with a prosperous economy. It also shows how regulation and targets in relation to a reduction in carbon emissions can drive innovation and the investment in the economy that we need.

I welcome the UK Government's establishment of the Green Investment Bank, and I am happy to support the legislative consent motion to ensure that Northern Ireland can receive the benefits of that. It is also worth mentioning the five areas in which the Green Investment Bank will invest, as was highlighted. I agree with Mr Dickson that we need to ensure that they are truly green projects. However, it shows that economics can be about more than profit. It is not about being opposed to profit, but it goes beyond that and shows how investment in particular areas can benefit social and environmental objectives, not just economic objectives.

I welcome the legislative consent motion and the work that the UK Government have done on this, if not on other issues. As a member of the Enterprise, Trade and Investment Committee, I have also asked that the Committee looks into how we can maximise potential job creation benefits in Northern Ireland from the growth in the green economy. I hope that the work of the Committee will supplement that of the Minister, her Department and Invest NI in ensuring that Northern Ireland benefits from green growth.

Mrs Foster: I thank the Members who have supported the motion today and contributed to the debate. I must also thank my colleagues in the Executive and the ETI Committee for considering the matter in a manner that has allowed the motion to be debated today.

I want to respond to a few issues that have been raised. It is my understanding that the European Commission approved the UK Government's proposals to establish the bank on 17 October, so the state aid clearance is

now in place. That is good news, because it means that we can proceed.

Obviously, making companies aware of what is happening in Northern Ireland very much fits in with our access to finance strategy and what Invest Northern Ireland is rolling out for its companies. We will work with the Department in Westminster to ensure that Northern Ireland is included in any promotional material or events. We will add the Green Investment Bank to our business table, which is maintained on our business website and, of course, draw it to the attention of companies. I think it was Mr Dickson who referred to the fact that there are no quotas allocated to each of the regions of the UK. That is absolutely right, so we need to be proactive with our companies to ensure that they put forward the best proposals possible to ensure that they benefit from the Green Investment Bank. It is an innovative way of dealing with the deficit in the access to finance piece.

Mrs Overend said that there was £3 billion to start with. That is absolutely right. All of it is government funding, at present. I think, in answer to Mr Dickson's point, that the rationale behind that — obviously it is a matter for the Westminster Government — was to allow the bank to build up a credible track record in making those commercial green investments, to mobilise the private sector and to bring forward capital later on in the piece. Therefore, it really is a government initiative, an incentive to point individual private sector companies in the right direction.

It gives me great pleasure to tell the House that a chief executive officer has been appointed. He is Shaun Kingsbury, who is originally from Northern Ireland and is a graduate of the University of Ulster. I am very pleased that that is the case and that a man from Northern Ireland who should know everything there is to know about our economy here will be in charge.

The investment bank and the other company law reforms will assist our businesses and provide encouragement, I hope, to operate in an environmentally friendly way. That is what we want to see happening so that they can deal with all the issues that are before them. We know that multinational companies are looking at their supply chain and assessing how environmentally friendly they are, so this will assist companies in that.

I thank Members for their contributions. By passing this motion, we will secure the benefits that I have outlined. As well as that, we will demonstrate how much the Assembly is

committed to helping local businesses here. I commend the motion to the Assembly and thank Members for their support.

Question put and agreed to.

Resolved:

That this Assembly agrees that the provisions in the Enterprise and Regulatory Reform Bill as amended in Committee in the House of Commons dealing with the UK Green Investment Bank and payments to directors of quoted companies should be considered by the United Kingdom Parliament.

12.15 pm

Private Members' Business

Cross-border Education

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

Mr McElduff: I beg to move

That this Assembly notes the report 'A Study of Obstacles to Cross-border Undergraduate Education' (May 2011) based on research by the European Employment Services Cross-border Partnership at the request of the Irish Business and Employers Confederation and the Confederation of British Industry Joint Business Council; and calls on the Minister for Employment and Learning and the Minister of Education to work closely with the Department of Education and Skills to remove the barriers which limit student flows within the island of Ireland.

Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom mo thacaíocht a thabhairt don rún. I propose this motion, which is all about removing the barriers that prevent students from the North gaining admission to universities, colleges and institutes of technology in the rest of the island and, of course, vice versa, with the problem of students from the South not being able to gain admission to universities in the North or to gain relevant information appropriately.

In proposing this motion, I am conscious that a lot of young people have experienced an obstacle course of hurdles put in their way when they have tried to gain admission. I think of a young person from Cookstown who achieved 525 points this summer in her A levels, took one of her A levels early and was forced to take a gap year because her plans to gain admission to a university in Dublin were thrown aside. I think of a parent from Omagh who told me that getting advice from his son's school about options in universities down South was like pulling hen's teeth. I received a very extensive e-mail just before 11.00 am today from a lady in County Tyrone who detailed the hurdles that her daughter faced when she tried to gain admission to DCU. She persisted when she was not included in the first round of offers,

and she persisted when there was UCAS and CAO confusion. She got in at the last minute on the second round of offers, but many others would not have persisted and would have given up at an earlier stage.

For the evidence base for the debate, I rely significantly on the report written by Mr Andy Pollak, director of the Centre for Cross Border Studies, at the request of the IBEC-CBI Joint Business Council last year. The report details the current and historic patterns of low levels of North/South student mobility, identifies the main obstacles and makes specific recommendations. It also states that there is a general acceptance that North/South student mobility is essential for economic prosperity, reconciliation and advancing the peace process on a small island of six million people. The obstacles that limit that type of student mobility include lack of information about universities and institutes of technology in the other state or part of the island, entry requirements and confusion between UCAS and CAO. The difference is explained well in Andy Pollak's report.

We were also served well in preparing for the debate by the Research and Information Service and a very useful paper on CAO's admissions criteria that was written by Eoin Murphy. Lack of information on universities down South is, however, particularly pertinent for students in the North. It is a major issue, more so than the other way round. Historically, few universities in the South have taken a stand at the annual UCAS convention in the King's Hall, Belfast. There are some exceptions; for example, the National University of Ireland, Maynooth; in recent years, Dundalk Institute of Technology; Letterkenny Institute of Technology; Institute of Technology, Sligo; and, more recently, Dublin City University have shown some appetite. However, that is symptomatic of a failure of higher education institutions in the South to be proactive in seeking students from the North. In one sense, from the point of view of over-demand in the South, do they need to attract Northern students? However, few universities' school liaison officers pay regular or dedicated visits to schools in the northern part of the island. In the North, some careers teachers do not give adequate advice on options. Often, students are told to go on the internet. There is a lack of information specifically about institutes of technology. Page 15 of Andy Pollak's study details that. In fact, in the North, there seem to be misconceptions and a lack of understanding about the range of courses that might be available at Dundalk IT, Sligo IT and Letterkenny IT in such a way that people do not

understand that they can undertake and finish degrees, masters degrees and PhDs at those institutions. You could live in Newry, travel for 20 minutes, stay at home for the duration of your degree and still achieve a degree.

There is an unfamiliarity with the CAO application process in the North and little or no guidance from teachers from the careers service, whereas students are prepared intensively for the UCAS process. Again, people are left to their own devices. My colleague, Phil Flanagan, talked about his experience as a student and about being compelled to pay a bank draft in euros to make his application to the CAO. There is no CAO helpline. A-level results often come out later than leaving certificate results. That disadvantages students in the first round of offers. There has been a change in the recognition of A levels — a change in equivalences between A levels and leaving certificate grades. For high-demand courses, the likes of Trinity College and UCD expect students from the North to achieve four A*s. Very few students undertake four A levels. More undertake three A levels. It is now the case that a leaving certificate qualification is regarded as two thirds of an A level, whereas previously it was regarded as half an A level. That is dealt with in Eoin Murphy's paper very well.

There are other obstacles, of course. One might be the cost of living in Dublin, for example, which is often cited. We will not sort out that one here today. There are different fee structures. Although that might be presented as a disadvantage, therein lies an opportunity. On the issue of equivalence between A levels and leaving certificates, I understand that an equivalence working group between the Irish Universities Association and the CCEA has been set up to look at the fairness of that. I just wonder whether Minister Farry will be able to address that in his remarks and give us a progress report.

The case is compelling, and the time is now. If you look at the current fees context, you will see that high fees in Britain will negatively impact on the high proportion of the North's students who have traditionally gone to universities to study, not least those in Scotland, England and Wales. So, higher fees there will act as a disincentive to east-west student mobility. I commend the Executive for freezing fees here in the North. I note that, in the South, there are relatively low registration fees, which are sometimes called student contributions. We can couple that with the increase that there has been in the number of

births in the South in recent years, meaning that the demand for places there in 2009 was 42,500. However, that is expected to rise to 68,000 in 2027. So, the solution lies in this region and in having places available in the North. That presents an opportunity for greater cross-border, all-island co-operation on undergraduate education.

Students need ease of movement within the island. They will not be able to go elsewhere unless they come from, you might say, richer families. Again, in inviting the Minister to respond later in the debate, I would be appreciative if he could take time to explain the revised funding arrangements that he announced in June 2012. I hope to be convinced that that was done in the spirit of enabling this. OK? I commend the Minister for paragraph 5.7 in the strategy for higher education, which shows that he has been paying close attention to the debate on this matter.

It is in the best educational, social and economic interests of young people on the island of Ireland that there is such cross-fertilisation and free mobility. Politically, there should not be any objection to that. We recently established the North/South Inter-Parliamentary Association to support the North/South Ministerial Council's work and to challenge what goes on there. However, this is about mutual benefit for all the people of the island of Ireland, and I ask people to direct their attention specifically to the nine recommendations in Andy Pollak's report. Interestingly, one of those invites closer working relationships between the University of Ulster and Letterkenny IT.

Mr Deputy Speaker: The Business Committee has agreed to meet immediately after the lunchtime suspension. I propose, therefore, by leave of the Assembly, to suspend the meeting until 2.00 pm. The first item of business when we return will be Question Time.

The debate stood suspended.

The sitting was suspended at 12.28 pm.

On resuming (Mr Deputy Speaker [Mr Beggs] in the Chair) —

2.00 pm

Oral Answers to Questions

Environment

Vehicle Testing and Licensing: EU Proposals

1. **Mrs Dobson** asked the Minister of the Environment what representations he has made to Her Majesty's Government and the EU about the potential implications of the EU proposals [COM (2012) 380/381/382] for additional testing, enforcement and licensing of vehicles. (AQO 2730/11-15)

Mr Attwood (The Minister of the Environment): I thank the Member for her question. As I have said before, one of the duties of the Environment Minister is to be sent home every Friday with a list of the updated casualties and deaths on our roads. There have been tragedies in the South over the past number of days, with six road deaths, including the tragic death of two young children in Tuam. On behalf of the House, I convey sympathy to the families bereaved and the people who are suffering as a consequence.

I am a big supporter of the European Union. I am not in any denial of that. Why would I not be, given its contribution to this part of the world and peace in Europe, notably, in the past number of days, with the Nobel peace prize? I would like to see us build and deepen our relationship with Europe. However, the proposals cross a line that, when it comes to our jurisdiction and roadworthiness, is best not crossed. That is why I have written to the European MPs and the Parliamentary Under-secretary in London in relation to the matter. I may attend the transport council sectoral meeting in December that will discuss the matter. I have endorsed the London negotiating position in opposition to the proposals, and I have spoken to my colleague Minister Varadkar in the South to ensure that, when it comes to these transport proposals, the relevant Ministers North and South are on the same page.

Mrs Dobson: I thank the Minister for his answer. Does he agree that the matter is typical of the EU attempting to enforce a nonsense policy on its member states? Does

the Minister further agree that decisions of that nature should be with our own Government?

Mr Attwood: I do not agree with the Member that this is typical of decisions of the European Union. We are within days and, hopefully, within touching distance of the European Union, through the Special EU Programmes Body, releasing €22 million, which is £17 million, to build infrastructure to join up trade and tourism on this island in respect of the funding bid before the SEUPB for the Narrow Water bridge. If my memory serves me right, Europe, through the SEUPB, has contributed €800 million in funding to this small part of Europe for the SEUPB projects. I do not agree that the matter is typical of Europe. Europe, typically, has been an enormous supporter of this part of the world, politically and financially and particularly for communities that are in disadvantage. Do I agree that this is not a wise course to follow? Yes. Do I believe that it is a good principle that Europe should say in general that there are standards that we should live up to in respect of European membership? Yes. Although we have good standards when it comes to roadworthiness, other members of the EU have — to borrow a phrase — some road to travel yet.

Mr Deputy Speaker: I remind Members that Question Time is an opportunity to ask one question to the Minister, not multiple questions.

Mr Boylan: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagra. I thank the Minister for his answer, and I thank the Member for tabling the question. Will the Minister consider introducing an early warning system so that the Executive, the Departments and the Committees here get an opportunity for proper input in time to respond to proposals and consultations that come from Europe?

Mr Attwood: I agree with the principle that the more we integrate what is happening in Europe in the life of the Assembly and the Executive, the better we will be. That is why I keep making the case that we need to do a lot more to integrate what we do to access European funding opportunities going forward. From 2008 to 2014, the drawdown in Dublin from FP7 — the €50 billion fund for innovation and research — will be in and around, if not in excess of, €600 million. The drawdown to date in this part of Ireland has been £30-odd million. So, yes, the more we integrate the better we will be, and the more that comes through the European system that is brought to the attention of Ministers, the Executive and the

Committee, the better we are. That is why the Executive were right to upgrade their presence in our European office to understand better what is going on and to have information that we can share. This is an example of something that, if it is known early and brought to the attention of the Assembly, the Committee and the Minister, would be a good way to proceed.

Mr P Ramsey: Like the Minister, I extend my sympathy on the road fatalities in the South, particularly the sisters Katie and Grace Gilmore, whose father works in my constituency.

Will the Minister give us an update on road safety performance in Northern Ireland, particularly with reference to trends in road accidents that include death and serious injury?

Mr Attwood: As the Member acknowledged, it only takes one weekend — a couple of days — and a number of accidents for the figures to look even worse. That was the experience with the six deaths in 48 hours in the Republic. Therefore, anything that I say has to be set in that context: we are only one catastrophe away from our improving figures beginning to deteriorate.

There have been 31 deaths on the roads in the North this year, compared with 42 deaths to this time last year. That is a positive trend, which is confirmed when you look not just at the figures over the past number of years for the North year on year but at those that compare the North with the other parts of these islands. We are even beginning to bear down on the lesser number of deaths and serious injuries that we have experienced over recent years. There are many reasons for that, including the road traffic campaign that has been run through the Department of the Environment over a number of years. Independent research has assessed that there is a 90% awareness of DOE road traffic ads, which is nearly twice the rate of general awareness of campaign advertising.

Mr Allister: I want to bring the subject back to this hare-brained proposal from Brussels. The Minister said that Brussels had won a peace prize, but it certainly will never win a common sense prize with regulations such as these. The regulations seek to introduce the intolerable burden —

Mr Deputy Speaker: Can we have a question, please?

Mr Allister: — of MOTing farm machinery. Has the Minister any idea of the cost to the farming

community and the cost to the Department of administrating such nonsense?

Mr Attwood: I agree with the later point. As I indicated in my previous answer, the costs, never mind the policy implications, are disproportionate and extravagant to the value of any proposal that might come forward. What would be the cost? We have not interrogated the costs to the final pound, but it will mean more roadside testing and the need to invest more money in resources and technical machinery to conduct the assessments. It could also mean that, in the event of replacement, some vehicles will need to have the parts as at the time of manufacture. As people will know, the proposals extend not just to tractors that travel more than 25 miles per hour but to small trailers. So, in my view, the cost in all those terms for the owner and the state is extravagant and excessive. A multitude of common-sense proposals have come out of Europe: this is not one of them.

Tourism: Popular Areas

2. **Mrs Overend** asked the Minister of the Environment whether he has considered options other than the introduction of national parks for assisting tourists and visitors who come to popular areas. (AQO 2731/11-15)

Mr Attwood: I thank the Member for her question. In my view, we have only one option at the moment. We learned last week that unemployment had increased by 200 over the course of four weeks and that we face, on the far side of welfare reform migration, figures in and around 85,000. No one is contradicting those figures; indeed, some tell me it will be more than that. Bearing that in mind, we only have one option, and that is to turn over every stone to find opportunities to grow jobs in Northern Ireland, otherwise the scale of worklessness that we face and the risk that that worklessness will be embedded and structural will not easily change.

The challenge to me as Minister, to MLAs, to farming organisations and to everybody is to find opportunities to grow jobs. It may be that we can do so around our built and natural heritage. That is the essence of our tourism strategy going forward. We hope to grow tourism to a £1 billion-a-year industry, and it seems to me that I have to challenge myself and everybody else to look at ways of growing tourism around our natural heritage, our rural communities and the scale and wonder of our rural landscape. That is the question that has to be asked, and we all have to answer it.

One mechanism that I have put forward is national parks. Given that national parks is a global brand name, a model could be created in Northern Ireland circumstances and without any additional restrictions that could create opportunities to grow product, tourism and jobs in our rural areas. That is the question and that is the answer that people have to give.

Mrs Overend: I thank the Minister for his answer. The Minister appears to have read the writing on the wall about the infeasibility of imposing a national park on the people living in and around the Mourne. When will he make a final decision about his intentions for the north Antrim coast and Fermanagh?

Mr Attwood: I have made it clear throughout this process that it is anti-democratic, it is anti-national, and it would not work. I go back to the question about Europe: there could end up being a situation where an authority imposed its will against the wishes of the community. The evidence from south Down and the Mourne at the moment — it is not conclusive evidence but evidence nonetheless — is that the voices of opposition are greater than the voices of support. There are many voices in support, but they have not been as loud as the voices of opposition. That is why I said a number of weeks ago and repeated last week, although people did not seem to hear it, that, as things stand, there would not be a national park in the Mourne in my view.

The question remains for other parts of the North of whether we can develop a national park model with no additional planning, agricultural or other restrictions that will capture the scale of the opportunity for jobs around the natural heritage. We could use national parks as a global brand to market those areas. People have to ask what the impact would be if one part of Northern Ireland were deemed to be a national park, the consequence being that people came, visited, stayed and spent money and generated job opportunities in a way that did not compromise the interests of those who already live there, not least farmers. People should ask themselves, "Is there an opportunity around this concept, modelled around our circumstances, that we should grasp rather than resist?".

Mr Deputy Speaker: I call Patsy Molloy.

Mr Molloy: We will go for Francie. I thank the Minister for his reply so far, but my answer is "No, there is not". With the new 11-council model coming into place in 2015, will the Minister ensure that they have a role in

developing the tourist facilities in their area and give them the funding to do so instead of creating a new quango that will curtail local accountability and democracy?

Mr Attwood: Can someone explain to me how local democracy and accountability is curtailed when, as part of RPA, our councillors will make the vast majority of planning decisions and decide local plans and community planning initiatives? How does that curtail accountability and local democracy? It is far from it. It means that planning decisions will pass from the hands, if you like, of the bureaucrats into the hands of the democrats. That should give people fundamental reassurance that if, on the far side of this debate, there is an endorsement of legislation and designation of national parks, it will not be a threat to rural communities including farmers. Actually, it is a source of reassurance that planning on that scale will be in the hands of local people. When the Scottish nationalists took power in Scotland at a time when there were no national parks in Scotland, why did their leadership come out and say that they wanted to see national parks in Scotland? It was because they realised that there was a marketing opportunity, a brand opportunity and a tourism opportunity to sustain rural life, including rural farming life, in a way that they felt was sympathetic to the area. Is that beyond our competence? You will hear no argument from me that, in going forward, we need to be even more precious about Northern Ireland's rural assets. Why? Because those have been well managed by farmers and others over many generations and because of the opportunities that exist. Yes, we have to market our rural areas better, but are national parks part of the answer or part of the problem?

2.15 pm

Mr Deputy Speaker: My apologies to Francie Molloy. I call John Dallat.

Mr Dallat: You have got that right, Mr Deputy Speaker. I thank the Minister for his answer. The recent environmental scheme in Portrush and Portstewart has not quite turned those places into a national park, but it has certainly made them much more desirable destinations for tourists. Will the Minister tell us if he intends to roll out that successful scheme in other areas?

Mr Attwood: Portrush and Portstewart could be part of a potential national park. *[Interruption.]* I hear Mr Allister very firmly endorsing that proposal. I would love to see Black Mountain and Divis being part of a Belfast national park.

The opportunities here are limitless, if people would just reach out — *[Interruption.]*

Mr Deputy Speaker: Order.

Mr Attwood: I missed that one — if people would just reach out and grasp them.

Portrush and Portstewart were about doing something mitigating delay and dereliction in coastal communities. An announcement about doing the same in Derry is imminent. I would like to see the Executive roll out that scheme of interventions in local communities to deal with blight, decay and dereliction. I would like to see the Executive embrace that in a much more extensive way across many towns and cities. Two weeks ago, in Ballygalley, I held a good beach summit. What was the issue that we were discussing? Not just the management of beaches and water quality, but coastal community development and how the good beach summit and the DOE could help to shape and lead our coastal communities. National parks could be part of shaping coastal communities going forward, if we choose to look at it in that way. I do not diminish or deny the issues, concerns and worst fears that exist out there. However, if we are able to give fundamental reassurances that this is about enabling rural communities and not about additional restrictions in any shape or form, is it not a light-touch concept, to borrow a phrase that was used to me recently, that may yet give opportunities going forward?

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

Urban Blight

3. **Mr McDevitt** asked the Minister of the Environment what action his Department is taking in conjunction with local authorities to counteract urban blight, unfinished developments and listed buildings falling into dereliction. (AQO 2732/11-15)

Mr Attwood: Mr McDevitt's thunder was stolen by Mr Dallat. Yes, I would like to see the scheme in Portrush and Portstewart deployed more fully, but there are other interventions that we have to embrace. In my view, Belfast and Coleraine councils, with their powers, are demonstrating good authority in taking action where there are properties that create a health and nuisance difficulty or are seriously detrimental. By taking enforcement action against landowners with property in such states, councils can show good authority. I look to other councils to use their powers under the Pollution Control and Local Government

(Northern Ireland) Order 1978 to demonstrate that good authority, just as I hope that the Department demonstrates good authority in serving urgent works notices on a scale not seen at any time since they became an opportunity for government over the last 40 years. Indeed, just last week in Ballycastle, 48 hours before an urgent works notice was to be served, the owner under threat of having the notice served got down to the business of mitigating the threat to the property concerned.

Mr McDevitt: The Minister will well know that there are significant parts of south Belfast that suffer from blight and dereliction and where there are unfinished buildings desperately in need of attention. Is the Minister satisfied that the law is robust in that regard and that the powers exist at central and local government level? Is he convinced that every central government authority and every local government authority is doing everything it should to tackle blight, dereliction and unfinished buildings?

Mr Attwood: I have to acknowledge that, in my view, as I indicated, Belfast City Council is the trailblazer in using the powers that it has to deal with issues of safety, nuisance, dereliction, decay and so forth. Indeed, I have asked its senior officials to come back in to see me in order to see how they are rolling out their particular interventions to deal with those issues. However, as I indicated, it is not my view that all councils are measuring up. There may be reasons for that — resources, understanding of the law or a lack of confidence in the deployment of the legal weapons that they have. Whatever the reasons, if they have mechanisms — Belfast has demonstrated that they exist — to go after owners who are on the wrong side of maintenance of their property in a fit and proper way, they should use them. It is not an issue of having more law; it is more an issue of enforcing the law.

Mr Cree: I thank the Minister for his response on what is a very interesting subject. Has the Minister considered de-zoning development lands in areas where there are high numbers of unfinished housing developments?

Mr Attwood: I am pleased to hear that suggestion because it has not come up on my radar before. I will take that into consideration. In these circumstances, as the Member indicated, what do we do when there are development opportunities that, for example, are about to run out of time? In the next number of days we will consult on introducing reduced fees for planning applications to be

extended beyond the original lifetime of the approval, namely five years. At the moment there are a lot of planning approvals that will go nowhere because of the recession, lack of money, NAMA, bankruptcy and so on. Are there opportunities to aid development going forward by reducing the fees for the renewal of planning approvals in a way that will keep those approvals live, especially if they are of great value, and in a way that will plan for the time after recession?

Mr McNarry: Given the Minister's decision yesterday to grant planning permission to Castlebawn in Newtownards, is he today confident that, following his answers to other questions on the subject, the decision that he has made will not contribute to blight and dereliction in Newtownards town centre?

Mr Attwood: I have made it very clear that, in going forward, I want to see a new planning policy — PPS 5, which is currently being prepared — that will definitively favour in-town retail opportunities rather than out-of-town or edge-of-town opportunities. That is clearly my ambition. Decisions that will be forthcoming in respect of article 31 applications that continue to be determined will demonstrate — as I tried to demonstrate through, for example, the refusal in Banbridge two weeks ago — that I will be consistent with planning policy, the law, evidence and practice. I will try to demonstrate that out-of-town retail can only be justified where there is strong, clear evidence to do so. I thought long, hard and cautiously about that application in Newtownards, but what attracted me to it was that it is not out of town. It is partially in town and partially sits on the edge of town. It will bring back into the life of Newtownards the historic Bawn walls of Newtownards. It will create a gateway, in my —

Mr McNarry: How can you bring a wall back to life?

Mr Deputy Speaker: Order.

Mr Attwood: Part of the life and experience of any town or city is its heritage. We are blessed, in the North of Ireland, with a rich built heritage that adds character to the life that we lead. So, heritage is very much a part of the character of our lives and the life of Newtownards. The proposal will create a gateway from the Castlebawn site through a regenerated Court Street, which is part of the heritage of Newtownards, into High Street and the town's trading area. That can be a win-win.

Planning Service: e-PIC

4. **Mr I McCrea** asked the Minister of the Environment for his assessment of the operation of the e-PIC system since it became operational. (AQO 2733/11-15)

Mr Attwood: I thank the Member for his question.

The e-PIC system went live in December 2010. There were teething problems with it, but the principle and the practice behind it is a good one. It allows access to plans, maps, drawings, consultation responses and third-party consultee replies. So far, 25,000 planning applications have been uploaded on to the system, as well as 250,000 documents, 100,000 consultation responses and 250,000 neighbourhood notification letters and so forth. I want to see the scheme developed, because I want to see online planning applications and online planning consultation responses. That will be the next phase of e-PIC, if we are to make the planning system more fit for purpose.

Mr I McCrea: I thank the Minister for his answer. Unfortunately, it took quite some time to get the system launched, but, that aside, I think that the community in Northern Ireland welcomes it. The Minister took my initial question in raising the issue, but does he have any targets for introducing online planning applications? Hopefully, those will not be held up by any delays.

Mr Attwood: The introduction of e-PIC took too long, but that was the legacy that was left to me when I came into the post. As I indicated, we hope to have applications and consultation responses online in 2013. That will make more efficient a system that has already seen a 50% reduction, we anticipate, in the current year in telephone calls to planning officials. That should make those officials and the planning system more efficient.

Mr Elliott: I welcome the fact that the e-PIC system is up and running, and I welcome the assistance that it gives. Does the Minister accept, however, that there continues to be inconsistency in the level of correspondence that is posted on e-PIC and that some people do not know whether what is on it is the most up-to-date information?

Mr Attwood: I accept that there have been and continue to be teething problems, but, as this rolls out into its second and third year of full operation, despite those teething difficulties and given the management information that is being

uploaded to the portal, you will see more and more best performance.

If you compare planning performance and the number of approvals that are going out the door with where we were even 18 months ago, you will see that there has been some material change. There is a long road to travel, and issues still need to be addressed. However, if you look at the overall performance and the number of individual wind turbine applications that are getting out the door compared with three months ago and if you see that the performance for major, intermediate and small applications is better than it was a year ago, you will know the direction of travel is better. That said, it has to improve even further.

2.30 pm

Finance and Personnel

General Register Office: Revenue

Mr Deputy Speaker: I call Bronwyn McGahan.

Ms McGahan: Go raibh maith agat. To ask the Minister how much revenue is generated through the General Register Office annually.

Mr Deputy Speaker: I am sorry. I call Bronwyn McGahan. Your question number is?

Ms McGahan: Question 1, sorry.

1. **Ms McGahan** asked the Minister of Finance and Personnel how much revenue is generated through the General Register Office annually. (AQO 2744/11-15)

Mr Wilson (The Minister of Finance and Personnel): We have got the question number and the question, Mr Deputy Speaker, so there should be no excuse for not giving you an answer.

The income generated by the General Register Office will vary annually. It really depends on the public demands for the services. In 2011-12, the income generated was £2,568,018 — sorry, £5,680. No, it was £500,600 — *[Laughter.]* It was £2·5618 million or thousand pounds — million pounds. Sorry: it was £2·56818 million. I knew that I would get that answer out eventually. That includes income from birth certificates, death certificates, marriage certificates, searches for certificates and the procedures for marriages and name changes. The fees are reviewed annually.

Ms McGahan: Go raibh maith agat. Does the revenue remain in the North?

Mr Wilson: The revenue that is generated covers only the cost. Indeed, the fees are reviewed annually because we are obliged not to make a profit, nor can we subsidise the cost of running the service. The fees are set annually in relation to the costs of the delivery of the service. That means that all the money remains in Northern Ireland to pay for the service that is generated.

Mr D McIlveen: Minister, you will be aware that a number of people require copy certificates for benefits and so on. Are there any plans to have subsidised rates for people on a low income?

Mr Wilson: We do not subsidise the cost of certificates when they are being issued. However, we have a different arrangement from what exists in other parts of the United Kingdom. For example, if someone needs two certificates and applies for two, they are charged only for one. Where someone can produce evidence that they require the certificate — for example, for education, social security benefit claim or election purposes — there is a reduced fee. It is not a subsidised fee, but we accept that there is no escape from the fact that certificates will be needed for those purposes. People usually require them for a service that they will obtain; therefore, there will be a reduced fee.

Mrs Overend: Will the Minister clarify that the revenue does not rise with inflation and is just related directly to the cost?

Mr Wilson: Normally, it will be linked to inflation because costs will go up with inflation. I think that the import of the Member's question is this: if costs go up and no regard is given to how those costs are generated, do the public have to pay for it? The answer to that is no. The number of people who are employed in the various offices, for example, will be worked out on the basis of the number of clients those offices have. The costs are kept under control in that way. I would be very concerned if it were a case of simply letting costs spiral out of control and letting the public pay, but that is not the case. The costs and the demand for the services will be monitored, and the staffing complement will be based on that. Therefore, the cost will be based on the demand for the service. We try to keep the costs under control.

Pensions: Public Sector

2. **Mrs Hale** asked the Minister of Finance and Personnel for an update on the reform of the NI public sector pension scheme. (AQO 2745/11-15)

Mr Wilson: The Executive took a decision on 8 March 2012 that they would commit to reforming Northern Ireland public sector pension schemes to keep in line with equivalent schemes in GB. Despite that decision, I have been attempting to persuade my Executive colleagues to agree to a legislative consent motion that would enable the Public Service Pensions Bill, which was introduced in Westminster on 13 September, to give effect to those reforms in Northern Ireland. Only if we do it in that way can we avoid, first, falling behind the introduction of the pension reforms in the rest of the UK and, more importantly, the very serious financial consequences of missing the April 2015 deadline.

Mrs Hale: I thank the Minister for his answer. Are the projected costs associated with the delay in the introduction of pension reform?

Mr Wilson: It was quite difficult, but, after some probing, we were able to get figures for the likely savings or how much the reduction in liability would be for pension schemes after the introduction of the changes in GB. If we carry those figures over to Northern Ireland, in one year the reduction in liability would be £60 million for the Civil Service, £62 million for teachers, £18 million for the police, £23 million for the Fire and Rescue Service and £100 million for the health service, giving a total reduced liability of £260 million. The Member will, therefore, understand where I am coming from when I say that, if we fall behind in implementing reform as a result of not tagging on to the legislation at Westminster, despite an Executive commitment to do so, we will have to find and Treasury will expect us to make up the increased liability for pension schemes in Northern Ireland. That would be £260 million in 2015-16, when there will be greater pressure on public finance in Northern Ireland.

Ms Maeve McLaughlin: Has the Minister been advised of the possibility of legal challenges arising from the changes to the pension scheme?

Mr Wilson: No, there has been no indication of legal challenges. Indeed, the legislation is going through Westminster without any legal challenge. The big challenge for Sinn Féin is whether it is prepared to face up to the financial

challenge if we do not deliver this on time. Members on the other side of the House, despite all the evidence staring them in the face, tried to hold up welfare reform, with all the financial consequences of that, and Sinn Féin is doing exactly the same with pensions, despite having agreed that we will follow the GB pension arrangements going through Westminster at present.

Mr D Bradley: Go raibh míle maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra. Has the Minister made any assessment of the impact that pension reform will have on the lowest paid workers in the public sector?

Mr Wilson: The nature of the pension reforms is twofold. First, there is the Bill — the primary legislation — the main provisions of which will be the move from final year salary schemes to career averages. Secondly, the pension age will be linked to the age at which one qualifies for state pension.

As far as the regulations for individual pension schemes are concerned — this is where the Assembly can have an input — there is some room in the funding envelope to vary things. There could, for example, be some variation in the evaluation of pension schemes, the contributions made et cetera. That is where there is probably scope for looking at what we can do. However, there will be very little room for variation if we are hit with a £260 million bill in the first year because we were tardy in our response and did not deal with it in the most obvious way, which is by linking with the main primary legislation going through Westminster.

Rates: Empty Premises Relief Scheme

3. **Mr Dickson** asked the Minister of Finance and Personnel for an update on the impact of the empty retail rate concession since its introduction. (AQO 2746/11-15)

Mr Wilson: To date, there have been 32 successful applications under the new scheme, with total relief of £76,636 awarded. I actually got the figure right this time, Mr Deputy Speaker, and did not stumble over it. That one-year rate concession was, of course, introduced in April 2012. I am sure that the Member will be well aware that, in our constituency, three businesses have already benefited from this. All of them were at the end of towns where there were substantial numbers of vacant properties. From that point of view, it is to be welcomed. I have visited a lot of the premises

and spoken to the business owners, and, on many occasions, they said that one of the deciding factors — I will not pretend that it is the only factor — was the fact that they got a 50% rates reduction for this first year. In some cases, that probably saves them up to £70 or £80 a week.

Mr Dickson: I thank the Minister for his answer. Minister, can you outline how the uptake of new retail tenants in the period from April to September compares with previous years when empty retail concessions were not in place?

Mr Wilson: I do not have the exact figures for that, and we probably would not be able to make the distinction between premises that became occupied purely because of the rates concession and those that came on stream for other reasons. I can say that, despite the recession, no matter what band you look at, the occupation of premises has remained fairly steady. I suspect that many of the rates concessions have enabled us to keep that level of occupancy.

Mr I McCrea: Can the Minister detail why he has no plans to extend the scheme to newly vacated properties? More importantly, what plans has he to help other businesses that need financial help?

Mr Wilson: We had a long debate on this in the Chamber when we were taking the legislation through. As I made clear at the time, the one thing that I want to avoid is the displacement of current activity with someone simply moving from a shop to a shop next door to avoid having to pay 50% of their rates. Indeed, this came through in many of the consultations that we had with traders. It was felt that, where premises were in long-term vacancy — for more than a year — it would help to avoid the kind of displacement that might have occurred had a shop been eligible after only being vacant for a year. For example, a multiple trader could simply have vacated their shop and moved somewhere else and moved someone else into their premises to avoid the rates. Having that one-year period would stop people abusing the system in that way.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. Can the Minister provide us with a geographical spread of the uptake of the scheme, please? He may not have it with him today.

Mr Wilson: I do not have it with me today, but I can say that, from the very north of Northern Ireland to the very south of Northern Ireland

and from the east of Northern Ireland to the west of Northern Ireland, people have taken up the scheme and are successfully running business as a result.

DFP: Press Releases

4. **Mr Elliott** asked the Minister of Finance and Personnel to outline the reasons for a ban on departmental press releases being circulated to Press Association Ireland. (AQO 2747/11-15)

Mr Wilson: As everyone in this House knows, I seek to keep good relationships with my friends, my enemies, those who abuse me and those who praise me. However, on occasions, when I believe that there has been wilful wrongdoing, it is right for any Minister to impose whatever sanction they believe is necessary. About a year ago, the Press Association ran a story that was totally without foundation and which it had made no attempt to check. Even after it had been given the facts, it stuck by its story. I do not believe that it would have been reasonable in such a situation for me to ignore what had been done, and, therefore, I made it clear that it would not get any co-operation from me or from my Department. That situation existed until I met Deric Henderson from the Press Association. He made a plea to have the situation changed. He made an apology privately. He was not prepared to do it publicly, but I accepted that and the situation was resolved a number of weeks ago. Let me make it very clear that, as a Minister, I expect that people will not treat me with kid gloves, but I do not expect and will not allow people to wilfully walk over me, especially when it involves ignoring the facts.

2.45 pm

Mr Elliott: I am almost tempted to ask the Minister how many people are in each of the categories that he outlined: his friends, his enemies and whoever else. Did the Minister report the matter to the Press Complaints Commission? If so, what was its response?

Mr Wilson: I did report the matter to the Press Complaints Commission, which upheld my objection to the story and asked for a retraction. That was slow in coming, which contributed to the way in which the matter was handled.

I thought that the Member was going to upbraid me for my attitude to the press. I am glad that he did not, because I might have made another enemy. Given the fact that the House is littered with people who have been subject to purges in the Ulster Unionist Party after the issuing of

press statements, I am glad he did not go down that line. I would have had great fun if he had.

Mr Mitchel McLaughlin: I listened with interest to the Minister's responses. I congratulate him on resolving the issue in the meeting with the PA. Did he meet the PA before he imposed the ban?

Mr Wilson: I not only met someone from the PA but spoke to them a number of times on the telephone. I ran into Deric Henderson while he was signing books in Coleraine and had a long conversation with him in that bookshop. Every effort was made to give the Press Association an opportunity to remedy the situation. It was unwilling or unable to do so, hence the sanction that was imposed. As I said, it is not my style to hold grudges in that way, but, equally, it is not my style to be used as some kind of doormat.

Lord Morrow: I have listened with interest to what the Minister said. Can we take it that it is business as usual, all is forgiven and we are back to normality? It seems that the Minister has been very tolerant, bearing in mind that he was given an apology privately but not publicly.

Mr Wilson: It is, of course, always better to have good relations with the press, although, at times, that is not possible. When it is possible and when issues can be resolved, of course I am happy to do so. I am glad that the issue has been resolved. I trust that it will be a salutary lesson, and I hope that all Ministers adopt my position. The press has an important job to do, but it should do that job properly. The influence and the power of the press does not mean that we should allow it to do a shoddy job without any consequences.

Budget: Non-identifiable Expenditure

5. **Mr Sheehan** asked the Minister of Finance and Personnel how the contribution to non-identifiable expenditure is calculated and allocated across relevant budgets. (AQO 2748/11-15)

Mr Wilson: I assume that the Member is interested in how the non-identifiable expenditure is treated in the estimation of Northern Ireland's net fiscal balance position. Of course, it would not be treated across individual Departments in any way. Non-identifiable expenditure is incurred on behalf of the United Kingdom as a whole and cannot be identified as benefiting any particular region of the UK. It mostly comprises spending on defence, debt interest and international

services. My Department estimates Northern Ireland's share of that expenditure. It is generally worked out either on the basis of our percentage of the UK population or our percentage of the UK gross value added. That method is then included in the net fiscal balance report for Northern Ireland, which is available on the Department's website.

Mr Sheehan: Gabhaim buíochas leis an Aire as ucht a fhreagra. I thank the Minister for his answer. Will he confirm that those matters also relate to the bank bailouts and Olympic funding?

Mr Wilson: No. As a result of our negotiations with the Treasury we got a Barnett consequential as a result of the Olympic funding. There was a dispute from us, Scotland and Wales about the exact amount that should have been attributable to our budgets, but there was expenditure during the Olympics on, for example, roads and housing that would have had Barnett consequentials. I cannot remember the exact amount of money that we got from that, but we fought and got a Barnett consequential. It would not have included Olympic funding.

As far as the bank bailout is concerned, where there is any interest on the loans or the overall borrowing that would have been attributable to it, that interest would have been spread out across the four Administrations — the three Administrations plus England — in the United Kingdom.

Mr Rogers: Minister, will you detail the costs?

Mr Wilson: We only have the figure for 2008-09 because the data is not up to date yet, but the cost to Northern Ireland of that non-identifiable expenditure and our proportion of the total UK expenditure was £2.8 billion in 2008-09. I do not have the figures for 2009-2010 or 2010-11 yet, but they should be available shortly.

Mr Deputy Speaker: Moving on, I call Leslie Cree. Sorry, I did not realise that we had only had one supplementary question. I call Jim Allister.

Mr Allister: Does that figure include the very extensive subsidy that we share, as part of the United Kingdom, in our EU contributions or is it on top of that?

Mr Wilson: I cannot give the Member an answer to that, although I suspect, since the figure deals with international obligations, that it

would be regarded as an international obligation and that, therefore, a percentage would be attributable to Northern Ireland. Like me, the Member holds the view that that considerable contribution, which is well above what other nations in Europe of an equal financial and economic standing contribute to the European budget, should be severely reduced, and we support the UK Government in all their efforts to reduce the net contribution to the EU budget, which seems to be out of control. I note that, at a time when we have austerity measures in the United Kingdom, the EU seems to think that it can have an increase in its budget of over 5%.

Government: Procurement

6. **Mr Cree** asked the Minister of Finance and Personnel what action he intends to take following the publication of the Northern Ireland Audit Office report on collaborative procurement and aggregated demand. (AQO 2749/11-15)

Mr Wilson: First, I welcome the publication of the report. As Members will appreciate, all Northern Ireland Audit Office reports are laid before the Assembly and may be subject to review by the Public Accounts Committee. Therefore, it would be inappropriate for me to comment at this moment in time. However, I assure the Assembly that we intend to build on the work to date on collaboration to ensure that we maximise further opportunities and savings, even though — we may pick this up later in the discussion on this question — that is not without consequences for some of our other objectives of trying to encourage small and medium-sized enterprises to avail themselves of public procurement contracts.

Mr Cree: That leads me on very nicely to my supplementary question. Minister, there is obviously a tension between aggregating requirements to enable the best price possible and trying to attract small and medium-sized enterprises to compete. Have you any plans to handle that difficult problem?

Mr Wilson: The Member is right. We are looking to see where similar things are purchased by a number of different COPEs across Northern Ireland, but, when you bundle contracts together and make them of a higher value, you inevitably encourage bigger firms from outside Northern Ireland to tender for those contracts. There will be those tensions. What we sometimes do is encourage small firms to join in co-operative ventures with the bigger contractors who are applying for the large contracts etc, in order to try to give them a

foot in the door. However, there is a conflict there, and Members must be aware of it. If we want to have bigger tenders, some of the smaller businesses will either feel that they cannot apply or find that they are in competition with much more efficient, larger businesses.

Mr Boylan: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I will not ask the Minister a statistical question. Has he any plans to develop a stronger procurement process on an all-Ireland basis?

Mr Wilson: We have made big improvements in the procurement process. However, I must say that I am still unhappy with many of the responses I get about procurement in Northern Ireland. Sometimes, there is inconsistency across COPEs in the ways in which tenders are handled, the bureaucracy etc. We have been working with various interests and industry groups to improve that.

I do not know whether the Member is really getting at improving the chances of success for local businesses. I suspect that that is what he is at. I have always added this caveat to any comment on this: we have EU regulations, which, of course, do not allow us to favour small businesses. However, if you look at the record in Northern Ireland, you find that we are currently sitting with 77% of contracts awarded by COPEs in Northern Ireland going to small and medium-sized enterprises. That compares with 24% in Great Britain. So we have got the balance more in favour of local businesses; however, we have to be careful that we do not breach regulations. In relation to the point that Mr Cree made, we must also be aware that, when we break contracts down into small lots so that firms can afford them, we may not get the best value for money.

Mr Dallat: I fully take the point made by the Minister that small and medium-sized businesses should be capable of tendering. However, the Minister must be aware that, in recent times, the education and library boards, the PSNI, the Fire and Rescue Service and Northern Ireland Water have all been guilty of not going through the proper procurement procedures and allowing our own companies, here in Northern Ireland, to submit tenders. What is the Minister doing about that?

Mr Wilson: I assume that the Member is talking about the way in which some contracts are extended once they have been awarded. There are, sometimes, very good reasons why a contract could or should be extended, and,

indeed, that does not always result in not getting value for money. In fact, on many occasions, by extending a contract, we get value for money. However, in all of those cases, there ought to be a business case presented, and guidance has been given to that effect. Justification has to be made for why an existing contract should be extended rather than going out to a new tender.

Private Members' Business

Cross-border Education

Debate resumed on motion:

That this Assembly notes the report 'A Study of Obstacles to Cross-border Undergraduate Education' (May 2011) based on research by the European Employment Services Cross-border Partnership at the request of the Irish Business and Employers Confederation and the Confederation of British Industry Joint Business Council; and calls on the Minister for Employment and Learning and the Minister of Education to work closely with the Department of Education and Skills to remove the barriers which limit student flows within the island of Ireland. — [Mr McElduff.]

Mr Buchanan: I question the motivation of the proposer. Why has a motion with such a narrow focus been brought before the House? It is clear that the proposer's main thrust and aim within the motion is solely focused on a North/South basis and completely ignores the east-west dimension. I therefore question how serious he really is about student flows throughout the region and to and from Northern Ireland.

During his speech, the proposer raised the difficulties faced by students and the problems that are highlighted in Andy Pollak's report. Those problems are a lack of information about universities, lack of information about institutes of technology, the high cost of living in Dublin, unfamiliarity with the Central Applications Office (CAO) process and so forth.

I would have thought that that was a matter for the Southern Government, rather than the Assembly. Perhaps it would have been better if the Member had passed the motion on to his counterparts in the South, who could have debated it in the Dáil rather than here. I feel that this is really an issue for the Southern Government. It goes without saying that, here in Northern Ireland, we —

3.00 pm

Mr Flanagan: Will the Member give way?

Mr Buchanan: You will have your chance, I am sure, later on in the meeting.

It goes without saying that, here in Northern Ireland, we place a high value on education in general, and on our higher education system in

particular, with a high proportion of our young people receiving an educational qualification that is recognised as being the highest in Europe. Research has shown that the situation of university students in Northern Ireland is unique among the regions of the United Kingdom in that it has the highest participation rate for students from lower socio-economic groups. For example, in 2008-09, almost 41.7% of Northern Ireland's full-time degree entrants were from lower socio-economic groups, compared with 32.4% and 28.2% in other regions. Although 31% of Northern Ireland-domiciled students study in other regions of the UK, only 2% of students from the UK regions are in our Northern Ireland universities. Equally, a similar trend can be found between the student flow North and South. Figures indicate that students from Northern Ireland studying in the Republic represent only 1% of its undergraduate population, while, on the other hand, students from the Republic studying in Northern Ireland universities equate to 4.4%.

So, we can conclude that we have a problem; a problem of a limited cross-fertilisation of education opportunities taking place on an east-west dimension as well as on a North/South basis. Unfortunately, the motion fails to reflect that, with the proposer being so narrow-minded that he chose to deal only with obstacles to undergraduate education on a North/South basis. That is one of the reasons why I cannot and will not support the motion. So often from the party opposite that brought the motion, we hear the words, "all-inclusive". Where is the all-inclusiveness in the motion? It seems to have disappeared from the proposer's vocabulary today. There is no doubt that —

Mr McElduff: Will the Member give way?

Mr Buchanan: No.

There is no doubt that Northern Ireland's universities will face a number of challenges in the next 10 years with demographic changes and the number of 18-year-olds predicted to fall by 15%, all of which will have an impact on undergraduate numbers. Therefore, it opens up the opportunity for a free flow of students from the different regions and jurisdictions. However, we must ensure that, whatever regions and jurisdictions these students come from, they are responsible for the student fees, the maintenance allowance, the higher education bursaries, etc, so that an added financial burden is not placed on the Department for Employment and Learning and the Northern Ireland Executive.

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

Mr Buchanan: Mr Deputy Speaker, my understanding is that students from the South have cost the Northern Ireland purse £11.6 million this year, and we must look very seriously at that. We will not be supporting the motion.

Mr B McCrea: We are a little more ambivalent about the motion than the Member who spoke previously, in that we understand that there is an issue that should be dealt with. I listened to Mr McElduff's opening statement, and he made a number of points in his very fine speech. However, I could not help thinking that he was speaking to the wrong audience, and that the audience that he ought to be speaking to is the Dáil Éireann, and that most of the issues that he raised — *[Interruption.]* Is that not correct? Have I got the pronunciation wrong? I am sorry; I am doing my level best here.

Dr Farry (The Minister for Employment and Learning): Dáil Éireann.

Mr B McCrea: Sorry. The Minister for Employment and Learning has brought his considerable intellect to bear on the subject and whispered — *[Interruption.]* Mr Deputy Speaker, I sympathise with you for the trouble that you are having today with the unruly crowd here. We are doing our very best to engage positively on a matter that affects some people very particularly.

This seems to be an issue that is to do with the Irish system orientating to sort out Irish problems, and the knock-on effect for people from this part of the world is consequential rather than intended. At the risk of seeming a little too pointed, I will point out to the Members who brought the motion to the Floor that the Committee for Employment and Learning, at their request, is dealing with this issue. We are writing to UCAS and the CAO, and we have done all the things that we were asked to do. Therefore, I have a little bit of concern that we are duplicating or making redundant the Committee's work. I am not sure that that is good practice.

The report that people are referring to is good, but it was published in May 2011. So, you have to wonder why it has taken until now for us to deal with the matter.

Earlier today, I asked the Minister of Education when he became aware of the situation, and in response he said that it had been in place for

possibly three to four years. So, the real issue is that, although there are undoubtedly difficulties with it, I am not sure what the discussion in the Chamber today is going to do about resolving them. The Minister has said that he is dealing with it, and the Committee is also saying that he is dealing with it. There are undoubtedly some problems, particularly in medicine, in that if you were to have an unregulated system, as I understand it, there would be great difficulty providing enough places for the people in the South of Ireland who want to go to universities there. That is really what they were concerned about.

All in all, do I have some sympathy with the fact that some people do A levels in one year but are not counted in the CAO for the next year? Yes, I do. I think that that information should be made available. Is the prospect of going to an Irish university not fully explained to members of all schools in Northern Ireland? I think that that is also the case, but that is probably the responsibility of the universities — TCD, UCD, DCU and so forth. Those are areas in which the universities ought to do more outreach.

We recently had a lunch at Queen's University Belfast at which members of the Committee and other Committees were present celebrating their success. It is worth saying that they engage more fully with the universities than we perhaps realise.

I will close with one point that I think that we should be dealing with, because it is a here and now. The point was raised at that lunch. Students come from the Republic of Ireland, and although their fees are paid by the Government in the Republic of Ireland, their living costs, student loan or any subsistence are not paid. That was introduced in a draconian way, without warning or interest. Perhaps those are issues that the Members on the opposite Benches should be picking up, rather than some of the other matters. It is a very important issue, and, no doubt, the Minister or whoever will respond to that point.

Mr Rogers: I thank the Members for bringing the motion to the Floor. Although it focuses on undergraduate provision, there are also issues with school and postgraduate provision. When it comes to undergraduate level, I am only too aware of the obstacles. I suppose I can declare an interest, as two of our daughters were educated at UCD. The Member who moved the motion outlined the obstacles, so it will be suffice for me to mention one or two issues. Until relatively recently, students in Newry knew little about Dundalk Institute of Technology, which is just 14 miles away from Newry, as

there was a tradition for students to head for Belfast. However, DIT is now addressing that issue and is visiting the schools in Armagh and Down.

I will move now to equivalence, particularly where our veterinary students are concerned. Where else on this island, other than Dublin, can you do veterinary studies? It leaves veterinary students between a rock and a hard place — four A*s or fees of over £9,000 per annum. A Member across the Chamber talked about the obstacles to east-west links. I think one of the obstacles to east-west links is the fees. It does not end with undergraduates. It is also there with postgraduates. I had an e-mail from a mother recently whose daughter is living in the South and has a degree from the North. She has applied to UCD, NUI Maynooth and NUI Galway to do a postgraduate course in education, but the Teaching Council of Ireland does not recognise her degree from the North. I can give the details to the Minister later, and I hope that he can do something about that.

Education is at the heart of our economic recovery. It will not happen if we do not get education right. There are some success stories of cross-border co-operation. The InterTradeIreland FUSION programme develops and facilitates three-way cross-border innovation projects between companies, third-level institutes and graduates. However, the Minister for Employment and Learning's statement of 24 April on the higher education strategy was a half-hearted approach to North/South co-operation. North/South was mentioned in the same breath as co-operation with Europe and the rest of the world.

For me, the way ahead must be a multidimensional approach, involving DEL, the Department of Education, its Dublin counterparts, the universities, institutes of technology, further education colleges and our schools working together, with the Executive taking the lead. DEL and the Department of Education must collaborate fully with the Irish Department of Education and Skills to ensure that obstacles to cross-border education provision are minimised and are no longer allowed to be an impediment to the economic regeneration of this island. They must examine the implications for higher education on the island with the advent of higher fees in England, the falling birth rate here and the higher birth rate in the South.

The universities, institutes of technology and further education colleges must continue to improve the information flow across this island. The Irish Universities Association and CCEA

report on equivalence needs to be considered in order to ensure that the most equitable system of equivalence possible is incorporated into a reformed CAO. Students who study vocational A levels and BTECs need their qualifications recognised across this island. Schools need to inform themselves and students better about the different higher education options on the island. Most importantly, the lead must come from the Executive, leading to co-operation, which is at the heart of strand two of the Anglo-Irish Agreement. I ask today: is there the political will? Are we going to have real and meaningful progress on an all-Ireland higher education strategy? For me, if there is a will, there is a way.

Mr Lyttle: On behalf of the Alliance Party, I support the motion and the calls for the Minister for Employment and Learning and the Minister of Education to work together to ensure further and higher education exchange and collaboration across the island of Ireland. This is a very practical issue that affects young people in Northern Ireland, and for the DUP and the UUP to tell those people to take their concerns to the Dáil is quite astonishing, to be honest.

In 2002, I was fortunate to participate in the Washington Ireland Program for Service and Leadership, which, to this day, brings students from all manner of backgrounds across the island of Ireland together for invaluable work experience in Washington DC and builds a network of young people dedicated to working together to improve communities across Ireland. Indeed, there are a number of DUP members and staff among its alumni who seem to share my passion for all-island exchange and education of this nature. I would like to recognise the contribution made by everyone involved with organisations such as the Washington Ireland Program to advancing this aim.

In 2011, the Alliance Assembly manifesto pledged to work to develop mutual recognition of education qualifications between Northern Ireland and the Republic of Ireland and endorsed closer co-operation between institutions at all levels on the island of Ireland. My party continues to believe that working in collaboration to enhance student mobility between both jurisdictions is extremely important, and there is much work to be done to achieve that aim.

Mr B McCrea: Will the Member give way?

Mr Lyttle: Not many Members gave way to me, but go ahead.

Mr B McCrea: I missed that scurrilous comment. I am just wondering whether you are disappointed with your Minister's progress in resolving this issue, which was a manifesto commitment, given that you attacked us and said that we should not be talking here. I do not think that this is the right way to go about a debate where people are trying to resolve real issues for real people.

3.15 pm

Mr Deputy Speaker: The Member has an extra minute.

Mr Lyttle: I understand that the negotiations are ongoing. I welcome them and the work that has been done. I also welcome the fact that the issue has been raised at the Assembly today. It is disappointing that, unfortunately, Mr McCrea and the DUP have suggested that this is not the place in which to raise this type of issue. I look forward to hearing what the Minister has to say on it.

Some of the reasons offered for the low take-up included difficulties with the application processes and confusion about entry-level criteria. They are legitimate concerns that need to be addressed. The application procedures must be clarified to increase the uptake of student places. I look forward to hearing from the Minister on that.

I welcome the work that the Minister for Employment and Learning and his Department have done to deliver the higher education strategy for Northern Ireland. This document, as Mr McElduff mentioned earlier, confirms that higher education providers will be encouraged to facilitate student flows between Northern Ireland and the Republic of Ireland and minimise obstacles to cross-border undergraduate mobility.

All three of Northern Ireland's universities are members of Universities Ireland, and the Open University provides courses and qualifications throughout the island. I welcome the Department for Employment and Learning's commitment to fund Universities Ireland to promote co-operation and understanding in higher education on an all-Ireland basis. I welcome the revised student finance arrangements for local students who will commence higher education in the Republic of Ireland in September 2013. Those arrangements are broadly equivalent to those

for Northern Ireland students who study anywhere in the United Kingdom, and I welcome the progress made in that regard. I do, however, support the call for urgent action to achieve the mutual recognition of A levels and leaving certificates on the island of Ireland. As I have said to Mr McCrea, I understand that negotiations are ongoing to resolve that matter. I look forward to hearing more from the Minister about that today.

Mr Hilditch: I speak as a member of the Committee for Employment and Learning — indeed, a relatively new member — who is attempting to get his head round the many challenges that currently face the Department. Although the motion calls for the Minister for Employment and Learning and the Minister of Education to work closely with the Department of Education and Skills to remove the barriers that limit student flows on the island of Ireland, I, for one, acknowledge the historical background, where we are today and the implications of any change to the current situation. However, like Mr Buchanan, I question the usefulness of today's debate.

As I said, I am new to the Committee, and, admittedly, this is the first time that I have looked at the report in any detail. If I am being totally honest, I believe that most of its findings could be described as almost stating the obvious, with information — or, perhaps, the lack of it — on economic and grade equivalences being to the fore. The recommendations clearly flow from these findings, and that is where I have concerns about financial implications and pressures in this budgetary period, together with any further burden to the taxpayer. Some recommendations relate to much that can be done in the sector itself and, indeed, in other jurisdictions. However, there is also a call for government resources to be made available for commissioned work, and this report would form the basis of any collaborative working.

It is worth noting that some of those in the Republic of Ireland who participated in the formulation of the report expressed concern that they could not justify the expense at this time of severe financial cutbacks. Here in Northern Ireland, in our devolved Administration, those pressures are no different. Indeed, my attention was drawn to the section in the research pack that gave some detail on what is expected in monetary terms from the Department for Employment and Learning during the current mandate alone. The figures are quite stark and certainly exercised the minds of members of the Committee for Employment and Learning.

Further to that, I understand that the cost of cross-border education to our devolved Administration is around £11.6 million. Clearly, any increase would affect departmental budgets.

I believe in educational choice. However, I am concerned about the impact that this motion or, indeed, any private Member's motion would have on our priorities. The Minister has been strong on issues that relate to growing the economy in Northern Ireland. He has clearly set out the Department's stall in recent statements on higher education. We know where improvements can be made in the system here. I advocate strongly that any additional resources made available should be diverted to priorities here in Northern Ireland that will shape and create an innovative economy. Having attended my first couple of meetings of the Employment and Learning Committee, I have already been hearing of the basic need for capital spend on facilities and enhanced careers guidance down the line. Those are examples of local bread-and-butter issues that we must prioritise for our limited resources. I am concerned that a motion such as this would divert resources from real needs, and I will not be supporting the motion.

Mr Hazzard: Go raibh maith agat, a LeasCheann Comhairle. I thank my colleagues for bringing forward this hugely important motion. We had a number of significant discussions in this Assembly over the past few weeks regarding appropriate educational arrangements and investment strategies. There can be little doubt that this motion on cross-border student mobility is central to the current discourse on nurturing educational growth and economic prosperity throughout the island of Ireland.

It is undoubtedly the case that a sustainable, accessible and equitable process of building a knowledge-based society, in which knowledge acts as the catalyst for social expansion, is fundamental to our ability to grow future economies. As the mainstay of critical thinking and cutting-edge research, our centres of higher education play a leading role in that process, as they not only encourage and facilitate higher and further learning but offer academic freedom to our young people to push boundaries and exceed expectations. For that reason, among others, society's ability to harness the pioneering potential of higher education has often been the determining factor in scientific discovery, medical breakthrough and engineering feats.

Student communities in universities throughout the world have been at the centre of great social change. From Kent State in Ohio to the Sorbonne in Paris and our own civil rights struggle here in Ireland, universities have provided winds of change when old systems were ripe for reform.

Today's world of instant information and the global movement of people, ideas and cultures across borders presents us with endless opportunities for our society. Higher education has always been at the heart of international solidarity between peoples and cultures. In today's shrinking world of transnational trends and norms, access to equitable higher education stands as a door to a vastly improved future for many millions of young people.

Such opportunity has been characterised by huge change in higher education throughout the world. Demographic growth estimates point to a population of eight billion people within the next few years, with 130 million students by 2020, 10% of whom will access cross-border higher education. At the dawn of the 21st century, Australia already had 100,000 students enrolled in 1,500 cross-border higher education programmes. International figures have followed suit in subsequent years.

The demand for cross-border higher education, especially in professional courses, is rapidly increasing throughout much of the world. A number of reasons explain that, including changing demographics, increased post-primary graduates, movement to lifelong learning and the widespread growth of the knowledge economy. We are also seeing a huge change in the delivery of cross-border education as innovations in information and communication technologies provide alternative and virtual ways of delivery, which are fitting into new types of cross-border programme arrangements such as branch campuses and franchise and twinning measures.

The face of higher education is changing rapidly as it grapples with the challenges of sustainable development and the mounting demands of lifelong learning. New providers, such as on-line universities, branch campuses in other jurisdictions and corporate universities, are creating a paradigm shift in higher education. In our age of accelerating globalisation, dynamic processes of increasing interdependence, growing competition and the communications revolution are severely calling into question the traditional forms of higher education.

The mobility of students, professors, knowledge and values has been part of higher education for centuries, but in the past two decades we have seen a huge growth in the mobility of programmes and modes of delivery. That presents many new opportunities for, notably: increased access to higher education; strategic alliances between regions; the production and exchange of new knowledge; the movement of graduates and professionals; human resource and institutional capacity building; the improvement of academic quality; and increased mutual understanding.

There is strong evidence that cross-border dynamics play a leading role in helping countries to develop accessible, available and affordable higher education. However, there are often difficulties around who awards the degree, who recognises the degree and whether it is quality assured. To overcome those problems, it is vital that Governments have clear legislative and regulatory frameworks for higher education. In cross-border education, recognition is critical to ensuring the legitimacy of the institution and the qualifications provided. As my colleagues have outlined today, those are some of the problems that face Irish post-primary pupils as they plan the next stage in the learning process. Indeed, today's debate will signpost why the movement of higher education students North and South has been considerably lower than you would expect for a small island with similar —

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

Mr Hazzard: — educational cultures and systems. I support the motion, and I urge others to do the same.

Mr Anderson: I rise as a member of the Employment and Learning Committee to speak against the motion. It is a very great pity that the Members opposite seem to take every opportunity to make political capital out of important issues. I therefore query the underlying motive behind the motion today. It seems to be little more than "North/Southerly" for the sake of it.

Going by the number of Assembly questions that have been tabled by the Members opposite in recent times, they appear to be obsessed with the issue of student flow between Northern Ireland and the Irish Republic. At the same time, unless I have missed something, they are curiously silent on the flow of students between Northern Ireland and Great Britain. That is an area in which there are disparities and

problems due to the different fee structures in the United Kingdom. That is a much greater priority.

I fully accept that there is a long-standing tradition of students from Northern Ireland attending excellent courses at such well-respected universities as Trinity College and University College Dublin. That tradition should continue for those students who wish to avail themselves of those opportunities. There is also a tradition of students from the Irish Republic coming up to our excellent centres of learning such as Queen's and the University of Ulster. That continued, to some extent, during even the dark days of the Troubles, when, just like all of our society, our universities greatly suffered as a result of terrorism. Let us never forget that many potential students had to leave home for an education because of the impact of that terrorism. Many of our best students left these shores to study, never to return.

There is merit in the various universities in the two jurisdictions co-operating to maximise their resources and provide complementary courses. However, there are a number of obstacles to co-operation, some of which have been highlighted by 'A Study of Obstacles to Cross-border Undergraduate Education'. Those obstacles cannot be easily overcome. Most of the recommendations in that report fall to the universities to consider and implement. They are not for government.

Northern Ireland has close and long-standing links with universities and colleges in England, Scotland and Wales. Surely it is more important that there is open and affordable access for all the citizens of the United Kingdom to some of the best educational establishments to be found anywhere in the world. The free flow of students in the United Kingdom regions has entered uncharted waters. I fear that it has been damaged by the sharp increases in student fees in England and the cap that was introduced in Scotland and Northern Ireland. The new arrangements have led to several discrepancies that could be open to challenge. For example, it is grossly unfair that those from Northern Ireland who go to a university in Scotland will pay more than those from the Republic of Ireland. Indeed, that has led to some Northern Ireland students obtaining an Irish passport to get reduced fees. That might please the Members opposite, but it is a disgraceful state of affairs that needs to be addressed.

Mr Humphrey: I am grateful to the Member for giving way. I absolutely agree with the point that he has just made. I have heard many

contributions from the Floor here; people talk about aspirations, education and the movement of people and students across the border. However, I have not heard, other than from these Benches, anyone talk about cost. No one has mentioned opportunity cost. What do we stop funding to enable that to happen? No one has mentioned that.

Mr Deputy Speaker: The Member has an extra minute.

Mr Anderson: I thank my colleague for his question. I agree with him. He is quite right in saying that. They are being a bit short-sighted. They have certainly not looked too far into the actual cost. I talk about the cost in my speech.

It is grossly unfair that English students who come to Queen's will pay the full £9,000 in fees while students from the Republic of Ireland will pay the same £3,500 as Northern Ireland students.

Why should students who come to Northern Ireland from a foreign jurisdiction be treated more favourably, because they are EU nationals, than those who come from within the United Kingdom?

From next September, the arrangements for students from Northern Ireland studying in the Irish Republic will change with the ending of the grant. I will be interested to hear the Minister's views on how he thinks that might impact on the flow of students from here to the Republic. It is also worth noting that, as I understand it, students who come from the Irish Republic to Northern Ireland this year will cost Northern Ireland — I think my colleague said it — somewhere in the region of £11.6 million.

The issues that I have raised are far more important and pressing than those in the motion, which, as I said at the start, stems from Sinn Féin's obsession with all-island, North/South pipedreams that do no favours to anyone, especially students. I oppose the motion.

3.30 pm

Mr Kinahan: I welcome the motion. It is sad that our party's amendment was not picked up, as it would have allowed us to expand the motion to include Scotland, England and Wales. Following my speech on education last week, I fear that certain people will expect me to be paranoiac all the time. However, I wish that we could have fewer motions that divide the House down the sectarian sides. I look forward to this

sort of motion including everyone and not just dealing with the Ireland/Northern Ireland side.

Today, we should be concentrating — and we are, to a certain extent — on the obstacles to cross-border undergraduate education and looking to removing those barriers. It is on that point that I welcome the motion. I think that we should emphasise and concentrate on the students, their undergraduate education and the skills they need, and help them to get the jobs, not only in Northern Ireland or Ireland, but everywhere possible.

I have raised this issue before. Often, we seem to navel-gaze or concentrate too much on Northern Ireland and Ireland. I look forward to the day when we can look outside Northern Ireland and at Northern Ireland being the world leader that it was — it still is in many areas — and when we can prepare students for the world and make sure they achieve the skills that make them go out in the world and become the entrepreneurs and managers who will, eventually, come back here and employ the next generation of students. So, the cycle should go on. We should concentrate on bringing forward the entrepreneurship and skills that we want to see in the future.

I thank those who wrote the briefing document. It was intriguing to see that, in 2009-10, 880 students went from here to Ireland. All in all, it was 1,290, which is not a huge figure, and 675 Northern Ireland students moved in the other direction. So, we are really only talking about 1,600 students a year. To put that into perspective, 17,000 students applied for places at Queen's University and the University of Ulster. There were only 8,000 places and, although we do not where they went afterwards, 9,000 students did not, necessarily, get their places. Some 16,000 students also go to the UK, especially to Scotland and the north-west. We need to look at the problem, and, as we are only talking about 1,600 students North and South, maybe we are right to focus on getting rid of the barriers and on making sure that there are more chances across the border and here for those in Ireland.

I think that, at some stage, I am meant to declare an interest, in that I have a daughter at university in Newcastle and another who is going to university in Bristol. I do that now.

The barriers concern me. I was expecting that, by now, we would have gone into the detail of the differences in exams and qualifications, the problems in applying and what courses are available and where. Yet, no one seems to

have touched on those details other than the Members who made the early speeches.

I want to touch on three matters. We talk about fees, grants and loans, and yet behind the word "loans" is the problem of debt. There is a mass of people who find the whole idea of student loans and getting into debt quite frightening. That is one of the barriers, and we really should look at how we teach people about the risks that do and do not exist with debt and help them not to see it as a barrier. That will allow them to move on and help them to manage it. We also have many who do not want to travel. In fact, one family in Antrim told me that they did not want their children to go as far away as Ballymena. As an Antrim man, I can understand that.

Mr Allister: Careful.

Mr Kinahan: Thank you. That is the sort of thing we are working against. There lies a very real barrier; there are people who do not want to travel. As part of our education system, we should be helping people to learn the skills in life that make them feel more confident, which will let their families allow them to go further away so that they can come back and help Northern Ireland and Ireland in the future.

Finally, on those points, there is learning about life. Going to university is not just about taking exams and passing; it is about learning to do things with other people and, dare I say it, have fun.

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

Mr Kinahan: We must remember that people have to have fun at university, as well as understand and learn. I ask both Ministers to look at all the barriers, itemise them and find a way through them.

Mr McDevitt: I declare an interest as the husband of an academic at Queen's University, Belfast.

I note the report in front of the House that is behind the motion. It contains some stark figures; for example, at the time of publishing, only 1% of students in the Southern higher education system was from Northern Ireland, and 4.4% of our student quota was from the Republic. For such a small island, we simply cannot afford such disappointing mobility rates. The report outlines several issues that act as barriers to mobility, and I want to concentrate

on two in particular: transferring qualifications and accessible information.

The fact that on this island we have no method of qualification harmonisation is a cause of legitimate concern. I fear that this has been more of a political issue than a practical one, and I fear that, given the tone of today's debate, there are some in this House who continue to see it purely as a political issue rather than a practical one. It may be worth noting at this point that there is not one single university in this jurisdiction that does not want a more diverse student body. In fact, when you get senior academics in this jurisdiction into a room, they are careful to point out clearly that one of their great concerns about their universities is that there is not a great deal of diversity in their student body. Universities do not stick their heads in the sand, and politicians who have authority over universities should be careful not to do the same.

A practical solution is available. If the European Union can agree a method of credit transfer across several borders, why can we not simply do the same? The European Credit Transfer and Accumulation System (ECTS) is based on the Bologna process, which aims to establish a system of credit as a proper means of promoting the most widespread student mobility, and is used throughout the European Union. It uses common systems of grade equivalence agreed by member states through the European qualifications forum. If a student receives a 60% grade in France, that equates to a level on the ECTS scale that can be used to calculate the grade in line with local grading from any other EU country. The difference between A levels and Leaving Cert on this island are not so much more complex than those in any other European system, yet a coherent and transparent method of credit transfer cannot be found here. Both the UK and the Republic are members of the European higher education area, where the ECTS process is agreed. In essence, therefore, we can arrange for European students to have their grades equalised to attend third-level education anywhere on this island, yet a Belfast student seeking to attend University College Dublin (UCD), for example, has to go around in circles to gain entry based on their qualifications.

I have looked through the documentation from the high-level policy forum within the UK Higher Education Europe Unit. DEL seems to have minimal input compared with, for example, our Scottish counterparts, who have direct input into the European system. Why cannot DEL, in conjunction with OFMDFM, seek to use our resources through the Brussels office to have a

more direct input into the equivalence process, or even learn alongside the Department in Dublin how a local system might be framed? Both CCEA and DEL have a voice within the UK European Co-ordination Group for Vocational Education and Training, yet I find myself questioning what is being done about student mobility there to promote student flow through the mechanism of an all-island credit transfer.

The SDLP has sought to have the Minister and the Executive put their money where their mouth is when it comes to solutions. We asked if DEL would exempt local students studying STEM courses in the South from paying student fees from 2013, and the Minister refused. We are continually told that such courses are economically critical and that we must ensure that local students stay here to help build a future for this region. Yet, efforts to do those things have been rebuffed.

I ask a simple question: why can we not tap into a European framework that is available to everyone else? Why do we continue to allow ourselves —

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

Mr McDevitt: — to be frustrated by what is either petty politics or bureaucratic unwillingness?

Mr Allister: It seems to be in vogue in the debate to declare interests that might connect one to universities in the Irish Republic. The only interest that I can think to declare is that I recently played a part, happily, in persuading a very intelligent audience in the Historical Society in Trinity to reject the motion that this House would reunite Ireland.

Mr McDevitt: That is Trinity for you, Jim.

Mr Allister: Yes; it was well worth doing.

The motion is, in a sense, quite fatuous in that it comes before a House that should not be the primary target of what is sought to be remedied in respect of such inequity as there is. If there is an inequity, the resolution of it lies elsewhere, with the Dublin Government and not with DEL or this Executive. Of course, as has been pointed out, the motion is but an exercise in Sinn Féin seeking to take yet another opportunity to try to trundle out and promote anything that comes anywhere close to promoting all-Ireland agendas. If the motion were a genuine effort to address university student mobility issues, it would not exclusively

focus on the problem that may exist between Northern Ireland and the Republic of Ireland in that direction. It would focus equally — perhaps even more so — on the problems that we can maybe do more about; those that arise from the lack of mobility into our Northern Ireland universities for students from the rest of the United Kingdom.

Mr McElduff: I thank the Member for giving way. Will he explain why he did not take the opportunity to table an amendment that would reflect that sentiment?

Mr Deputy Speaker: The Member has an extra minute.

Mr Allister: My sentiments will be perfectly expressed by voting against the motion.

My point is that there is no difficulty in Northern Ireland universities attracting students from the Irish Republic. That may be no surprise, because we pay almost £12 million a year for them, and the success rate is quite staggering. We discover that the most recent figures given by the Minister, for 2009-2010, show that the University of Ulster had 2,810 students from the Irish Republic and a mere 625 from GB. So, yes, there is a problem with student mobility, but, as far as our universities are concerned, the problem is in attracting enough students from GB. They have no problem in attracting a surplus of students from the Republic of Ireland. Indeed, the figures for some of the campuses are quite staggering. Magee has 585 from the Republic and 50 from Great Britain. In Jordanstown, 1,420 are from the Republic and 210 from GB. So, yes, there does seem to be a mobility problem, but we need to address it where it lies and not in respect of the flow the other way. It is important to make the point that the local Exchequer funds the bill for all students here, which is something that Sinn Féin, being the spendthrift party that it is — the party that believes in the philosophy of spending other people's money — is quite happy to simply ignore.

Another issue that it is quite happy to ignore in a debate about equity and fairness in education is the Catholic certificate in education, which inhibits so many young Protestant graduates and teachers when it comes to teaching across the ambit of schools in Northern Ireland. So, I think that one can see right through the motion. It is partisan, and it is designed to be partisan. It seeks only to focus on a single issue, and it has no regard to the actual needs of third-level education in Northern Ireland or its reality. It is just another opportunity to push what those

Members see as an agenda of that particular type. I will oppose the motion.

3.45 pm

Dr Farry: I actually welcome the motion and thank the Members who contributed to the debate. I note the free pass on accountability that some Members offered by saying that this is not a relevant issue for either my Department or the House. I believe that it is a relevant issue, and a number of matters fall under my responsibility, as, indeed, some fall under that of my colleague the Minister of Education. This has become a polarised, divisive debate only because some Members have chosen to make it so. I regard this as one issue of many in higher education that are to be addressed. Indeed, we are currently addressing many of those. However, even in isolation, this matter is worthy of consideration.

I remain committed to ensuring that students from here continue to have a free choice of academic institution, whether it is locally, in Great Britain, in the Republic of Ireland or, indeed, elsewhere in the world. I also recognise the important role that all students play in contributing to the vibrant and multinational atmosphere of campuses throughout Northern Ireland. Any factors that limit the student choice of any institution should be explored, and any opportunities to increase student mobility should be considered. As part of that, I am fully committed to ensuring that any barriers to cross-border collaboration and mobility are addressed. This is not about favouring student flows in one particular direction over another. Indeed, we must respect choice. However, irrespective of where students choose to study, I ask that they consider making their future here in Northern Ireland.

Student mobility to Great Britain is already well established. At present, 30% of Northern Ireland-domiciled students choose to study in Great Britain. By contrast, only 2% choose to study in the Republic of Ireland. Although, of course, we have full devolution over higher education, our local higher education sector is nevertheless embedded in the wider UK higher education system, whether we are talking about the UCAS admissions system or the research councils. Exploring greater co-operation on a North/South basis poses no threat to that situation, so I am disappointed that we have had a polarised debate and have entered into a zero-sum-type discussion, which I do not believe is appropriate.

I recognise the convenience, efficiency and cost benefits that exist in accessing services in either jurisdiction, including access to higher education. I therefore welcome the report into undergraduate mobility that was commissioned by the joint business council of those two well-known subversive bodies, the Irish Business and Employers Confederation and the Confederation of British Industry. That report examines the obstacles to North/South undergraduate mobility and makes a number of recommendations to increase student mobility in both directions. I believe that it represents an opportunity to explore any factors that restrict students in their choice of institution. Although some factors, such as the higher cost of living in the South, are likely to go beyond the immediate control of either Department, I will seek to address some of the issues that are of particular relevance to my Department.

Recommendation 1 of the report states that the quality and flow of information about university courses and entry requirements for school leavers in both jurisdictions should be improved. For all students, the selection of an institution and the course to study is critical. It can affect career choice and potential employability. In my Department's recently published higher education strategy, we recognise the importance of the provision of high-quality information for students. Our careers advisers help clients explore the many options that are open to them in higher education and assist them in developing the skills and confidence to choose the career pathway that suits them best.

The Careers Service, in partnership with UCAS, also organises an annual higher education convention in Belfast. This year, exhibitors included representatives from providers throughout the island of Ireland in addition to those from England, Scotland and Wales. In September this year, my Department, in partnership with universities, implemented the key information sets, which provide comparable standardised information about undergraduate courses in higher education institutions, assisting those students to make informed choices.

Also, by 2014, as part of the higher education strategy, we will make relevant higher education information accessible via a single web-based platform. For prospective students from other countries, including the Republic of Ireland, the platform will act as a gateway to higher education in Northern Ireland, with everything that they need to know in one place. Of course, the final decision on institutions to

which students should reply rests solely with the individuals concerned.

I now turn to recommendation 4 of the report, which focused on the current student support and registration fee arrangements for students from Northern Ireland who attend universities in the Republic of Ireland. It suggested that action should be taken to end the anomaly identified in the Stuart review, which is that the maximum maintenance grant for Northern Ireland-domiciled undergraduates who study in the Republic of Ireland is lower than the maximum that applies for study elsewhere in the UK.

Members will also recall that we sought views on student support for Northern Ireland-domiciled students in the consultation that my Department held last year on fees and funding arrangements. Therefore, in June of this year, I announced that we would introduce revised arrangements for Northern Ireland students beginning higher education in the Republic of Ireland in the 2013-14 academic year. These changes reflect the recommendations in the Stuart review, the IBEC/CBI report and responses to the public consultation.

The revised arrangements include a loan to cover the full cost of the student contribution charge, a means-tested non-repayable grant for living costs of up to £3,475 and the maximum loan for living costs of up to £4,840. It was inconsistent to continue to provide a grant for Northern Ireland students to cover the student contribution charge in the Republic while students who remain at home or go to Great Britain are expected to cover the cost of their tuition fees, with the majority applying for loans to do so.

In addition to the loan arrangement, our students will have access to an improved maintenance support package that will be the equivalent of that which applies to Northern Ireland-domiciled students at home or elsewhere in the UK. Indeed, the maximum non-repayable maintenance grant will increase by over 70% from £2,000 to £3,475.

Furthermore, a greater number of students will also become eligible for a personal maintenance grant as the upper household income threshold, to which there is an entitlement, will increase from £23,605 to £41,064.

The changes that will be introduced for students entering the system from next September recognise the long-standing special arrangements for students from here who opt to study in the Republic of Ireland. They also

provide a more level playing field for all our students, whether they are studying in the UK or the Republic of Ireland.

Undergraduates from the Republic of Ireland, like all European Union students who come to study in Northern Ireland, are entitled to apply for the same non-means-tested loan of up to £3,465 that is available to Northern Ireland-domiciled students to cover the cost of their tuition fees. This arrangement complies with European Union legislation and, indeed, is required under that legislation. The responsibility for providing finance to Republic of Ireland-domiciled students to assist with their living costs rests with the Irish Government.

As these reforms faithfully fulfil a recommendation of the IBEC/CBI report, I was somewhat bewildered, indeed wounded, when some of those who tabled the motion attacked me and accused me of undermining the Good Friday Agreement when I was doing no more than implementing that which they are calling on me to do today.

Some unionist Members commented on — indeed, condemned — students from Northern Ireland exploiting a loophole in the Scottish arrangements by using Irish passports. It may be of interest to note that I have received correspondence from a large number of MLAs from both the main unionist parties seeking advice and assistance in that regard. So what they say publicly does not necessarily tally with what they do privately.

Mr Anderson: Will the Minister give way?

Dr Farry: Go ahead.

Mr Anderson: I take on board what the Minister is saying, but the fact is that there is an anomaly. Why should there be that discrepancy, with students having to go down the line of obtaining an Irish passport to get a free grant?

Dr Farry: The reason for the anomaly is the different fee regimes in different parts of the UK. That is an outworking of devolution and primarily an issue for the Scottish Government to address. They have made some announcements on the subject in the past number of weeks, and time will tell whether those stand up to scrutiny.

Comments were made about the cost to Northern Ireland of students coming from the Republic of Ireland, as they do in the current system. The figure of £11.5 million was cited. Of course, that figure includes costs related to

further education. Today, we are talking about undergraduates, and those costs are in the region of £5 million. They are subject to discussion with my Republic of Ireland counterpart. I will raise the issue again on the margins of the forthcoming North/South Ministerial Council meeting.

Mr Kinahan commented on how terrible it was that students have to take on debt as they go through university. I remind him that his party questioned the decision that the Executive and I took to freeze tuition fees in Northern Ireland. Had we not gone down that route, students here would be faced with even more debt, so I did not quite grasp the logic of his point.

Mr Kinahan: Thank you very much for giving way. The point that I was trying to make is that many people are afraid of taking on debt and that we need to help them. I was not opposing the loan system.

Dr Farry: Everyone in Northern Ireland, particularly our young people and students, can rest assured that the Executive have done everything in their power to ensure that local students can go through university accruing the minimum of debt. They can also rest assured that we are working hard to ensure that we widen access and that people from more difficult and deprived backgrounds have an equal opportunity, subject, of course, to their academic ability to undertake courses. It is all about fairness, and we are working very hard to achieve that.

I will turn briefly to some of the other recommendations. The sixth recommendation is that the IUA and CCEA working group, which is examining the equivalences between A level and leaving certificate examination grades for Northern Ireland school leavers applying to Southern universities, make its report available to Irish university presidents. It also recommends that the working group prepare options for change to the Central Applications Office (CAO) system to ensure that the most equitable system of equivalences possible is incorporated into a reformed CAO system.

I am aware of the issues surrounding A Level and leaving certificate equivalences and of the decision by some universities in the Republic to require four A levels at the highest grade — now A* — for courses for which there is high demand, such as medicine and law. Both my colleague the Minister of Education, John O'Dowd, and I have raised that issue with the Minister for Education and Skills, Ruairi Quinn. It is the basis of ongoing discussions between CCEA and the Irish Universities Association.

The Department of Education awaits a report from the IUA and CCEA on admissions criteria for students from Northern Ireland wishing to study in the Republic, and vice versa.

The report's ninth recommendation is that a study be commissioned by the Irish Department of Education and Skills and my Department. This should examine the implications for higher education on the island of the fall in the number of 18-year-olds in the North and the higher birth rate in the South, which has fed into higher demand for education places. It also recommends that we re-examine the recommendations of the Williams report of 1985.

That report suggested that demand for higher education places was set to fall in Northern Ireland, while demographic pressures would lead to a rise in demand in the Republic. The report suggested that it would be cheaper for the Irish Government to pay for its students to fill the spare capacity in Northern institutions than fund additional places in the South.

In the higher education strategy, the Department recognises the projected changing demographic of the student population in Northern Ireland and the need for the sector to respond to the changing market. Of course, that may all change as we see the impact of differential fees across the UK. If, as expected, that results in greater numbers of local students wanting to remain in Northern Ireland to study rather than go to Great Britain, it may offset the demographic changes. So, I will monitor that situation and review it in the light of the changing situation.

I fear that we are running out of time. Hopefully, I have shown that we are taking the recommendations of the report very seriously. We are talking about important matters, and in no way, shape or form do they threaten the situation in Northern Ireland. People should see co-operation as a bonus that maximises choice for our local students.

4.00 pm

Mr Deputy Speaker: I call Phil Flanagan to conclude and wind up the debate.

Mr Flanagan: Go raibh maith agat, a LeasCheann Comhairle. I will try not to wind people up too much, because there has already been too much political posturing in the debate. A number of themes were running through the debate. It is great to see that the Chairperson of the Education Committee has come in to join

us so that he can laugh and snigger for the next 10 minutes as I try to make some —

Mr Storey: Will the Member give way?

Mr Flanagan: I will happily give way, Mervyn.

Mr Storey: It is rich for the Member, having listened to the speeches from his colleagues, to talk about political posturing. The motion was brought to the House for that very reason, so he is not in any place to give lectures to any other Members.

Mr Flanagan: I thank the Member for his intervention. It might not have been that useful, but I genuinely thank him for it.

The motion has been brought to the House due to the publication of a report that was jointly commissioned by the Confederation for British Industry and IBEC. It is very ironic that, two days in a row, DUP Members are going to vote against a paper produced by the Confederation for British Industry while Sinn Féin is going to support it. However, that is where we are.

Members have claimed that this is not the right forum for the debate. Where is the right forum? For most of the debate, we have had two Members of the DUP sitting on the Benches opposite. In fairness to David Hilditch, it is clear that he has read the report, and he highlighted a number of the recommendations in it, but it is quite clear that the other two contributors from the DUP have not read the report. Had they bothered to read the report, they would have seen that at least four of the nine recommendations fall under the responsibility of Stephen Farry or John O'Dowd. So, it is a very relevant debate to this Chamber, and it is a very important issue for our young people who may wish to go to university and cannot go to Britain due to the excessive student fees over there.

Mr Anderson: I thank the Member for giving way. We were talking about the specific issues that Mr McElduff raised in his contribution and whether they would be best debated in this Chamber or in the Chamber South of the border.

Mr Flanagan: I thank the Member for his intervention. Perhaps, he will read Hansard and see that the issues that Mr McElduff raised came from either the recommendations of the report and its substantive content or were brought to him by his constituents in West Tyrone.

It is very clear that the people in the DUP are not here to listen to the debate; they have not read the report. However, the DUP has signed up to co-operation across the border on this island where it is of mutual benefit. Members have spoken about people burying their heads in the sand. That reference was to universities, but it is very clear that there are some in this House who have buried their head in the sand on this issue. One of the DUP Members said that one of the reasons why the party did not support the motion was that it focussed solely on North/South issues and did not focus on east-west issues. It does not focus on east-west issues, because a report has not been published on the east-west issue with nine very straightforward recommendations for us to take on board. If someone were to draft a sensible report and outline recommendations to remedy the problems faced by students here or on the island of Ireland who cannot get into universities in Britain or vice versa, we would happily take that on board and debate it. For people to state that Leinster House is the place to debate this motion is very strange, given that nearly half the recommendations in the report come under the responsibility of Ministers in the Executive.

Three themes ran through the debate. The first was about whether this was the proper forum, and that is the reason for the DUP's opposing the motion. The second theme was about costs, and I am happy to take an intervention from any Member who can outline to me what the cost would be for a careers teacher to provide a student who wishes to go to a university, a college or a institute of further education in the South with the proper information about admissions criteria, the courses that are on offer and what the different criteria are down there. I am happy to take an intervention if somebody can outline to me how that would cost any extra money. Thirdly, many Members raised the issue of mobility with Britain, but, once again, they have completely set aside the argument that tuition fees in Britain are nearly three times the price that they are here. Some Members used the opportunity to say that it is discriminatory that people with a European passport can get easy access to a Scottish university. The Minister highlighted how some unionist MLAs were happy to exploit that loophole in the system when it was open to them.

There are nine recommendations in the report. The most straightforward one and the one on which I have most experience is about the quality and lack of information for students either in the North or the South who want to go to an institute of further or higher education on the other side of the border. When I was in

school and wanted information about going to the University of Ulster or Queen's, I was given a prospectus, and the school knew all about the different colleges and schools at those universities. However, when the potential to go to study commerce at the National University of Ireland in Galway was presented, I was told that I may go on to its website to check that. That is the situation in most places, despite the fact that a great breadth of courses is available across the island of Ireland that are very suitable to what the Enterprise Minister, the Minister for Employment and Learning and the other Executive Ministers are trying to do in upskilling and in growing the economy. It seems that we have no interest in attracting people from the South or in trying to get students in the North to do a good degree there.

Some Members completely failed to realise a point, and Mr Allister walked straight into highlighting the figure that 1,500 people from the South go to university in Derry while only 50 people from Britain go there. Does Mr Allister realise that there is a big stretch of water between Ireland and Britain and that it is much easier for a young person from Donegal to go to university in Derry than it is for someone from Britain to travel the whole way over here to go to Derry? Such stupid points really let everybody down in here.

There are serious problems with how young people can apply for university courses either in the North or the South. If someone who lives in the North wants to apply for a university in Belfast, Coleraine or Derry and in, say, Nottingham or London, there is one simple application process. You have your six choices through UCAS. However, if somebody wants to apply for a single course in Dublin, Galway, Limerick, Dundalk or any other part of the island, they have to go through CAO, which is a completely separate applications process. That means having to make a payment in euros, and that often means having to get a euro bank draft, which means having to go to a bank in the South. All those simple barriers can be overcome. There is no additional cost if that process can be simplified. The big issue, which can be resolved if there is a bit of goodwill from those in the industry and those providing careers advice, is to give young people who are interested in courses and universities in the South the opportunity and all the relevant information.

David Hilditch raised the issue of the historical situation here, and I am not sure what point he was trying to make. He mentioned history, as did other Members. Most of the universities on

this island predate partition. There is a long history of people from this part of the island going to the South. Many proud Ulster men — proud British men — went to Dublin to go to university. Edward Carson, whose statue outside we have just spent £45,000 cleaning, went to Trinity and played hurling, and a fine hurler he was. There is a very proud history of doing that — *[Interruption.]*

Mr Deputy Speaker: Order.

Mr Flanagan: — so why are unionist politicians now so opposed to it?

UUP Members said that they are much more ambivalent about the motion and that they have some sympathy for those affected. I have still not seen how they will vote, so I will watch that with interest. Jim Allister used a lot of big and important-sounding words, and fair play to him for that. He laboured heavily on the differential between the number of students from Britain and those from the North who attend Magee and Jordanstown. That is just senseless.

Stephen Farry stood up as Minister for Employment and Learning and pointed out how he and John O'Dowd were responsible for an awful lot of issues, and really outlined to unionists that this is a matter for Ministers here. Unionists' only argument is that this is not a matter for the Assembly and not something that we should be debating. They will vote against it, even though they have completely bought into the notion that, where co-operation creates mutual benefit for everybody on the island, they will support it. You can clearly see that they have reverted to type and buried their heads in the sand. They are playing politics.

Question put.

The Assembly divided:

Ayes 52; Noes 28.

AYES

Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Copeland, Mr Cree, Mr Dickson, Mrs Dobson, Mr Durkan, Mr Elliott, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mr Gardiner, Mr Hazzard, Mr G Kelly, Mr Kinahan, Mr Lunn, Mr Lyttle, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr B McCrea, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr

Maskey, Mr Molloy, Mr Nesbitt, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mrs Overend, Mr Rogers, Ms Ruane, Mr Sheehan, Mr Swann.

Tellers for the Ayes: Mr Flanagan and Mr McElduff

NOES

Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Clarke, Mr Craig, Mr Dunne, Mr Easton, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Lord Morrow, Mr Moutray, Mr Newton, Mr G Robinson, Mr Ross, Mr Storey, Mr Weir.

Tellers for the Noes: Mr Anderson and Mr Buchanan

Question accordingly agreed to.

Resolved:

That this Assembly notes the report 'A Study of Obstacles to Cross-border Undergraduate Education' (May 2011) based on research by the European Employment Services Cross-border Partnership at the request of the Irish Business and Employers Confederation and the Confederation of British Industry Joint Business Council; and calls on the Minister for Employment and Learning and the Minister of Education to work closely with the Department of Education and Skills to remove the barriers which limit student flows within the island of Ireland.

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

Motion made:

That the Assembly do now adjourn. — [Mr Principal Deputy Speaker.]

Adjournment

Hillsborough: Traffic Issues

Mr Principal Deputy Speaker: The proposer of the topic will have 15 minutes. The Minister will have 10 minutes to respond, and all other Members will have approximately eight minutes.

Mrs Hale: I welcome the opportunity to raise this very long-standing and serious issue. I thank the Members who have remained in the Chamber to speak on the subject. I also welcome some of the residents from Hillsborough, Culcavy and Halftown who have joined us today in the Public Gallery.

Many Members will be aware, either through the local press or issues debated in the Chamber over the past five years, that Hillsborough village and the surrounding townlands have become what is best described as a rat run. The debate on how best to protect the village and residential life while ensuring that traffic disruption is minimal has been rumbling on since 2007 with no solution and no resolution for villagers and residents alike. Life in these areas can be adequately summed up by one resident, who stated:

"My life has become a living hell. I am scared to walk into the village to go about my normal business, and I am woken every morning by the rattling of oversized lorries bouncing off the roads as my house shakes violently."

Unfortunately, that reflects the experiences of most families who live in Hillsborough village.

Many residents have raised the issue, persistently lobbied elected officials and even protested. However, it is important to stress that the issue has never satisfactorily been addressed. A number of problems set out the context of and highlight the need for this debate. There are also a number of easy solutions that would cost very little and that would ensure protection and safety throughout the Hillsborough area. First, motorists who travel at peak times are using the new

Hillsborough bypass to access the village to avoid queuing at the Hillsborough and Sprucefield roundabouts. The introduction of the new bypass in 2009, although welcomed by most commuters and motorists, has dramatically added to the traffic burden that the village faces. Having met representatives from the Roads Service in February 2012, I was shocked to discover that the new bypass has led to hundreds more vehicles coming through the village, especially at peak travelling times. That means that there has been an actual vehicle increase of 124%. In essence, an initiative that was designed to take traffic away from the village of Hillsborough has become a catalyst for attracting additional vehicular activity.

Secondly, the ever-increasing amount of large heavy goods vehicles (HGVs) has given many reasons for concern. Approximately 500 lorries a day use the village, the Culcavy Road and the Halftown Road to shorten their journeys to avoid queuing on the main A1 dual carriageway. That is a staggering number. Villagers and residents have become anxious for their safety and that of their families, and they fear taking their cars along some of the smaller network roads.

Hillsborough village and the surrounding rural road network were never designed for 12- and 16-wheeled articulated HGVs. The streets and roads that those lorries use to quicken their journey times are barely wide enough for two cars to pass, never mind large HGVs. In fact, they were designed for the Georgian mode of transport. Those HGVs are also causing major issues for road traffic and pedestrian safety. The Minister witnessed that at first hand when I invited him in June this year to visit the village to view the problems for himself.

The damage that the additional traffic and the large HGV lorries are causing to the areas of conservation and the natural built heritage is another major concern for the village. In 1974, Hillsborough village was developed as one of the four pilot schemes for European architectural heritage status, and much work and public funding were allocated to refurbish and protect large plots of Georgian buildings and architecture. In 1976, the then Department of the Environment, under article 37 of the Planning (Northern Ireland) Order 1972, designated Hillsborough village and the surrounding forest as a conservation area. Having witnessed architectural damage and seen reports into building foundations, I know that it will come as no surprise that the external architect consultants believe that the additional traffic, coupled with the large HGV lorries, have

been largely to blame for causing damage to the built heritage, which I will say again is listed to be protected.

In selling the village as a visitor attraction to tourists, the Northern Ireland Tourist Board has also stressed that the built Georgian heritage in the village is recognised as a promotional attribute. In Lagan Valley, we are lucky to have 200 listed buildings, and 100 of those are in Hillsborough. The village contributes much to the local economy, with its pubs, restaurants, coffee shops, bakeries and butchers etc. So, if it were safe to cross the road, how much more could it contribute?

I wrote recently to His Royal Highness Prince Charles to ask for advice on how best to manage the traffic issue, using the village of Poundbury in Dorset as an example of best practice. Indeed, when Hillsborough Castle is being used for royal visits, the HGVs do not come through the village. They go about their daily business on the fit-for-purpose roads that surround the Hillsborough area — the A1, the M1, the A29 and the A49. Their life goes on, and the villagers welcome the brief respite. It is indeed damning that a solution has not yet been found to ensure that areas of conservation and built heritage are not damaged further due to the additional traffic and pollution that are now entering the village.

4.30 pm

Finally, there are issues based around public health and the quality of life for people living in the village and the surrounding areas. People should not be in fear of walking through their village, taking their children to school or shopping locally. They should not be in fear of being knocked down by heavy goods vehicles mounting the pavement, which they do daily, or of crossing the road, due to the volume of the traffic. There are no pelican crossings, 20 miles per hour zones, speed limits or ramps in Hillsborough, and, indeed, no traffic-calming measure has been trialled or introduced, but we are constantly having to complete traffic survey forms. Why is that? People are being woken daily due to the noise caused by lorries, with the very foundations of their house shaking constantly, day and night.

To date, I have raised the issues regarding roads and traffic movements with the Minister, Mr Kennedy, through various meetings, correspondence and questions. The issues facing the conservation areas, the built heritage and quality of life have also been raised with the Minister of the Environment, Mr Alex Attwood.

What are the solutions? There are similar cases around the UK. For instance, Alderley Edge, Yate and a number of villages in the Cotswolds have successfully banned heavy goods vehicles from using their village as a bypass to other routes. Weight restrictions and additional signage for heavy goods vehicles, which are not on village deliveries, are forced to stick to major roads on the outskirts of the village. Councillor Nigel Schofield of Alderley Edge council said that, while a weight restriction might be difficult to enforce, they needed to "villagise" Alderley again, turn it back to what it was and return some safety and sanity into the area. The current situation in Hillsborough is unsafe, and I am sure that most people would go so far as to say that it is insane.

There are major roads surrounding Hillsborough that are specifically designed for extra vehicular traffic and the large heavy goods vehicles. Those roads do not damage the conservation area or the built heritage, and they prevent traffic and heavy goods vehicles from causing jams in the village, due to their size and capacity. Above all, they protect and allow the villagers to go about their daily life in a peaceful and safe manner. All I ask is that measures are put in place to ensure that those HGVs, which should be using the main roads, do so and do not cut through rural villages and use minor roads just to reduce their travelling time by five minutes.

It would be hugely beneficial if a weight restriction was twinned with a 20 miles per hour speed limit in order to protect villagers crossing the roads in their village. We need to ensure that any planned changes with regard to road markings and the introduction of signals to the Hillsborough roundabout do not inhibit village life further and prevent residents from exiting their property during peak flow, as was the result with the new flyover. Any solutions must be trialled before permanent implementation, thus reducing the risk of exacerbating the traffic problems even further. I also ask the Minister to highlight what budget has been allocated to build the Knockmore and Sprucefield feeder roads to the Maze site, guaranteeing that additional traffic and lorries do not have to use the village and the Culcavy and Halftown roads to get access.

It is my hope, and the hope of my constituents, that a long-term solution can be found to this very important issue; that village and residential life can return to normal; that residents will feel safe to return to work, live and shop in the village; that people will be able to sleep at night, free from the nuisance of lorries; and that the conservation area and built heritage can be

given the added protection that it desperately needs. Thank you, Mr Principal Deputy Speaker, for allowing me to raise the issues in the Chamber, and I thank the Minister.

Mr Lunn: I can only agree with a great deal of what Mrs Hale said, and I congratulate her on bringing the issue to the House today. Some of us of a certain age can remember the days when Hillsborough did not even have a bypass. I hate to think what it would be like now, if the biggest bypass in Northern Ireland had not been built.

Even though there have been fairly recent improvements, it is a fact that they have had the effect of driving traffic through the village, exactly as Brenda said. Mrs Hale kept going back to the same point that it is to do with HGVs coming through the village as an alternative to using the main road. When you think about it, you will realise that the only real through road through Hillsborough is from the carriageway towards Ballynahinch. Everything else is being used as an alternative to the road that people should be using, so I am in complete agreement with what was said.

Furthermore, Hillsborough is a conservation area. It is one of the most beautiful villages in Northern Ireland, if not the most beautiful, although Broughshane might disagree. Hillsborough is a lovely place, and it should be a safe place. I do not think that Brenda mentioned that it has a very steep hill down the main street. I can remember the days when people were in fear of their lives crossing that road because of the steepness of the hill, the inadequacy of people's brakes and, perhaps, a wee bit of frost. I hope those days are gone.

To me, the solutions, to which Brenda referred, are pretty simple. The introduction of a weight limit, except for collection and delivery, is an obvious one, and I hope that the Minister will say that he is prepared to consider that or have a pretty good reason why he will not. Also, the possibility of pedestrian crossings has long been mooted around Hillsborough. Fellow councillors are here, and they will know that the matter has been raised at Lisburn council for donkey's years, but nothing ever seems to be done. The only real local congestion is around the primary school at certain times of the day. The area gets a bit frenetic, but that is what you would expect in a busy, thriving population area with a busy, thriving school.

We always come back to the weight limit. It intrigues me that, when royalty comes to Hillsborough, suddenly, we can ban HGVs and most other vehicles from the village centre, and

it works OK. I live on a road on the other side of Lisburn, which has a five-ton weight limit. I regularly see that limit being flouted, mainly because nobody living in Whinney Hill can be bothered to report the vehicles using it as a shortcut. Also, it has a very steep hill, and, sooner or later, there will be some serious problems there. However, in a conservation area such as Hillsborough, there would certainly be enough, dare I say, vigilantes to make sure that, if lorries transgressed a weight limit, they would soon be reported for having done so and probably photographed, which is the way to deal with it. Roads Service loves to get that sort of information.

I agree with the thrust of what Mrs Hale said, and I look forward to hearing from the Minister in due course.

Mr Craig: I declare an interest as a resident of Hillsborough. I will put the issue in context: we are referring to a small rural village. Hillsborough has not changed in the 45-odd years that I have lived there, despite numerous housing developments. Like Trevor, I am one of those who can remember the days before the A1 bypass — some Members here cannot remember that far back, but I can. I recall quite clearly that, in those days, there was total gridlock in the village for between four and five hours a day. Then, the biggest issue for the village was large articulated lorries travelling through its small, narrow, Georgian streets. In the winter, they came down a very dangerous hill. The entire village was gridlocked for four or five hours every day, other than Saturdays and Sundays. We all lived with that when I was going to school. I remember standing waiting for a bus that was late every morning because of the gridlock. I cannot remember worrying about that as a youngster, but that is where we were 30 years ago. Unfortunately, Minister, almost 30 years later, we find that we have reverted to that situation. I do not think that anyone envisaged this happening, or planned it, but, today, we are almost back to the same gridlock.

As Mrs Hale stated, the problem goes back to 2009. When the flyover was developed at the Dromore end of the village, everyone thought that it was a huge step forward because there had been many serious accidents at that junction. In fact, lives had been lost, and it was thought that the flyover would stop serious road accidents. None of us envisaged that, a few years later, we would find that people who travel from the Dromore/Newry end of the A1 are actually using that same flyover to take a shortcut through the village to the roundabout at the Lisburn end. Everyone thought that the

roundabout at the bottom end of the village was working. Unfortunately, the reality seems to be that at peak traffic hours the roundabout at the Lisburn end of the village becomes gridlocked. Traffic backs up very heavily towards the Dromore end of the A1. That is what tempts people to go through the village itself. Unfortunately, that takes us back 30 years to the gridlock that I remember as a young man standing waiting for the bus to Dromore High School.

That is the unfortunate situation in which the village now finds itself. We must do something about it. The very same things that I witnessed 30 years ago are now happening again in the village of Hillsborough. Not only are cars there, but lorries are coming back. Lorry drivers are being tempted to use the shortcut as well, and they are doing so. Not only are they using it at that end, they are using the Culcavy Road as a shortcut to the A1 as well. That is causing major gridlock at that end of the village as well. All of that has brought us back 30 years.

When it was planning improvements to roads around Lisburn, Roads Service could never have envisaged that situation. Therefore, I appeal to the Minister to take a look at the roundabout and find some way to release the gridlock there at peak hours to try to get traffic moving again in the village and to stop people being tempted to use Hillsborough as a shortcut to the roundabout. I appeal to the Minister to look at the serious issue of the use of heavy vehicles, especially on the Culcavy Road. Quite frankly, that road is not designed to take heavy traffic. It is causing damage to properties on that road. We need to look for a solution to that. I suggest to the Minister that, if we are looking at roads improvement around the development of the Maze and other major developments on that site, we need to look at something that will take heavy industrial traffic away from the Culcavy Road.

I welcome this topic being brought to the Assembly. I welcome the fact that we are talking about the place where I was brought up. However, I am afraid, Minister, that despite all the good work that the Department has done, we find ourselves in a situation where, traffic-wise, Hillsborough has reverted to where it was 30 years ago. That is not acceptable.

Mr Givan: I commend my colleague Brenda Hale for bringing forward the Adjournment topic this afternoon. It is timely that we discuss the issue of traffic in Hillsborough. Other areas of Lisburn have traffic problems. However, traffic has been a considerable and acute problem in Hillsborough for a long time. Indeed, problems

have been exacerbated by measures that we thought would have alleviated them and have proven not to do so. The Minister is aware of that. Therefore, I will not repeat everything that my colleagues have said. I just want to elaborate on some points.

Mr Lunn commented on the primary school. It is worth noting that Hillsborough is a vibrant village. Downshire Primary School is one of the largest in the Lisburn area. There is a park in the centre of Hillsborough. There is Hillsborough forest park and the tennis club. Large volumes of young people, in particular, are in the village. It is widely used. Anyone who goes through the village will know the degree of pedestrian use in it, coupled with the traffic congestion that exists. Therefore, a public safety aspect to all of this is of concern to many people. Given the amount of traffic that goes through the village, there is genuine fear that we could be talking about people being injured, or worse, in the village if the issue is not dealt with properly.

4.45 pm

Colleagues indicated the need for work around the Maze development site. That will have an impact because the Maze site is a key area on the island of Ireland and the amount of traffic coming up from the Newry end of the dual carriageway to that site will be immense. Unless we have proper traffic infrastructure in place to deal with the amount of traffic that will be generated by that site, the situation at Hillsborough will get worse. Therefore, there needs to be a concerted effort to ensure that the area at the Halftown Road and Culcavy Road is not the main entrance point for the Maze site as it currently is. That needs to be accessed directly from the M1 and that will require considerable investment. Otherwise, traffic congestion will get worse in that area and the residents will be negatively impacted, and we all want to avoid that.

The residents have been very vocal in all this, and rightly so. They have articulated different ideas and solutions, so it is important that the residents are properly consulted and their ideas properly harnessed. If we need to think outside the box to come up with ways to try to deal with this issue, residents and public representatives will have a key role.

The Sprucefield junction is impacted by the Knockmore Road and Sprucefield link roads, which have been discussed for many a year. That, again, needs to be addressed. I am taking a degree of liberty in expanding the discussion a little bit from Hillsborough to

mention those roads because it all feeds in to how that overall junction at Sprucefield on the Hillsborough A1 dual carriageway roundabout and the flyover are managed. You have to look at that in a holistic approach, and it is important that the Knockmore/Sprucefield link road comes on stream so that we have a properly functioning infrastructure scheme in place to deal with the traffic impact on Hillsborough and the wider Lisburn area.

Mr B McCrea: I apologise to colleagues for my delay in getting here. I had to deal with Committee business. I suppose that I need to start by genuinely declaring an interest in that I am a resident of Hillsborough, just off the Culcavy Road, so there is a real interest there for me.

I have been involved in a number of attempts to deal with the amount of heavy traffic that travels up and down the road. The amount of traffic has increased significantly over the years, largely due to a change of use of one of the facilities near by. It was not a change of use in planning terms but just a change of use from what it was used for beforehand. So, we get an awful lot of industrial traffic along the Culcavy Road through Hillsborough, some of it heading to the South and the A1. For many residents in proximity to that road it really is quite intolerable. People have become quite exercised about the fact that there appears to be nothing that they can do about it, certainly retrospectively.

The solution seems to be, as Mr Givan indicated, that we really could do with some investment in link roads, a proper junction when the Maze is developed or some other construction to take away the load that is there. I suppose that I should thank my colleague, the Minister for Regional Development, because we recently had the road resurfaced. However, that does not do justice to the particular issue.

What I am interested to hear from the Minister is whether there is any prospect of significant development in and around that busiest of junctions and to see what is possible. We are all aware of the constraints that he operates under in terms of the financial circumstances facing us all, so it will be interesting to see whether there is any light at the end of the tunnel.

Hillsborough is one of the most historical and attractive villages in Northern Ireland. It seems a shame that we cannot find a way of building it as a tourism and economic opportunity for people in the area by dealing with the blight of heavy traffic moving through it. On that point, I will take my leave.

Mr Kennedy (The Minister for Regional Development): I am grateful for the opportunity to respond. I am also grateful to the Member for bringing forward this important issue. The attendance at this Adjournment debate is higher than usual; Members have come from Upper Bann, South Antrim and East Londonderry. If you do not already claim to live in or near Hillsborough, you are not really at it.

I note all of the comments expressed by Members. I am very familiar with many if not all of the concerns raised by local residents and public representatives. I have not only met residents and elected representatives on a number of occasions; I, as Members will know, regularly travel the A1 route, and, of course, I have been in Hillsborough with the sponsor of the topic to see for myself how these issues impact on the local community on a daily basis. As Minister, I want to see improvements across our road network to reduce journey times and support the economy. However, it is sometimes difficult to strike a balance between the needs of road users and the wishes of local communities.

Members will be aware that Hillsborough lies close to the A1 and the M1. There is a high level of passing traffic and local traffic that wishes to access or leave those roads. Perhaps the most pressing issue relates to northbound traffic on the A1 at the Hillsborough roundabout during the morning peak period. Traffic approaching the roundabout from the Newry and Banbridge direction and travelling towards Sprucefield experiences delays on occasion, and some queuing occurs. Some traffic, in an attempt to bypass that, leaves the A1 at the preceding Dromore Road junction to the south of the village, travels through the village and rejoins the A1 to the north at the roundabout. This raises other issues, such as the ability of road junctions in the village to cope with the additional traffic and the potential impact that the additional traffic could have on road safety and on the environment.

I fully appreciate the quite understandable concerns raised by residents and Members in that regard. Officials in Roads Service have looked at a number of options to improve the traffic capacity of the Hillsborough roundabout to reduce delays and thereby encourage strategic or through-traffic not to divert off the A1 and travel through the village.

Detailed assessments confirmed that a free-flow lane, similar to one that is provided at the A1/A101 Sprucefield roundabout, is not suitable at this location due to the presence of a number of road junctions and private accesses in the

vicinity of the roundabout. Roads Service experts believe that the situation could be improved noticeably in the short term by the installation of traffic signals at the roundabout to minimise delays in the morning peak.

A scheme to provide part-time traffic signal control was designed and funding was set aside for its construction towards the end of the previous financial year. Regrettably, initial informal consultation indicated that there was limited support for the scheme among the various representatives, so it did not proceed at that time. However, my door remains very much open. My officials were led to believe that the Rt Hon Jeffrey Donaldson MP was planning to arrange a meeting of local representatives to discuss the proposal further. In an attempt to move things on, and in the spirit of assistance, I intend to convene a meeting of local representatives to hammer out some consensus on the way forward.

Longer-term plans include the grade separation of the junction as part of the M1/A1 Sprucefield bypass proposals. The regional development strategy identifies the M1/A1 as one of the five key transport corridors, part of the eastern seaboard corridor that runs from Larne to Belfast and on across the border to Dublin. The Belfast metropolitan transport plan also recognises the strategic significance of that route. The proposed scheme, which is included in the strategic road improvement programme, will provide a high-standard link between the M1 motorway and the A1 and address delays in the Sprucefield area.

Roads Service has commissioned consultants to consider a range of options and an evaluation of all the viable options for capacity enhancement along the route. The first stage of that work has been completed and the findings published in a stage 1 report, which determined route corridors within which further options will be examined. The focus of the strategic road improvement programme during the current Budget period to 2015 is on delivering the A8, the A5 and the A2. Therefore, progression of the M1/A1 Sprucefield bypass proposals beyond that period will be subject to available funding.

In terms of the village itself, and congestion within the village centre at road junctions, such as, as Mr Givan said, around Downshire Primary School at the junction of the Ballynahinch Road and the Carnreagh Road, I am aware that there can be congestion around that junction, which is related to parents parking close to the school premises at start and finish times. Road Service officials are not aware of

any particular persistent problem associated with the inability of large vehicles to negotiate that junction. The existing island at the junction benefits —

Mrs Hale: Will the Minister give way?

Mr Kennedy: I cannot; I have to make progress.

The existing island at the junction benefits pedestrians, including those walking to and from the nearby school, and its removal or reduction in size would be undesirable from their perspective. Under my Department's safer routes to school programme, Roads Service has recently erected flashing signs on each approach to the school. The provision of additional car parking spaces at the school is more a matter for education authorities to consider.

Mr Lunn and others raised the issue of a possible weight restriction, in an attempt to minimise any risk of damage to buildings by vibrations caused by heavy goods vehicles. It may be understandable that people are and feel concerned in that regard. However, research has shown that traffic-borne vibrations do not cause damage to otherwise structurally sound buildings. Weight restrictions are generally implemented where a road, or a structure under it, is being damaged by heavy vehicles. At this point, that has not proved to be the case in Hillsborough.

I have heard the concerns about increased traffic use, particular heavy goods vehicle traffic, which is not confined to the centre of the village but occurs on a number of connecting roads, such as Culcavy Road and Halftown Road. I recognise the representations that have been made by locally elected representatives to seek a reduction in the number of HGVs that use those roads. Roads Service does not consider that the number of HGVs that use those roads is unusually high compared with other, similar roads. However, that is not to ignore the concerns that many have expressed. We have received requests to provide traffic-calming measures on the Culcavy Road, and officials are considering the results of a residents' survey on proposals for such measures within the existing 30 mph speed limit.

I want to assure Members that Roads Service is aware of the issues of concern among the residents of Hillsborough and their elected representatives, and that it is working hard to address those concerns in respect of the

current issues and future developments in and around the village. Going forward, I am hopeful that many of the issues will be resolved through the M1/A1 Sprucefield bypass proposals, although those are still some time away. I think that it is important that Members re-engage with officials and local residents — indeed, I encourage it — in order to consider further the merits of my Department's proposal to install traffic signals at the existing roundabout on the A1, even as part of the pilot scheme. I hope that, by working together, we can move things forward. I look forward to the ongoing representations from, and the co-operation of, elected Members on this issue.

Adjourned at 5.00 pm.



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