

Official Report (Hansard)

Monday 4 February 2013
Volume 81, No 5

Contents

Speaker's Business..... 1

Executive Committee Business

Enterprise and Regulatory Reform Bill: Legislative Consent Motion..... 1

Committee Business

GPs: Annual Health Checks 4

Private Members' Business

School Transport 20

Oral Answers to Questions

Environment..... 30

Enterprise, Trade and Investment 35

Private Members' Business

School Transport (*Continued*) 41

National Crime Agency 46

Suggested amendments or corrections will be considered by the Editor.

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

to arrive not later than two weeks after publication of this report.

Assembly Members

Agnew, Steven (North Down)
Allister, Jim (North Antrim)
Anderson, Sydney (Upper Bann)
Attwood, Alex (West Belfast)
Beggs, Roy (East Antrim)
Bell, Jonathan (Strangford)
Boylan, Cathal (Newry and Armagh)
Boyle, Ms Michaela (West Tyrone)
Bradley, Dominic (Newry and Armagh)
Bradley, Ms Paula (North Belfast)
Brady, Mickey (Newry and Armagh)
Brown, Ms Pam (South Antrim)
Buchanan, Thomas (West Tyrone)
Byrne, Joe (West Tyrone)
Campbell, Gregory (East Londonderry)
Clarke, Trevor (South Antrim)
Cochrane, Mrs Judith (East Belfast)
Copeland, Michael (East Belfast)
Craig, Jonathan (Lagan Valley)
Cree, Leslie (North Down)
Dallat, John (East Londonderry)
Dickson, Stewart (East Antrim)
Dobson, Mrs Jo-Anne (Upper Bann)
Douglas, Sammy (East Belfast)
Dunne, Gordon (North Down)
Durkan, Mark (Foyle)
Easton, Alex (North Down)
Eastwood, Colum (Foyle)
Elliott, Tom (Fermanagh and South Tyrone)
Farry, Stephen (North Down)
Fearon, Ms Megan (Newry and Armagh)
Flanagan, Phil (Fermanagh and South Tyrone)
Ford, David (South Antrim)
Foster, Mrs Arlene (Fermanagh and South Tyrone)
Frew, Paul (North Antrim)
Gardiner, Samuel (Upper Bann)
Girvan, Paul (South Antrim)
Givan, Paul (Lagan Valley)
Hale, Mrs Brenda (Lagan Valley)
Hamilton, Simon (Strangford)
Hay, William (Speaker)
Hazzard, Chris (South Down)
Hilditch, David (East Antrim)
Humphrey, William (North Belfast)
Hussey, Ross (West Tyrone)
Irwin, William (Newry and Armagh)
Kelly, Mrs Dolores (Upper Bann)
Kelly, Gerry (North Belfast)
Kennedy, Danny (Newry and Armagh)
Kinahan, Danny (South Antrim)
Lo, Ms Anna (South Belfast)
Lunn, Trevor (Lagan Valley)
Lynch, Seán (Fermanagh and South Tyrone)
Lyttle, Chris (East Belfast)
McAleer, Declan (West Tyrone)
McCallister, John (South Down)
McCann, Fra (West Belfast)
McCann, Ms Jennifer (West Belfast)
McCarthy, Kieran (Strangford)
McCartney, Raymond (Foyle)
McCausland, Nelson (North Belfast)
McClarty, David (East Londonderry)
McCorley, Ms Rosaleen (West Belfast)
McCrea, Basil (Lagan Valley)
McCrea, Ian (Mid Ulster)
McDevitt, Conall (South Belfast)
McDonnell, Alasdair (South Belfast)
McElduff, Barry (West Tyrone)
McGahan, Ms Bronwyn (Fermanagh and South Tyrone)
McGimpsey, Michael (South Belfast)
McGlone, Patsy (Mid Ulster)
McGuinness, Martin (Mid Ulster)
McIlveen, David (North Antrim)
McIlveen, Miss Michelle (Strangford)
McKay, Daithí (North Antrim)
McKevitt, Mrs Karen (South Down)
McLaughlin, Ms Maeve (Foyle)
McLaughlin, Mitchel (South Antrim)
McMullan, Oliver (East Antrim)
McNarry, David (Strangford)
McQuillan, Adrian (East Londonderry)
Maginness, Alban (North Belfast)
Maskey, Alex (South Belfast)
Molloy, Francie (Mid Ulster)
Morrow, The Lord (Fermanagh and South Tyrone)
Moutray, Stephen (Upper Bann)
Nesbitt, Mike (Strangford)
Newton, Robin (East Belfast)
Ní Chuilín, Ms Carál (North Belfast)
Ó hOisín, Cathal (East Londonderry)
O'Dowd, John (Upper Bann)
O'Neill, Mrs Michelle (Mid Ulster)
Overend, Mrs Sandra (Mid Ulster)
Poots, Edwin (Lagan Valley)
Ramsey, Pat (Foyle)
Ramsey, Ms Sue (West Belfast)
Robinson, George (East Londonderry)
Robinson, Peter (East Belfast)
Rogers, Sean (South Down)
Ross, Alastair (East Antrim)
Ruane, Ms Cairiona (South Down)
Sheehan, Pat (West Belfast)
Spratt, Jimmy (South Belfast)
Storey, Mervyn (North Antrim)
Swann, Robin (North Antrim)
Weir, Peter (North Down)
Wells, Jim (South Down)
Wilson, Sammy (East Antrim)

Northern Ireland Assembly

Monday 4 February 2013

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

Members observed two minutes' silence.

Speaker's Business

Mr Speaker: I want to return briefly to a subject that I made a ruling on some time ago. It is about the use of electronic devices in the Chamber. I know that there has been an increase in Members' use of electronic devices in the Chamber. My ruling then, I have to say, was very clear: electronic devices should be used responsibly and discreetly and without distracting other Members or interfering with the business of the House.

I have watched around the Chamber, and there are more and more Members who come into the Chamber and continually do nothing else but use their electronic devices. I warn Members that, at all times, they should respect the business and dignity of the House even in using their electronic devices. I ask Members to revisit my ruling, in which I was absolutely clear that, if Members feel that they have to use electronic devices in the Chamber, they should do so in a respectful manner. I have to say that some Members — some Members — are not doing that at this time. The Deputy Speakers and I have been concerned about this for some time. I hope that I do not have to revisit the subject because, if I do, I may make a different ruling on the use of electronic devices in the Chamber.

Executive Committee Business

Enterprise and Regulatory Reform Bill: Legislative Consent Motion

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

That this Assembly endorses the principle of the extension to Northern Ireland of the provisions in clause 62 of the Enterprise and Regulatory Reform Bill, as introduced in the House of Lords on 18 October 2012, dealing with estate agency work.

The motion deals with the extension to Northern Ireland of an amendment to the definition of estate agency work as specified in the Estate Agents Act 1979. This is necessary to ensure clarity in relation to the scope of the Act's provisions.

The definition in the Act is broadly drafted and provides that anyone acting on instructions from a client who wants to buy or sell an interest in land falls within the scope of the Act if they do anything for the purpose of or with a view to introducing a prospective buyer and seller and then for the purpose of securing that sale or purchase. One of the Act's specified exclusions from this definition is for businesses that do nothing other than publish advertisements or disseminate information in connection with the sale or purchase of a property. The proposed amendment is to make it clear that those who publish such advertisements or disseminate information in a way that allows potential purchasers to contact vendors directly and to remain in contact are exempted from this definition of estate agency work.

The amendment is clearly very limited in its scope. It will not apply to situations in which the business is involved in creating the advertisement or compiling the information that is disseminated. The need for the amendment was identified by the Office of Fair Trading

(OFT) in its 2010 'Home Buying and Selling' report. This report found that, although the internet had made it potentially easier for anyone who wished to sell their property without using the services of an estate agent, the share of property transactions involving an estate agent had increased significantly from the levels found in previous reports carried out in the sector in 2004 and 1979.

The report found that, although some businesses had developed, offering services to vendors wishing to market their own property, the number of such businesses and the percentage of transactions involving them was relatively small. These businesses are referred to as private sale intermediaries or private sale portals. As the name suggests, the business are internet-based, but they should not be confused with online estate agency businesses. Currently, there are fewer than 30 private sale portals operating across the UK. Many of those carry advertising for traditional estate agents, in the same way as newspapers do, as well as for private sellers.

The OFT report found that businesses in the sector considered that the small number of private sale portals was due to the uncertainty about whether their activities were covered by the definition of estate agency work and the potential compliance cost of the Act's provisions and other statutes using the same definition. The report concluded that it would be beneficial to look at amending the definition of estate agency work to ensure clarity and to see if any other activities could be excluded from the definition so that businesses did not require the regulation of the Act and could be excluded from it.

The Act regulates a range of activities associated with estate agents, such as the handling of clients' money, passing on of offers and declaring any interest that the agent may have in the property or in offering services to potential purchasers. The Act does not regulate advertising by an estate agent

A short UK-wide targeted consultation was carried out by the United Kingdom Department for Business, Innovation and Skills between June and August of last year. The consultation was sent to a range of bodies, including the National Association of Estate Agents and the Royal Institution of Chartered Surveyors, both of which have strong membership bases in Northern Ireland. In addition, discussions were held during the consultation period with representatives of traditional estate agents, private sale portals, consumer organisations,

local authority trading standard services and other interested parties.

Consultation responses confirmed that there was uncertainty about whether the activity of private sale portals fell within the strict legal scope of the Estate Agents Act. A large proportion of the responses came from traditional estate agents who were against changes that, they felt, would create an unlevel playing field and allow disruptive competition with consequent job losses. Almost all respondents expressed concern that the protections afforded by the Act to consumers should not be diluted. In light of the consultation responses, it was decided not to amend the broad definition of estate agency work but to amend one of the exemptions from it to ensure clarity in its scope.

Both I and the United Kingdom Government are conscious of the need to protect consumers, and the proposed amendment to the Estate Agents Act has been drafted accordingly. The United Kingdom Government have decided that the amendment could be made through a clause in the Enterprise and Regulatory Reform Bill currently going through Parliament. As the regulation of estate agents is a transferred matter, the consent of the Assembly is required if the amendment is to apply in Northern Ireland. It is important for Northern Ireland that the Assembly pass the legislative consent motion. It meets a need for an updating and clarification of the law regarding businesses such as private sale portals. It will deregulate businesses that provide services that simply allow buyers and sellers to find and communicate with each other, provided that they do not otherwise participate in a transaction. Northern Ireland will also benefit from the continuation of a single regulatory framework for estate agents across the United Kingdom. I commend the motion to the Assembly.

Mr McGlone (The Chairperson of the Committee for Enterprise, Trade and Investment): Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire. I thank the Minister for tabling the legislative consent motion.

The Committee considered correspondence from the Minister on this matter at its meetings on 6 September and 6 December 2012. The Committee further considered the proposals at its meeting on 13 December, when members raised queries on the level of consultation locally. The Minister has gone into that in quite a bit of detail today.

Following a response from the Department that was considered by the Committee at its meeting on 24 January, the Committee noted that the consultation contained a specific question dealing with issues regarding the implementation of the proposal in the devolved Administrations. The Committee further noted that no consultation responses on that matter were received from locally based organisations or individuals.

Having carefully considered the proposals, the Committee is content that the definition of estate agent work should be amended as proposed and supports the Department in seeking the Assembly's endorsement for the legislative consent motion.

Mr Flanagan: Go raibh maith agat, a Cheann Comhairle. I do not have much to add to what the Chair said. All I can do is confirm that his comments reflect the view of the Committee and that I support the legislative consent motion.

Mrs Overend: This is a varied but important Bill that requires a legislative consent motion in this House on some of the proposals. The legislative consent motion has been brought today for clause 62 of the Enterprise and Regulatory Reform Bill, which was introduced in the House of Lords in October 2012. The clause deals with estate agency work and changes that are deemed necessary to the Estate Agents Act 1979.

In the disposal or requiring of land, communication between persons must be considered an important area, specifically in response to the publishing of advertisements and disseminating of information. Therefore, the parties involved must be clear about how and when they can respond, how they can make contact with each other and how that is governed by law. The intention of the amendment is to update and clarify the law regarding businesses, such as private sale portals and to deregulate businesses that provide services that simply allow buyers and sellers to find and communicate with one another provided that they do not otherwise participate in the transaction by, for example, advising, negotiating or providing other services. In short, the Ulster Unionist Party is content to support the motion, which makes changes to this area of estate agency work.

Mrs Foster: I thank Members for their contribution and support for the motion. It is fair to say that the vast majority of people, in arranging the sale of what is probably their

most valuable asset, will consider it prudent to obtain the services of a trusted professional and will continue to use an estate agent. However, for those who want to advertise their own home and do not enter into the Estate Agents Act, this deregulates the business for them so that they can continue to advertise their own home. It enables vendors and purchasers to find and communicate with each other so that they can disseminate information. It is an important clause that enables that to be done without regulation under the Estate Agents Act. I thank Members for their contributions and look forward to the support of the House.

Question put and agreed to.

Resolved:

That this Assembly endorses the principle of the extension to Northern Ireland of the provisions in clause 62 of the Enterprise and Regulatory Reform Bill, as introduced in the House of Lords on 18 October 2012, dealing with estate agency work.

12.15 pm

Committee Business

GPs: Annual Health Checks

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

Ms S Ramsey (The Chairperson of the Committee for Health, Social Services and Public Safety): I beg to move

That this Assembly calls on the Minister of Health, Social Services and Public Safety to make it mandatory for general practitioners to provide annual health checks for their patients to help promote good health, prevent ill health and detect disease at an early stage.

Go raibh maith agat, a Cheann Comhairle. I am delighted to move the motion on behalf of the Committee for Health, Social Services and Public Safety. I assume that the Minister is on his way. I could take it personally; he always seems to miss the first part of my speeches.

At the end of last year, the Deputy Chair, Jim Wells, and I visited Cuba to attend an international health conference and to learn more about the Cuban healthcare system in the context of our Committee review of health inequalities. It was a learning curve for me and for Jim — I think that I can speak on behalf of him when I say that — and we learnt an awful lot. I take the opportunity to publicly thank the Cuban Government, including the Cuban Health Minister, for opening a lot of doors for us and allowing us to see at first hand some parts of the Cuban healthcare system.

The Cuban healthcare system spends \$585 on each person every year, whereas we spend almost \$4,000. Despite that huge variance in spend, Cuba achieves health outcomes that compare with and, in some cases, exceed those produced by our system. At the heart of the Cuban system is the family doctor, who is an important part of the community that they serve. At any point in time, the family doctor can provide an overview of the general health of all his or her patients, and one reason for that level of knowledge is the fact that they carry out annual health checks. That allows them to get to know their patients and their history and to

identify health problems at an early stage. The Committee fully accepts that some parts of the Cuban health system cannot be directly transferred to ours. However, the focus in Cuba on prevention, patient education and primary care fits in with the vision that the Minister and the Department have set out in 'Transforming Your Care' and the forthcoming public health strategy Fit and Well.

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

'Transforming Your Care' sets out a challenging and changing role for GPs, with more services being provided through primary care and where GPs work in close collaboration with other health professionals such as nurses, social workers, physiotherapists, podiatrists and so on. That is to be supported by a shift of resources away from the hospital budget into primary and community services. 'Transforming Your Care' identifies 11 reasons why we need to change our health system. Let us be clear: 'Transforming Your Care' says that things cannot remain as they are and that there is a better way of doing things that will have better results for patients. The number one reason identified for change is the need to be better at preventing ill health. We know that the prevalence of many diseases such as cancer, heart disease, stroke and diabetes can be reduced by prevention, such as by helping people to help themselves by losing weight, reducing alcohol intake and so on. The new public health strategy, 'Fit and Well', which I understand is to be published shortly, is all about improving and protecting people's health through promotion, prevention and early intervention.

Mr McCarthy: I thank the Member for giving way. Will she agree that it was rather disappointing to hear at the last Health Committee meeting that the health promotion and health detection budget had been decreased over two years by some 6%? We encourage all budgets to be used for the purpose for which they were set up.

Ms S Ramsey: I could not disagree, Kieran. Today's motion is about getting in at an early stage. If we are talking about a radical review of how we deliver our health service, we have to get in at those levels. It is about education, prevention and early detection. As you are well aware as a member of the Committee, that is the school of thought behind the motion.

The public health strategy is of particular relevance to a motion on annual health checks

by GPs. We know that people who live in the most deprived areas have higher rates of lung cancer, coronary disease, alcohol- or drug-related illness, suicide and mental health problems. To a large extent, all those conditions can be prevented. We need people who are at risk of experiencing health inequalities to be in contact with the health system early and at regular intervals throughout their life. A requirement on GPs to invite all their patients for an annual health check would make that more likely.

I am aware, as are other Members, that some workplaces are proactive and provide health checks for their staff. Recently, Chest Heart and Stroke was in the Assembly providing checks for cholesterol and blood pressure, which is to be commended. However, what about people who are not in employment or are not fortunate enough to work for an employer who provides such a service? We need to reach out to those people, and GPs are placed centrally in the community to do so. One problem with our health system at present is that GPs usually see people only when they are sick. Large numbers of people will go for many years without seeing their doctor and then turn up, perhaps in their 40s or 50s, with high blood pressure and high levels of cholesterol and need to be put on medication immediately. If those people were seen earlier and a pattern identified as a result of working in close collaboration with a GP, we might not be at that stage.

It is not just physical illnesses that can be picked up at an early stage. An annual health check with a GP could be used to ask people about their general well-being and mental health. That in itself would help to break the stigma associated with mental ill health. If GPs were to ask patients about that regularly, people might open up, talk more freely to and confide in their GP and then seek help when they were experiencing symptoms of depression or stress. We also know that we have a problem with suicide in our communities, and the statistics show that those most at risk are young and middle-aged men. Interestingly, men are likely to have the least contact with their GP until they become ill and have to visit a doctor. Women are much more likely to be in contact with the health system and health professionals through routine screening. From the age of 25, women are called for cervical screening and, from the age of 50, for breast cancer screening. If they have children, they will receive significant antenatal and postnatal care, whereas, as far I know, the only routine screening test that men will be

called for is bowel cancer, and that will not be until they hit their 60s.

A proactive system of annual check-ups for everyone would be a way to involve people more in taking responsibility for and an interest in their physical and mental health, and it would identify problems at an early age. We have only to look at the news coverage last week on cancer survival rates on these islands compared with Australia, Norway, Canada and other countries. The survey shows that one in six of men and women aged 50 and over was embarrassed about sharing their symptoms with a doctor. The researchers state that this may partly explain why we have a far lower cancer survival rate than other places. Recently, we were sent information from the BMA on some research that was done on this. The BMA says that there is no evidence that health checks reduce the risk of death, but the study found examples of health checks resulting in increased diagnosis of high blood pressure and high cholesterol levels. The research also states that most of the trials that it reviewed are old.

The BMA has already written to the Committee stating its concerns about annual health checks and quoting the research that I mentioned. The BMA states that the average patient is seen six and a half times a year. However, it seems to be missing the point that thousands of people are not seen, year in and year out. If we are talking about those who are hard to reach, we need to ensure that we are proactive. The BMA also says that annual health checks would be a waste of resources that are needed for sick people. Again, it is missing the point. We want people to come into contact with medical professionals before they are sick so that illness can be prevented and interventions can be made early.

The BMA report, 'Social Determinants of Health', states that doctors act not only as clinicians but as community leaders. That takes me back to my original point about our study visit to Cuba, where doctors are an integral part of the community and community leaders. There is a commitment by our GPs to provide good health, educate patients and keep people well. Providing annual checks would be a method of challenging and channelling that commitment into action.

A system of annual health checks, offered to all patients by GPs, would signal a move away from treating people when they are sick towards a system with the genuine aspiration of preventing illness and promoting healthy living.

I call on the Minister to read Hansard so that he can go through what I have said.

Mr Dunne: I welcome the opportunity to speak on the motion. It is a very important matter for everyone in Northern Ireland. I will not talk about the merits or deficiencies of the Cuban health service, as I have no experience of it. I will talk about the health service in Northern Ireland.

Health promotion must remain a key priority as we try to ensure that our healthcare system is fit for purpose and that our population's health and well-being are led by prevention rather than cure. Our health service continues to face many challenges, not least financially, and it is vital that we manage the limited financial and practical resources that we have in order to maximise their effectiveness and efficiency.

GP annual health checks, as proposed in the motion, certainly look very good in theory. We all want to promote good health, prevent ill health and detect disease early. However, I am not yet convinced that providing annual health checks is the most effective way of achieving the desired outcomes.

I have spoken to a number of GPs on this matter, and issues continually flagged up as potential barriers to providing satisfactory annual health checks were the time involved, funding, space and workforce levels. It is important that we listen to the professionals, including the British Medical Association, who deal with these matters daily. Much research has been done across the world on the effectiveness of MOT-style annual health checks, and many conclude that they do not have a sufficient impact on improving rates of morbidity or mortality, given the resources needed to provide such a service

Mr Wells: Will the Member give way?

Mr Dunne: I will indeed.

Mr Wells: We all received that BMA briefing on research done throughout the world. It is known as the Cochrane report and was published in 2012. What the BMA conveniently forgot to mention is that it was based on studies carried out in 1963, 1965, 1967 and 1969. The most up-to-date study that it reported on was in 1992, which is 21 years ago. Clearly, diagnostics have moved on in leaps and bounds in the intervening two decades. Therefore, I think it somewhat mischievous of the BMA to cite information that is clearly out of date and not relevant to today's arguments.

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

Mr Dunne: Thank you, Mr Principal Deputy Speaker.

I accept the Member's point, but I also feel that there are better methods, which I will mention later, using risk-based surveillance and checks. You identify risk areas and work around them.

There are also problems with low uptake of health checks despite significant investment in them. It is important that resources are managed effectively and use quality management system principles that can prove to be more effective through the use of risk-based surveillance and checks. It is important, therefore, that we concentrate our resources on the areas of greatest risk to health and monitor those patients through screening and testing programmes.

Under Transforming Your Care, which has already been mentioned and, I am sure, will be mentioned later, we look forward to more well-being hubs being established across the Province, delivering a range of multidisciplinary teams all under one roof and improving healthcare services for the public while reducing hospital admissions.

12.30 pm

Other practical measures could be better tailored and targeted at those who are most in need and at risk of poor health. Specific measures should be encouraged and introduced to help to reduce the risk of diseases. Sustained public awareness campaigns often deliver results, so I feel that they should be encouraged. TV adverts and other targeted public marketing campaigns are often very effective methods of making a real difference to people's thoughts and actions.

In an effort to help to reduce the workload in our hospitals, steps could be taken to improve access to existing GPs, which is an issue that the Committee debated. For example, GP surgeries could open for longer in the evenings, and, obviously, they could open at lunchtimes. I find it unacceptable that GP surgeries close at lunchtime, which is a time that people could get off work and go to the surgery. It is not acceptable to be denied access at such times.

Another measure would be a more cost-effective telephone system, which the Committee also looked at. GP surgeries are using expensive 0844 telephone numbers,

which is deterring people from getting access to their GPs.

It is important that we remain focused on ultimately improving the health of our population in the most sensible, practical and realistic ways. Thank you.

Mr Beggs: Preventing ill health and ensuring the early detection of disease must be given greater priority. It would be possible to reduce the pressures on our health service if we had greater health education. Early intervention in illnesses is effective, and, ultimately, it often requires less costly intervention by consultants.

The latest results for emergency care and waiting times at our consultant-led A&Es must be of great concern to everyone. I have a constituent who had a relative who was over 100 years old, and I learned recently that that person had to wait over six hours on a trolley at an A&E. That is not acceptable. Therefore, we need to bring about a better health service to ensure that that does not happen.

I noticed that, in October, November and December 2012, not a single target that the health service set for A&E waiting times was achieved by our consultant-led A&Es. Clearly, something needs to change. I would like an explanation of why there has been a further 4% reduction to only 71% of A&E patients being seen within four hours in Northern Ireland, while virtually every major A&E unit in England, Scotland and Wales meets the 95% target. Clearly, there is a need for improvement, in particular at the Antrim Area Hospital, the Royal Victoria Hospital and the Ulster Hospital, where waiting times are unacceptably long.

Too many patients arrive at our hospital emergency units with preventable illnesses or illnesses that could be better managed in the community, thereby avoiding those visits to A&E. We need proactive primary healthcare with a greater role in the community, and I welcome aspects of Transforming Your Care and, indeed, Fit and Well.

Regular monitoring by our GP practices and greater use of a range of other health professionals, such as community pharmacists, can bring about those improvements. We need greater innovation and greater outreach to the community so that we can get the health message over. Evening clinics were mentioned. Visits to markets, where those who are hard to reach could gain access, as well as, as others said, visits to workplaces, must be further explored.

There must be a greater role in managing some of the chronic health conditions of constituents that result in frequent visits to A&E.

I will highlight a couple of recent reports. Queen's University recently published an article in the 'British Journal of Cancer'. It led with the question:

"Are we dying of embarrassment? Barriers to visiting GP may prevent early cancer presentation."

We should all be concerned about that. The article indicated that one third of those surveyed did not present themselves, because they feared that they could be wasting their GP's time. It also indicated that, on noticing a cancer symptom, about one fifth were embarrassed about visiting their GP. That is particularly important, because early intervention is critical in treating cancer.

Imperial College's faculty of health indicated that young people, particularly young males, are less likely to take medical advice or contact their doctor. That must be addressed, and more work should be done with our schools, colleges and universities to provide greater awareness.

After the Chair and the Deputy Chair visited Cuba, they reported the benefits of the annual health checks that were carried out there. There can be barriers locally to visiting our GP, and we need to be more proactive in encouraging more frequent visits. I recognise that the Cochrane Library report and the BMA have questioned the benefits, but, as has been said, that is somewhat dated information. Unlike Cuba, our GP numbers are restricted, while our GPs' salaries are on a different wavelength. I suspect that that might generate a slightly different dynamic, but we should be examining everything that we can do to improve the frequency of health checks and, ideally, aim for —

Ms S Ramsey: I thank the Member for giving way. I appreciate the tone and content of his contribution. We need to realise that we need a radical overhaul of how we do things. All that we hear in the Chamber is that we need to spend to save and that we need to invest. Getting in at an early level will allow us to invest for our future and invest in preventing ill health. That is the purpose of where we are coming to, and GPs are at the heart of that.

Mr Beggs: I agree that we need to invest in our preventative side. More people need to be

seen regularly — ideally, annually — but we also need to give over particular time to managing some of the chronic diseases that are around. It would be helpful if the Minister can advise us on whether we can do both. Ideally, I want us to do both. I recognise that there are huge challenges, but it is something that we should strive towards.

There are targets. Are we hitting the target of seeing 80% of patients every five years and recording their blood pressure, for instance? Are we hitting that target, even if it is a five-year target? Does that target need to be tightened up and made more frequent? Moving towards annual assessment is something that will happen over time. I recognise that that is a huge challenge, but we must move in that direction in order to address health issues earlier. I certainly support annual check-ups as something that we must strive towards —

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

Mr Beggs: — and attempt to achieve as soon as possible.

Mr McDevitt: I support the motion standing in the name of our Committee Chair. Traditionally, the general practitioner has been the foundation stone of the NHS in Northern Ireland. GPs are the people who enjoy the trust of their communities; have a developed relationship with their patients; and probably understand the needs, at a communal level and at an individual level, of those whom they serve better than anyone else in the health service.

One of the very laudable objectives of Transforming Your Care is to try to return as much of our health and social care system to the community, to never lose its community roots and to ensure that those who work on the so-called front line continue to be those who take the vast majority of decisions around people's health and well-being.

Of course, many GPs spend their life treating people who do not feel well. You can argue that that is what doctors are there to do. You go to see them when you are not feeling great, and their job is to make you better. Except we know that the best doctors out there are those who stop you from getting sick in the first place. They are people who are able to identify tiny little signs early on and signpost you to other care or support you with your physical, emotional and life needs. We need to recognise that GPs are more than people who

merely look at you in some biological sense. They look at you and know you as a person.

Something that strikes me is that, when you think about the amount of time our economy loses to work-related ill health, you begin to wonder whether there are ways of being able to be a bit more preventative in what we do. I acknowledge the BMA's opinion on the matter. I suppose that the current GP contract would not be obviously suited, as it stands, to introduce what is called for in the motion. However, that does not mean that it is not a good idea; it just means that we need to change. I know that the vast majority of GPs would like to spend more quality time with the people for whom they are responsible.

Mr Beggs: Will the Member give way?

Mr McDevitt: Yes, of course.

Mr Beggs: Does the Member accept that much of the monitoring does not actually have to be carried out by the GP and that some practice nurses and specialist nurses would be capable of doing it?

Mr McDevitt: Mr Beggs makes a very good point. I will come to that in a second.

The GP is at the heart of this. It is the GP's surgery or health centre, and the GP is the anchor of that little business or service that is offered at community level. If many of our best GPs, community nurses and specialist nurses actually like the idea of knowing their patients, are interested in being able to understand their patients' needs in order to be able to spot those little signs early on, and if they want to think about them as more than just people they see when they are not feeling well, why would the Assembly not respond positively to their desire to be more proactive in what they do?

It is worth noting that although research suggests that diagnosing earlier does not necessarily reduce morbidity, which is fair enough and is a reasonable scientific assumption to make; it certainly increases diagnosis rates. If diagnosis rates increase, that certainly will not have a negative impact on society's health and well-being; unless, of course, it is being suggested seriously by people of a scholarly bent that by diagnosing someone one will do that individual a disservice. I challenge that assumption on one basic right, which is the human being's right to know whether he or she has a condition. That right is enshrined in the European Convention on Human Rights.

I will give way to Mr Wells and Ms Ramsey. Ladies first.

Ms S Ramsey: I thank the Member for giving way. One thing that we also learned while we were in Cuba was that there is a map in the GP's surgery showing exactly what is wrong with people who live in the vicinity and what illnesses there are among them. Perhaps, if we had a similar thing, we would not have had to spend millions of pounds on population plans not long ago.

Mr Wells: The principle of screening is already established in the United Kingdom for conditions such as cervical cancer and breast cancer, for the obvious reason that if those conditions are detected earlier, they can be treated. Therefore, we are not breaking any new rule by going down that route on a more general basis.

Mr McDevitt: They are two exceptionally well-made points.

I will end by talking about that famous road that I live just off, the Lisburn Road in Belfast. Starting in town, you will have an average life expectancy of 71 years. By the time you get to our end of the road, you will have lived another nine years, if you are male. This is living evidence of the health inequalities that unite us in the House. It is not right that by accident of birth people in the Village area of south Belfast will have a much shorter life expectancy than those who live in Finaghy. The question is this: if we, as politicians, are up for it, and if the Department is up for it, which I believe it is, is everyone who works in the health service up for it too?

Mr McCarthy: Although I appreciate that this is a Committee motion, I am sceptical as to whether what is recommended, while good in theory, will actually be productive in practice. The Chairperson mentioned correspondence that the Committee received from the BMA recently. Although we might not all agree with what it contained, we must certainly listen to the experts in the field.

At first glance, the direction of the motion seems to be consistent with many of the other objectives for reforming the health service in Northern Ireland more generally, and Transforming Your Care and Fit and Well - Changing Lives more specifically. We want to encourage better public health and reduce problems that arise from smoking, alcohol abuse, poor diet, etc. We want to encourage better early intervention and prevention, as has

already been said. As well as better health outcomes, there are powerful social, economic and financial reasons for so doing. For instance, it is important to try and reduce the number of costly bed nights in hospitals. I think that most Members, and the community, will agree with that.

GPs are already at the forefront of health promotion and primary and secondary prevention. We have already heard that they see patients on average 6.5 times a year. We are already set to shift the balance of the healthcare system in their direction. For instance —

12.45 pm

Mr Wells: Will the Member give way?

Mr McCarthy: Very briefly.

Mr Wells: I am extremely disappointed on two points. First of all, the Member sat on the Committee when this was all discussed, and it was agreed unanimously that we would bring this motion forward.

Secondly, this figure where a GP sees the average patient 6.5 times a year — that means that there are tens of thousands of people in Northern Ireland who are never seen at all. I will give my own example. I did not visit a GP surgery between the ages of eight and 44, which was a huge gap. When I went to the doctor, they dusted down my medical card and said that three health boards had been formed and dissolved in that time. I was the last example of ye olde County Down sanitary authority, or whatever it was. That is the sort of person that we need to address, not the one who comes in six and a half times a year on average.

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

Mr McCarthy: I am not giving way to anybody else on the basis that that was a long speech. I expressed concern from the very day that this was mentioned. However, I will give you the benefit of the doubt. I did not have the pleasure of going to Cuba to see what was going on. Having said that, let us get on.

GPs are earmarked for playing a critical role in the new arrangements set out in Transforming Your Care, but there is still scope for developing other clinicians who can play a role in diagnostics and identifying patients most at risk.

Ms S Ramsey: Will the Member give way?

Mr McCarthy: No, I am heading on, Sue. I have to go on.

There are many instances for a greater role — *[Interruption.]* Mr Deputy Speaker, there are many instances for a greater role for community pharmacies. As a long-standing campaigner for this service, I would welcome that development, but of course we would have to have everybody's co-operation.

Mr McDevitt: Will the Member give way?

Mr McCarthy: No, sir, no. With all that said, it is nevertheless important to place on record that while integrated care partnerships may make a positive contribution to the delivery of care, the case for their creation is not yet proven. There are concerns regarding bureaucracy and adequate resourcing, but perhaps that is a debate for another day, and someone else can clarify it.

The crux of this debate is whether asking GPs to conduct annual checks for everyone is a sensible use of resources in terms of the additional value added —

Mr Wells: Yes, it is.

Mr McCarthy: Well, when Mr Wells becomes Minister, we will see what he will do in those terms — or whether a more targeted assessment of those individuals most at risk would be a much more effective and efficient use of resources.

We also need to be conscious of the time commitments involved and the knock-on consequences in terms of crowding out and engaging with other patients with greater and more pressing priorities. There are important messages to be communicated to encourage those most at risk of certain conditions to go for regular screening, as has already been said. The service is already there. We need to consider public education on the key and early symptoms of illnesses that people need to act upon early, and, perhaps most importantly, we need to consolidate our efforts to discourage smoking and alcohol, improve diets, etc.

It may be possible to run some local pilot annual GP health checks to see if they improve health outcomes without overly skewing resources. Similarly, it may be worth exploring if annual health checks could be provided by other clinicians, and I pay tribute to the groups

out there that already give such an excellent service.

I appreciate the work done by our GPs and all those involved in the surgeries, but if Members read last week's 'Belfast Telegraph', they will see that there is real concern among GPs about working the new contracts. They will endanger lives, Mr Deputy Speaker. That is a serious allegation, and I hope that people will consider that. I do not support our GPs having to spend more time ticking boxes and form filling at the expense of looking after patients.

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

Mr McCarthy: I hope that lessons have been learned, and I await with interest the Minister's response to this motion.

Ms Brown: I support the motion as a member of the Health Committee. Making annual health checks mandatory will go some way towards helping us to deliver our aim of transforming healthcare for all.

We all recognise the dedication and commitment of those involved in delivering healthcare. As members of the Health Committee, however, it is our responsibility to look at ways to improve healthcare in a way that delivers maximum results, balanced against the cost of delivery. That is why we must look at issues such as screening, which is already a well-established practice and is used to test for specific types of cancer. Some countries have mass screening programmes for adults. We must look at a radical change if we are to deliver real change.

GPs play a very important role in our lives. We value their advice and opinion and rely on them to guide us through a lifetime of care for us and our children. We need to look at ways to enhance that service. This motion should not be seen as negatively impacting on GPs or placing an unreasonable burden on them. In theory, as was mentioned —

Ms S Ramsey: I thank the Member for giving way. I know that you are not saying this, but the motion is in no way an attack on any GP. We are well aware that GPs are the heart of communities. It is about allowing them to get in there and be more proactive.

I am interested in some of the previous comments. This fits into what the Committee is doing around health inequalities and is about early intervention. We get all sorts of

correspondence here, and what amazes me is how easy people sometimes find it to ignore advice or professional opinion when it suits them. The motion is about encouraging GPs to get in for early intervention, and I appreciate your comments on that.

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

Ms Brown: Thank you, Mr Principal Deputy Speaker, and I thank the Member for her intervention

As I say, I do not believe that the motion would negatively impact on GPs, and it should not be an unnecessary burden on them, either. As was mentioned by other Members, practice nurses often carry out a lot of that work. It is the results stage that involves GPs' analyses.

Would it not be much better for everyone concerned if, instead of trooping back and forward to a surgery every few months with various ailments, individuals were given a dedicated annual appointment, which would give them a clean bill of health or, in other scenarios, give them a reasonable chance to deal with negative results? I believe that most people would welcome and value that.

As we all get older, we feel the effects on our health as we change with age. We notice pains or lumps, and thanks to continued health education, we are becoming more aware of having them checked out. Some people do not heed those warnings and, sadly, leave it too late. By introducing annual health checks we will be providing reassurance for the public and giving health professionals every chance to deal with outcomes and save lives. It would also help to manage those increasingly worrying trends, such as the rise in obesity, issues around mental health and the many other concerns that we all have.

Nowadays, we have annual checks for our cars and even our pets. Do we not owe it to ourselves to ensure that we take even better care of ourselves? As I said in the debate on mental health issues last week, we are sent to this place by those in our communities who want change and want to see and feel the benefits of devolution. The motion affords us one such opportunity to promote positive change. For that reason, I support the motion.

Ms Maeve McLaughlin: Go raibh maith agat, a Príomh LeasCheann Comhairle. I also speak as a member of the Health Committee and in support of the motion. I remind Members that

this issue is central to the Health Committee's report on health inequalities.

Transforming Your Care (TYC) clearly indicated that the demand for services would grow by 4% a year by 2015. Therefore, we need not only to improve services but to do it in a way that secures improved productivity and value for money. It is, therefore, about prevention, earlier interventions, shifting from acute to primary healthcare and redirecting £83 million from acute to primary care.

Between 2007 and 2020, the prevalence of long-term conditions among adults in the North of Ireland is expected to increase by 30%. Those are startling figures.

The increasing number of people with those conditions will undoubtedly put more pressure on the Health and Social Care system and have implications for the sustainability of services. TYC noted that this would result in 23,000 extra hospital admissions; 48,000 extra outpatient appointments; 8,000 extra nursing home places; and 40,000 extra 999 ambulance responses.

As the Chair and others quite rightly outlined, alongside all that, we have high levels of health inequalities across a number of sectors and constituencies. A recent Assembly report looked at health inequalities by constituency and indicated very clearly that the three wards of Belfast West, Belfast North and Foyle remain top for health inequalities in the North of Ireland. Therefore, we need to target resources in order to tackle those inequalities in a way that will change health outcomes for all our residents.

Mandatory GP health checks are about detection, prevention and, in effect, the core principles of Transforming Your Care. Although some studies have indicated and suggested that health checks do little good, Ministers in other regions suggest that such checks can save as many as 650 lives every year. Combining the mutual interest of patient welfare with experience and expertise can improve outcomes for all involved.

The Department of Health in England has shown that NHS health checks result in savings over the long term, particularly in relation to — I want to single this out — identifying and treating diabetes. It is estimated that 9,700 cases of diabetes could be predicted each year, with 8,000 cases likely to be prevented in the early years.

Campaign groups in Wales have stepped up calls for annual cancer tests, which some parties set out as a manifesto commitment.

As the Chair stated, an examination of Cuban health indicators places its total spend at \$585, while ours is in the region of \$4,000. What we have to learn from that experience is how they have managed to produce those healthcare statistics, which are sometimes better than ours, while having only 1% of our expenditure.

Health inequalities are, therefore, not changing and are particularly stark in some of our most-in-need communities. A change in emphasis from acute to primary intervention is required, and mandatory GP health checks are one way to assist in that process. I support the motion.

Ms P Bradley: I also welcome the opportunity to speak on this important motion as a member of the Health Committee.

The National Health Service has many roles in our society, and I am proud to be a former member of it. I believe that we have one of the very best healthcare systems in the world. We ensure that the sick are treated, but, in recent years, the focus has shifted from the treatment of disease and illness to preventative medicine. Annual health checks are just one facet of preventative care. We should always advocate such care, as it is easier to prevent than to treat.

Turn on any medical documentary or talk to any healthcare provider, and they will tell the same story. They are being asked to deliver more and more services on an ever-stretched budget. For the person in the street, their main concern is not always preventative medicine. What is more important to them is being able to access the appropriate healthcare professional when they are in crisis or ill.

I believe that we as consumers of our healthcare system need to work in partnership with the professionals to ensure that we do everything in our power to minimise the risks of certain conditions. As has been said, in Northern Ireland, we have put in place many screening programmes for, for example, breast cancer, cervical cancer and bowel cancer. Those screening programmes have been proven to save lives. We are in a position where local community pharmacists are already delivering services for weight management, smoking cessation and minor ailments.

Rather than having to attend the doctor, it may be possible to use that resource, which is already at the heart of our community.

1.00 pm

It is known that males are even less likely to attend their doctor for an annual health check. Research shows that they are among the most reluctant to attend their GP in general. When they need medical help, they wait until a minor ailment has become a major issue. The voluntary and community sector has also played a role. I have attended many health fairs that organisations in north Belfast have held for their own community. At one such event, men were encouraged to participate through the use of other incentives to get them through the doors. Those events are usually well attended by local communities because they can use the carrot-and-stick approach that the NHS cannot provide. Obviously, the downside to these events is that, if something is flagged up for concern, an onus is put on the individual to attend their GP to seek further investigation and, therefore, take responsibility for their own health.

Preventative medicine is vital. If GP health checks are to become a viable option, they must be robust and fit for purpose. We need to think of new and innovative ways to reach those who, traditionally, do not take responsibility for their health.

Mr Gardiner: I recently checked the cost of visits to a GP as charged by BUPA GP services. The figures revealed that a visit costs £67 for 15 minutes, £123 for 30 minutes and £225 for 60 minutes. That helps to put in context the cost of delivering annual checks for all patients on a GP's register. The average GP has 1,562 patients on his or her panel, so the cost of annual checks for all patients as opposed to at-risk groups will be considerable and could be as much as £105,000 per GP.

Mr Wells: Will the Member give way?

Mr Gardiner: I will.

Mr Wells: I assure the Member that the checks do not have to be carried out by the GP. The practice nurse can take the blood samples, the urine samples etc. In my experience, which I will allude to later, it takes 10 or 15 minutes, and those are sent off for analysis. It is only when they come back that any GP time is involved. If it is all clear, that can be five minutes. I am not suggesting for one minute that they are not good value, but I think that the costs are slightly exaggerated.

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

Mr Gardiner: Thank you, Mr Principal Deputy Speaker. I thank Mr Wells for drawing that to my attention, but I am speaking in general about costs to a GP's practice.

Of course, I expect the NHS, for reasons of scale, to be able to improve on BUPA's prices. In many cases, patients are initially seen by a practice nurse and are recalled only if they need a consultation with a GP because of their medical conditions. All of that would reduce the cost, as would the fact that GP practices have already been well funded in previous financial settlements. A high number of existing GP practices already screen over-55s with such tests. Therefore, it would be a matter of additional tests rather than starting from scratch. I ask the Minister to confirm the additional cost to the health service of creating a universal system of annual GP checks for all patients.

On 1 February last year, Dr Tom Black, chairman of the BMA's GP committee, told the Health Committee, with regard to the health and social care review, that, in Northern Ireland, we provide 10.5 million consultations a year. That is 30% above the United Kingdom average and 100% to 200% above the Irish Republic's average. We carry out 20 million tests and write 25 million prescriptions. Seventy-nine per cent of patients get same-day or next-day access, and there are, on average, six consultations per patient per year. The Republic of Ireland's average is fewer than two. I welcome the movement towards GP federation, with groups of practices combining, usually for out-of-hours cover in the initial stage. There are decided advantages when general practitioners operate together in group practices.

Ms S Ramsey: I thank the Member for giving way. I do not for one minute dispute any of the figures he has highlighted. However, I remind Members that the issue is not about people not getting access to their GP; it is about allowing people to access their GP before they become ill and need to go to their GP. It is about early intervention and a proactive approach.

Mr Gardiner: Thank you.

That approach would enable general practitioners to offer services such as annual testing for their patients.

The benefits of GPs operating together is one of the drivers behind the new primary care centres proposed by the Minister. Annual health checks for all patients could be one of those benefits. With this in mind, I ask the

Minister how many GPs operate in group practices that are situated alongside other group practices in large health centres and how many still operate on their own. I also ask the Minister what the geographical distribution of those practices might tell us.

Many GPs already offer annual monitoring checks for groups of patients who are particularly at risk. One problem I foresee — I would welcome the Minister's comments on it — is that annual checks for every patient, while good in themselves and an important part of moving towards a preventative, early detection, non-hospitalised primary care model, will distract GPs' attention away from at-risk patients as they try to meet the huge volume of testing involved. Clearly, however, annual checks for every patient is the place we must get to. We need to establish a clear pathway to this goal as soon as possible. I support the motion.

Mr Easton: When the NHS was first established, the idea behind it was that people would have access to healthcare when they needed it, regardless of their ability to pay. Since the concept was thought of, the role of the NHS has expanded to such an extent that, I expect, the founding fathers of the system would not recognise it today. Nevertheless, I suggest that they would be amazed at the services we provide and at the people who work in our system.

The ideal that every person in Northern Ireland would have an annual health check with their GP is one that, I think, every Member of the Assembly would implement if time and cost were no object. Such health checks could have enormous benefits for individuals, communities and society as a whole. Health checks involve tests on a person who does not feel ill or have any symptoms of anything being wrong in their body and form a common element of healthcare in some countries.

We need to address the issue of whether annual health checks are always a good thing. Research has shown that general health checks are not widely recommended by national expert panels. Instead, a number of professional bodies have recommended focused health checks that are guided by patients' specific risk factors. Research has indicated that general health checks are considered by physicians and the general public as a necessity and are recommended. Evidence from screening programmes for individual diseases has shown that the benefits may be smaller than expected and the harms may be greater.

I also worry whether the NHS could cope with the greater demand that such health checks would place on our GPs and their surgeries at this time. I have already heard from residents about delays in GP appointments, and, although the situation may be improving, we are not in a position where everyone instantly gets an appointment to see a GP. I worry that, by increasing demand from those wanting to see a GP, we will delay appointments for those who have symptoms and need to be seen without delay.

Another concern is the economic viability of such a scheme. In countries where such health checks are common, there tends not to be such a strong culture of state provision of healthcare. Rather, the private sector tends to be the lead partner in the healthcare system. A cynic may argue that such checks are conducted from the viewpoint not of the patient but of the health insurance companies.

Another issue that has not been addressed is individual accountability for health and well-being. We already run health awareness campaigns promoting the need for us to eat less, smoke less, drink less and exercise more. A number of campaigns are also being run on issues such as bowel cancer, prostate issues and the need for vaccinations.

Mr Wells: Will the Member give way?

Mr Easton: Yes.

Mr Wells: I detect from the Member's comments that he is not entirely enthusiastic about the motion. Might I suggest to him that one way of allaying his fears would be to carry out a pilot in Northern Ireland? We could take two communities — let us, for the sake of argument, say Comber and Castlederg — one in the east, one in the west and one predominantly rural. We could run a pilot project and invite all the residents of those areas to come in for screening, analyse the results to see the success or otherwise of that process and get a clear indication of whether it is a good way forward. That would meet many of his concerns.

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

Mr Easton: I thank the Member for his intervention. Certainly, a pilot could be the way to address this and look into it more, but that would be up to the Health Minister and not me to decide. I am open-minded about these things, so thank you.

I fear that we will not reach the hard-to-reach demographic that we want to, such as working-class communities, by offering yearly health checks. Rather, we will see the people who have taken the messages on board, people who are already aware of the warning symptoms that they need to see a doctor about anyway. Before we move to a system of annual health checks with a GP, we need to ensure that we have in place a robust system that is able to economically withstand the extra demand. Perhaps, rather than a GP, some other body in the voluntary or community sector should offer health checks. Perhaps it could be pharmacists, who already offer a range of checks in the community.

This is a great idea, but, realistically, can it be afforded, and could GPs cope with it? That is the real question that we need to address today.

Mr Poots (The Minister of Health, Social Services and Public Safety): I am grateful for the opportunity to address the issue raised by the Health Committee.

I have stated many times that the provision of safe, sustainable and resilient services to meet the needs of the Northern Ireland population is a key priority for me. In my role, I want to ensure that I do everything that I can to deliver on that priority. I am strongly committed to the principle that health and social care services should be driven by and responsive to the needs of patients, clients and carers. True high-quality health and social care can be achieved only when they are designed around the needs of people who use them and then properly resourced. Patients are entitled to receive the right care in the right place at the right time. Patients are at the centre of our policy development and planning assumptions, and what really matters to them is the design and delivery of services that meet their needs and expectations. To achieve this we need to look at how we can improve health and social care and, in so doing, reshape how we interact with all those who use our services.

Our society is changing, which means that its needs may also be changing. We have witnessed dramatic growth in the age of our population, and that indicates that healthcare has been improving. We should be proud of that and celebrate it. It also means that there are many more people with long-term conditions, which inevitably places more demands on our health and social care system, including hospitals and other resources. The fact that Mr Wells did not attend a doctor for around 30 years has more to do with the fact

that he is one of the 85% of the population who do not use our services very much, as opposed to the 15% who use them heavily and account for 85% of the spend. It has nothing to do with the fact that he is a vegetarian.

Although the changes present us with challenges, they also offer us opportunities to look innovatively at how we can reform and modernise our services to meet the changing needs of society, now and into the future. Transforming Your Care proposes significant and major changes across health and social care in Northern Ireland. It focuses on reshaping how services are to be structured and delivered to make best use of all the resources available to us and, in so doing, ensure that our services are safe, resilient and sustainable. We need to make better use of the resources that we have.

Evidence shows that greater investment in preventative care and improved health and well-being is not just good for patients, service users and the public but is highly cost-effective. Examples of highly effective public health programmes already in place that prevent ill health or allow earlier diagnosis, more effective treatment and better outcomes for patients include the stop smoking services; public information campaigns on obesity prevention; advice on alcohol and drug misuse; early recognition of and support for mental health problems; and a variety of cancer screening services, most recently for bowel cancer. The proposals for the future approach to population health and well-being are set out in Fit and Well: Changing Lives. They complement the proposals for the Transforming Your Care initiative and form an essential foundation for them. Service frameworks are also set out in the standards of care that service users, their carers and wider family can expect to receive from the HSC.

1.15 pm

Generic standards are included in all service frameworks, and they support key health improvement messages, such as healthy eating, physical activity, smoking cessation and alcohol consumption. The integrated care partnerships proposed in 'Transforming Your Care' would provide a collaborative network for local health and social care professionals working as part of a multidisciplinary team to come together to work in a more integrated way to provide care and support on a more complete range of services in response to identified need. That would involve discussing, agreeing and taking action to improve how patients and service users are treated and dealt

with through their interactions with health and social care services. That approach could include the future development of annual health checks by GPs for their patients.

GPs play a vital role in prevention, early intervention and helping to inform behaviour and influence it towards more healthy choices by signposting people to additional support services where that is needed. It is important that GPs take every opportunity to positively engage with people on not just the treatment but the prevention of ill health. Although genetic make-up plays some part in our chances of leading a long and healthy life, there are many more factors within but also beyond individual control that interact to influence our health and well-being at various stages in our life. Coronary heart disease, cancer and respiratory disease continue to be the main causes of death for both sexes. Many of those deaths occur before the age of 65 and are potentially preventable, since smoking, unhealthy diet, raised blood pressure, diabetes and physical inactivity contribute to a large proportion of those conditions.

It is crucial to understand the wider context in which health is shaped. Poverty, neighbourhood deprivation, housing conditions, employment and educational opportunities are powerful drivers of the choices that people can or cannot make and, consequently, of ill health and health inequalities. Crucial to the delivery of improved services is the proactive and early identification of people with long-term conditions. That can be done, for example, through GP practice-based registers, which enable people to understand their condition and how to manage it. They can also help to enhance the patient's overall well-being and quality of life.

I am sympathetic to Members who have patients' best interests central to their thinking. After all, we have dental check-ups every six months. However, in weighing up the pros and cons of the annual GP check-ups, common sense and intuitive initiatives are not necessarily the best when it comes to the hard science. We have to look at the evidence base to inform policy decisions. The most recent research on general checks indicates that they may not be as beneficial as some Members might believe. The evidence does not indicate a reduction in morbidity, the risk of illness or mortality that Members might think is the case.

Mr Wells: Will the Minister give way?

Mr Poots: Yes.

Mr Wells: The Minister might want to respond to me in writing about this, but I am interested in the sources of the advice that he has been given. As I hope to indicate later, the BMA briefing quotes studies that go way back to 1962. I think that he will accept that diagnostics have moved on dramatically since then. There is much more up-to-date research that shows a more positive outcome from mass screening, so he might want to let Members know the source of his information on that issue.

Mr Poots: The most recent source that I have is the Cochrane report, which was produced in 2012. That report, which dealt with 188,000 people, analysed all the previous work that had been done.

Mr Wells: Does the Minister accept that the Cochrane report starts with an analysis of case studies from 1962 and ends in 1992? There has been a huge degree of advancement in that aspect of medical science since then. Therefore, although that report was published in 2012 and looks quite modern, in fact, it deals with what is almost ancient history in diagnostics and medical conditions.

Mr Poots: I accept that it goes back some time. It is perhaps more recent than 1992, but I stand to be corrected. However, the report analyses all the work that was done in the past against more modern diagnostics and so forth. Nonetheless, it is not the Bible, and it is therefore something that we can test and look at further.

There are potential undesirable effects of general health checks, including overdiagnosis, increased concern for patients, a possible increase in work absences and increased healthcare costs. Those are the potential negatives.

It is important to highlight the fact that GPs currently carry out reviews for patients who suffer from chronic diseases. Through the quality and outcomes framework (QOF), GPs deliver services relating to the secondary prevention of a number of chronic diseases. For example, GPs monitor patients with chronic diseases through reviews and periodic health checks, which also provide GPs with the opportunity to offer advice on lifestyle, increasing physical activity, smoking cessation, safe alcohol consumption and healthy diet. GPs also review patients with chronic conditions through additional services, directed enhanced services and local enhanced services. Those services require face-to-face patient reviews. GPs also provide preventative

medicine through child immunisations, influenza vaccination, pertussis immunisation for pregnant women and cervical screening. In addition, they deliver alcohol screening services for patients aged over 18 to detect high-risk alcohol consumption as well as practice-based specialist smoking cessation.

There is the potential to do more through the QOF. We could reflect what is happening with health checks in England. The NHS health check programme started in England in 2009 but will not be fully implemented until later in the current year, 2012-13. That health check aims to help patients lower their risk of common but often preventable diseases, particularly heart disease, stroke, diabetes and kidney disease. It is for adults in England aged between 40 and 74 who have not already been diagnosed with any of those four diseases. If eligible, patients will be invited for an NHS health check once every five years. At that check, patients' risk of heart disease, stroke, diabetes and kidney disease will be assessed, and they will be offered personalised advice and support to help lower their risk. The checks are likely to be offered in GPs' surgeries and, Mr McCarthy will be pleased to hear, at some local pharmacies. I am very supportive of making better use of our pharmacists. Health checks can also be offered at other suitable and accessible locations in the local community. To some extent, that matches some of the work that we are doing in Northern Ireland. We have, for example, the farm families' health check programme, which is jointly funded by DARD and the PHA. That takes the work out to a hard-to-reach group, for example, at cattle marts. We have seen very good work conducted there.

Work is being carried out on health inequalities. For example, the South Eastern Health and Social Care Trust is carrying out health checks in conjunction with local partnerships. They are targeted at specific population groups by the South Eastern Trust and by the Colin Neighbourhood Partnership for over-65s. Therefore, there are initiatives that can be taken that may go some way to meeting Members' concerns.

Changing the configuration of how, where and when services are delivered is only one part of the equation. We need to encourage greater personal responsibility among members of the public about what they eat, how much alcohol they consume, how much exercise they take and the way in which they look after their own health and well-being. That will require sustained and growing investment in public health, early diagnosis and early intervention

services to support individuals to make healthier choices.

I fully support the concept of promoting good health, prevention and early disease detection in primary care. However, the case for universal annual health checks by GPs needs to be made more fully. For example, would the benefits of providing checks in prevention and early detection outweigh the resources needed for treatment down the line? Would it divert resources towards treating the worried well? As I outlined, the Cochrane report is not particularly supportive of it.

The impact of annual health checks on the provision of other aspects of care in general practice, including the availability of appointments and urgent assessment, must also be taken into account. Consideration would have to be given to the significant resource implications attached to providing such checks for the population given that current resources are targeted at meeting the needs of patients on the basis of clinical need and through screening programmes.

I will go through some of the responses from Members. I would like to respond to the Chair, although I was not present for most of her speech. She was unusually succinct. She said that the Committee had looked at the Cuban system in this respect. I would very much like — no, I do not really want to have our doctors on the same wages as Cuban doctors. It would certainly be much easier to fund programmes if that were the case. They would be below the minimum wage, and that might not be very acceptable. We cannot easily transfer what happens in Cuba, given the fact that people earn such low wages in that health system.

Mr Principal Deputy Speaker: I ask the Minister to bring his remarks to a close.

Mr Poots: That is not to say that there are no lessons to be learned, and I would appreciate seeing in due course the findings of the Chair and the Deputy Chair from their visit to Cuba and giving them due consideration.

Mr Wells (The Deputy Chairperson of the Committee for Health, Social Services and Public Safety): This has been a useful debate in which we have looked at the whole issue of health inequalities and the prevention of serious conditions.

The Chair quite rightly outlined the experience of the visit to Cuba. Cuba is remarkable in many respects. It is, to all intents and

purposes, a Third World country but has very modern Western health outcomes. The Minister made the point about salaries being very low, and, indeed, they are. The average GP in Cuba earns \$82 a month, and the average consultant or professor, as they are called, earns \$120 a month. That explains to some extent why, although they spend only over \$500 per annum on health, we spend \$4,000. However, it is interesting to note that, despite the fact that those clinicians are paid extremely low wages, morbidity levels and health outcomes are as good if not better than those achieved by Western clinicians who are paid between £90,000 and £120,000 a year. What did we see in Cuba that is so significantly different in its approach that it produces such extraordinary life expectancies of over 80 years of age? We cannot achieve that in parts of west Belfast or in Foyle. Why are they achieving such wonderful outcomes given the lack of resources and the low pay?

One of the elements that we discovered was the concept of the annual health screen. The Minister is right: there are fundamental differences between Cuba and the United Kingdom. We would not, for one minute, stand over Cuba's political system nor would we suggest that we pay our medical staff any like the wages that are paid in Cuba. However, what Cuban society has done is to buy into the concept of going to the GP, getting tests done, going back for the results and following whatever guidance is given.

We even asked the taxi drivers who, notoriously, would not be healthy in most societies, what happens if they do not turn up for their annual check. They looked at us in amazement because they could not understand why anyone would not go for their annual check. I know that we have a problem in the United Kingdom and in Northern Ireland with that, because a lot of people do not show up when they are asked to, do not turn up for their results and do not take whatever action is recommended. There are differences, but the principle is an important one and we need to explore why that works.

It irks me slightly that, if a Committee debates an issue for a considerable period and agrees unanimously to put a motion before the House with the full support of all 11 members, some individual should then decide to try to torpedo the motion because he has got a letter from the BMA. That is a lack of loyalty which, I hope, will not continue in this Committee.

Mr McDevitt: Will the Member give way?

Mr Wells: I certainly will.

Mr McDevitt: Given that the Deputy Chair has raised this matter, I must say that it is a matter of deep frustration that Mr McCarthy can fail to turn up for a meeting at which it was agreed that the Chair and the Deputy Chair should go to Cuba, disagree with the outcome of that meeting in public, turn up for a meeting that unanimously agreed this motion as an output from that visit and then come to the House and disagree with his own agreement.

It is really quite depressing. It sends out a very negative signal about people's attitude to their role and responsibility in this House.

1.30 pm

Mr Wells: I am sure that Mr McCarthy is a very wise person in the context of Kircubbin. However, it is not the wisest thing to do to undermine the collective and unanimous view of the Committee, because it makes us look somewhat silly. I know why he has changed his mind. He got the same briefing from the BMA as we all got. When I first looked at it, I thought to myself that it is interesting and tends to refute what we are suggesting — until I actually looked at the document on which the BMA bases its opposition to the motion, and that is the Cochrane report that many have referred to already.

That report was published on 17 October 2012, but the problem is that the scientific data that was gathered to back it up started in 1962. I will just read the examples. Gothenburg: data collected in 1962, published in 1963. San Francisco: 1965. South-east London: 1967. Malmö in Sweden: 1969. Denmark: 1992. The vast majority of the data in that paper is at least 20 and sometimes 40 years old. There is only one up-to-date paper, which is from 1998. I accept that, at the time that that data was published, they were absolutely right: diagnostics and bringing people in for health screening probably did not work. However, the world has moved on leaps and bounds over the past 40 years, and particularly since 1998. We are almost doubling our understanding of diagnostics every five years. Therefore, it is a bit unfortunate that Mr McCarthy did not check the information that he was given.

(Mr Speaker in the Chair)

I accept that GPs feel slightly threatened by this proposal. If information is gathered by outsiders and they do not have direct control as gatekeepers, they could feel a bit threatened by

the proposal. However, I see this as a positive rather than a negative. To too great an extent, we have an illness service rather than a health service. If we carried out the same diagnostics as they do in Cuba, we could detect conditions long before they arrive at the GP surgery, where the doctor then has to see people an average of 6.5 times a year to treat ongoing medical conditions that should have been detected much earlier.

There is really not much sense in saying that GPs see people on average 6.5 times a year. They do not see each of the 1.8 million people in Northern Ireland 6.5 times a year. They see the people who call regularly. As the Minister said, 85% of us do not avail ourselves of that service at all, practically. It is the other 15% who consume 85% of the costs. I know that there are people who go to their GP surgery almost every week. The problem, particularly among males in working-class, deprived areas of Northern Ireland, is that very few ever darken the door of a GP surgery until it is too late.

I feel that I must quote a very personal and difficult example. I lost a very valued member of staff and a close friend in November. That gentleman had a long-term condition. If he had been screened for it four or five years ago, it would have been detected and, hopefully, work could have been undertaken to stabilise and treat it. Sadly, that did not happen, and he died in his sleep of a heart attack. That was a dreadful loss. Looking back now, we all saw the warning signs. If we had acted and encouraged him to go in and have some form of test, he would still be with us today. The evidence is very clear. The BMA is perfectly entitled to make its views known. However, in its document, the BMA could have quoted from the 2007 Boulware report, which looked at 36 studies and concluded that it is indeed beneficial to have annual GP tests and check-ups. Therefore, the evidence is not as clear-cut as it seems.

Following my return from Cuba, I decided to take the bull by the horns. I was not aware that this debate was coming up, but I went in for a test. I paid for it myself. I went to Randox in Crumlin, and I was tested for 87 conditions. John McCallister will be very sad to hear that there is not much wrong with me, but the fact is, I was tested for 87 conditions, and those tests could in fact have referred to up to 200 other conditions. What was involved? I went in. I was not checked by a GP — we do not need to waste GPs' time on this. Two blood samples were taken from my right arm, and another sample was taken from somewhere else, which I will not go into. *[Laughter.]* Had it not been for

the cosy chat that I had with a nurse, I could have been out in 15 minutes.

Mr Kinahan: I thank the Member for giving way. I had the same tests done. However, once I got my report, I had to have all the tests done again by the health service because the health service would not follow what the private doctors had said as being absolutely true. Does he agree that we need to find a way through that?

Mr Wells: The tests are treated with a great degree of suspicion, and I know of people who have had the diagnostic tests and presented the results to their GPs, who have poured very cold water on top of them. I can see why the GPs feel threatened by what is going on. However, the fact is that those tests could have revealed something quite serious, and if they had, I would have gone to my own GP for further treatment. I am not saying that we need to be tested for 87 conditions; I was tested for the basics, such as blood pressure, cholesterol, etc. If we do the basics, the tests will undoubtedly show, on many occasions, conditions that need to be addressed.

The tests are not very expensive if you are doing them on a mass scale through the National Health Service, and they do not take very long. In my case, the test did not take up my GP's time at all. However, had it revealed something, I would have gone straight to my GP for further tests and some form of treatment.

Mr G Robinson: Will the Member give way?

Mr Wells: Certainly.

Mr G Robinson: Would the Member agree that people like me, who have had heart attacks, should voluntarily go for check-ups that measure blood pressure, weight and cholesterol every six months? I encourage as many people as possible to do that on a voluntary basis.

Mr Wells: If only we were in a position where the vast majority of people were going voluntarily for those tests.

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

Mr Wells: Unfortunately, I have not had time to deal with many of the points raised, but I would be interested in the Minister coming back to us with his research sources.

Question put and agreed to.

Resolved:

That this Assembly calls on the Minister of Health, Social Services and Public Safety to make it mandatory for general practitioners to provide annual health checks for their patients to help promote good health, prevent ill health and detect disease at an early stage.

Private Members' Business

School Transport

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

Mrs Cochrane: I beg to move

That this Assembly recognises the wide-ranging benefits associated with using public transport; notes with concern the increase in car traffic during school term time; recognises the financial strain on parents paying school transport costs and the administrative costs to implement the current school bus pass system; and calls on the Minister of Education, in conjunction with the Minister for Regional Development, to conduct a feasibility study into providing free public transport for all school pupils.

The advantages of public transport are evident for all to see, especially when we compare it to the most popular alternative, which is the use of private vehicles. Public transport is an essential part of a strong economy, as it allows people to access jobs, education and health services. It also reduces congestion and allows goods and services to gain access to essential markets. It is estimated that congestion costs the economy millions of pounds a year, and with Belfast being one of the most car-dependent cities in Europe, it makes sense that we look at the direct and indirect benefits that encouraging public transport usage would bring.

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

The obvious benefits of using public transport include better air quality in the local environment and energy conservation. That is because a single bus will emit less fumes than 20 cars combined. Train emissions of carbon dioxide for every passenger kilometer travelled are, on average, approximately half that of car travel. Using public transport reduces the amount of energy consumed per person per kilometer, as public transport uses significantly less energy than comparable travel by private car. In Northern Ireland, transport accounts for 25% of all greenhouse gas emissions, which is surely a good reason to tackle that area.

Public transport can also positively influence personal safety and personal gain. First, by using the bus or train, you are directly reducing the number of private cars on the school run. That, in turn, reduces congestion at or around the school gates, which makes for a healthier and safer environment for pupils and staff. This is illustrated by the fact that the accident rate for children aged up to 15 increases between 8.00 am and 9.00 am, which is the morning peak, and at around 3.00 pm, which is the afternoon peak. On a general note, statistics have shown that using the bus is seven times safer than using a private car, while taking the train is 15 times safer than using a private car.

Taking a bus or train instead of a car also increases physical activity, so much so that the average person drops more than six pounds in as little as a year. In fact, recent research has suggested that increasing the use of public transport could improve health and lower obesity levels. The average nine-minute walk to and from bus and train stops for a young person has the capacity to account for almost one third of their recommended daily exercise requirements. As the majority of people who use public transport tend to walk to and from the bus stop or train station, encouraging the use of public transport can ensure that children build physical activity into their daily routine. Using public transport can also improve our children's confidence as they have more interaction with members of their local community and will gain valuable road safety skills. It can also reduce stress and can be an enjoyable time to spend talking with friends, reading or listening to music.

Since 1997, free home-to-school transport is only provided to a child who travels more than the qualifying distance to the nearest suitable school. Originally, it was to the school of choice. There has been a resultant 10% increase in the number of children driven to school, and that means that two in five children are now driven to school. That fact was supported by some House of Commons research, which found that a reduction in free bus travel resulted in an increase in the number of car journeys. Those of us who commute enjoy the school holidays when traffic is so much lighter. Indeed, 20% of cars on roads in urban areas at the peak time of 8.50 am are taking children to school. That not only increases congestion but, as I said, reduces road safety. It also increases travel time and can affect the quality of life in the local community by impacting on people's work/life balance.

Getting a child to school safely and on time can be a challenge. As I said, some children are eligible for assistance from their local education and library board, and children with disabilities or special educational needs get extra help. The current eligibility distance is two miles for primary pupils and three miles for post-primary pupils and is measured by the shortest route along which a child, accompanied as necessary, can walk with reasonable safety. It is the responsibility of parents residing under the qualifying distance to determine whatever method they consider most appropriate to deliver their child to and from school.

Unfortunately, many parents feel that the private car is cheaper and more convenient than paying for public transport for their children, and when you have more than one child to transport, that rationale is multiplied. Could that be part of the reason why 63% of car journeys in Northern Ireland are shorter than five miles and nearly one fifth of all journeys are shorter than one mile? Those types of journeys are also the least efficient for a car, as a cold engine uses almost twice as much fuel as one that has warmed up. With the continual rise in petrol and diesel prices in Northern Ireland, along with all those other reasons, we get a lot of communication from constituents requesting free public transport for all schoolchildren.

To fully assess the potential benefits of free public transport for all schoolchildren, it is worth looking at the cost of the current set-up to the Department of Education. In 2012-13, £74 million was spent transporting approximately 90,000 Northern Ireland pupils from home to school and back, with payments to Translink accounting for 43.8% of the total home-to-school transport budget. There are also payments to private providers, taxis and for board buses for services outwith the current Translink routes. The recent efficiency review has highlighted where savings could be made in those areas. Savings can also be made, for example, in the controlled and maintained sectors, which largely employ different school buses even though, as a result, they sometimes pass each other half empty.

For children who are able to use the current Translink routes, around 48,250 post-primary students avail themselves of sessional passes each year at an average cost to the Department of £31.6 million or around £655 per head. It is concerning that the average annual cost of administering the operational arrangements for that scheme is around £1.85 million, or, if Members care to indulge me for just a moment, the administrative costs are equivalent to an extra 2,825 schoolchildren receiving a free bus

pass. That figure does not surprise me when we consider the cost and time taken for the board to commission an exact measurement over a three-mile route and then argue about 50 yards with the result that, in one specific street, one child receives a bus pass and the child two doors up does not. There is also the cost of appealed decisions, and I am quite sure that every Member here can share their experiences of that process. Should the Department not consider cutting the costs of administering the system of assessing and issuing sessional passes and use those savings to put towards allowing all children in school uniform to have free access to public transport?

Recently, when I asked the Regional Development Minister what consideration he might give to extending free public transport to all schoolchildren in a similar vein to that on offer to our over-60s, he, somewhat unsurprisingly, referred to current budget pressures as the reason why he is not in a position to extend free public transport to all schoolchildren. He did, of course, refer me to the Education Minister as a reasonable alternative. However, in recognition that school transport is not a core objective of the education sector, with the money spent on school transport reducing the amount available for the classroom, my motion does not call upon the Minister of Education in isolation. It is not unreasonable to ask that the Minister for Regional Development and the Education Minister collectively consider a feasibility study into the provision of free public transport for schoolchildren, taking into account the differences between urban and rural needs.

1.45 pm

When assessing which pupils are eligible for transport assistance, a suitable school is defined solely as one in the recognised categories of controlled, integrated, Irish-medium, maintained, denominational or non-denominational grammar. The categories do not extend to take account of other factors such as the range or nature of the curriculum provided, proficiency in certain subjects or single-sex or co-educational schools. Preferences expressed on these or on similar grounds do not currently qualify for transport assistance if an otherwise suitable school exists within the statutory walking distance. We recognise that, in the next few years, there will continue to be a wide variety of school types in Northern Ireland, and parental choice is important. Until there is more integration in our schools, we must recognise that limiting the choice of school to the nearest suitable school means that those who live next to each other

are also more likely to be schooled together. Although schooling children locally can strengthen communities, given the level of segregation in our housing, this is a worrying trend. It may mean that only those who can afford to travel will have the choice to operate outside a postcode lottery.

Sharing between schools is already becoming more commonplace due to the entitlement framework, which allows wider choice of subjects to pupils. However, this is placing additional burdens on budgets, as children are often transported between schools in taxis. A feasibility study should, therefore, examine, when a child has chosen a school that delivers all subjects on site but is not their closest school, what the costs are for a free bus pass for that child in comparison with the costs that are associated with travelling between schools in taxis a few times a week to access their subject choice. Such a study would look at whether that is more expensive.

As we know, not all learning takes place inside the classroom, and there are many benefits associated with extra-curricular activities. There are many instances of where the current school transport set-up allocates a place on a bus that leaves at a certain time and means that the pupil —

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

Mrs Cochrane: — cannot attend such activities.

I call on the Ministers to conduct a feasibility study into providing free transport for all school pupils, and I hope that Members will support the motion.

Mr Storey (The Chairperson of the Committee for Education): I will make my first comments on the motion as the Chairperson of the Education Committee. Home-to-school transport is a subject that the Committee for Education has spent a considerable amount of time considering in this mandate and in the previous mandate. We have considered the drive to improve health and safety and the need to control costs. This is, of course, a cross-cutting issue that impacts on, as the proposer of the motion said, the Department for Regional Development (DRD) and the Department of the Environment (DOE). I am glad to report that the relevant Committees have been working together, sharing information and holding joint departmental briefings. We have been

gradually unpicking a very complex and challenging issue for the Assembly.

Undoubtedly, we will hear in the debate a lot of statistics, and some of those have already been given to us. Let me add one that I think is of utmost importance: 60% of accidents that kill or seriously injure children on the roads happen between 8.00 am and 9.00 am and between 3.00 pm and 4.00 pm. That is on the way to and on the way home from school. Most of those serious injuries and deaths happen to children in cars or children who are pedestrians. It appears that bus travel is far and away the safest way for children to get to and from school. That having been said, the Committee believes that the relevant Departments should not be complacent about this relatively good safety record. Members will want to see all our public transport providers complying with the best standards for vehicles and, indeed, their drivers.

The motion refers to the administration of bus passes or seasonal tickets. Undoubtedly, the bus pass system has a number of unusual quirks. Why is it, for example, that bus passes come into operation some time after schools start back in the autumn and then continue in the summer, sometimes for weeks after the schools have broken up? The inefficiency of that historic arrangement, if not very significant, is nonetheless well overdue for correction. The seasonal ticket system also allows for the surrender of bus passes and the receipt of an allowance in lieu. Members of the Committee were surprised to learn of that practice and perhaps take the view that it is overly complex. A review of that element would be extremely useful as would the practices being brought under some scrutiny.

The motion does not mention the substantial costs to the Department of Education for school transport. Those costs rose from £64 million in 2004-05 to £75 million because of increased costs for board-owned vehicles and Translink. Indeed, as pupil numbers have gone down in post-primary schools, the unit cost has increased by as much as 28%. The Committee recently learned that the education and library boards (ELB) are to report by 18 February to the Department on measures to align school calendars, and school starting and finishing times, in order to reduce school transport costs. Parents up and down the country are regularly frustrated by differing school calendars, and a sensible level of alignment will cut school transport costs and be a relief for the parents of schoolchildren everywhere in Northern Ireland.

As the House is aware, at the Minister's request, an independent panel — some may query the use of the word "independent" — recently produced a report on the common funding formula scheme for schools. The report argues that the home-to-school transport policy should be revisited at the earliest opportunity.

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

Mr Storey: The panel says that eligibility for free transport should be reviewed, and the potential for some parents to contribute to costs should be considered. I would appreciate it if the Minister, in his response, were to make clear whether he will undertake such a review and whether the Department will consider curtailing the eligibility for free school transport.

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

Mr Storey: Thank you.

Mr Hazzard: Go raibh maith agat, a LeasCheann Comhairle. Although I have some concerns regarding a few of the points for discussion, I think that the motion raises some important arguments concerning school transport. I am content to support the Members' call to examine the future of school transport.

Many of the dynamics that we will discuss this afternoon have been known for a few years. Indeed, the 2010 review of the education sector revealed the depth of the situation that we face in establishing and maintaining an effective and efficient school transport system. With the five main modes of home-to-school transport cost the Department of Education some £75 million a year, it is pertinent to suggest that we should seriously examine ways in which we can ensure the effective use of taxpayers' moneys. Moreover, as that figure of £75 million represents nearly a 20% rise on the 2005 figure, it is important that we explore ways in which we can ensure value for money.

In addition, the rise in costs is not uniform across the five education and library boards. The cost per pupil in the South Eastern Education and Library Board increased by 14% compared with an increase in the Belfast Education and Library Board (BELB) of 58%. Of the five modes of transport, Translink has the lowest cost, while transport by taxi has the highest. If all the ELBs matched the unit cost of the best-performing ELB for each mode of transport, a high-level estimate is that the cost of providing the service could be reduced by

some £10.7 million. Indeed, funding for home-to-school transport is determined by the Department and distributed to the education and library boards through the assessment of relative needs exercise (ARNE). Although the ARNE formula implies an indicative level of funding for transport, ELBs have discretion as to how they spend their overall budget allocation. The actual spend on home-to-school transport in BELB is 25% higher than the amount implied. Although that means that there is more available for transport, it also implies that there is less funding for other important education services. That highlights some of the issues that we must bear in mind when considering whether to extend an already bulging budget for school transport.

How do we move forward in this situation? The 2010 review made some suggestions. First, we could target free home-to-school transport at those most in need. As children move beyond compulsory education, they are less likely to attend school every day because of exams or being able to drive their own car or travel with friends. Therefore, as pupils progress beyond compulsory education, they have lower levels of utilisation of free home-to-school transport, leading to wasted resources.

It has also been mentioned that parents could make some contribution. That is related to the general issue of why the service is currently provided for free. If it is to prevent children walking excessive distances from home to school, the primary duty is to ensure that the service is available rather than going further and providing it for free. Alternatively, if the rationale is not to impose additional costs on low-income families, it would appear inefficient not to means test the service. Therefore, is there an argument for introducing a means test for parental contributions to home-to-school transport? All those issues need to be taken into consideration.

We could also extend the daily allowance of pupils eligible for free school transport, potentially at a reduced rate so that the ELBs could withdraw from providing home-to-school transport. For a large number of pupils, this would simply mean that they would still use the same public transport service, but they would be responsible for payment, which would be offset by the daily allowance.

No doubt, these options would involve a major sea change in our understanding of how home-to-school transport works. Indeed, I am sure that some would not be overly popular with parents, as free school transport is often considered a right. However, the reality is that

home-to-school transport is not a core objective of the education sector, as the money spent on transport reduces the amount available for teaching in our classrooms. In this context, there is a need to target resources at those most in need. The alternative is to consider the introduction of a parental contribution to the service, which would have two benefits: it would be convenient for the parent and safe for the child.

Although I support the idea that we must examine the ways in which we make effective and efficient use of taxpayers' money, I am not convinced that free school transport is the best way to achieve that. Certainly, we must ensure that those in need receive fair and equitable services, but a universal approach to school transport would lead only to fewer resources being available for teaching in our classrooms. Moreover, I have concerns that free school transport implies that even pupils who live a stone's throw from their school would also be entitled to free transport. Surely, that would be a regressive step in our attempts to reduce childhood obesity through physical activity, such as a short walk to school each day.

I am content to support the motion and its call for the exploration of a future strategy for home-to-school transport, but I am not convinced that extending free school transport to all children represents the best way forward.

Mr Kinahan: I welcome the opportunity to speak on the motion. Many good points have been put forward already. It is a similar topic to one that my party brought before the House in 2011, at the start of this mandate, in which we noted the importance of an effective home-to-school transport policy and called on the Minister of Education to initiate an overarching review. The Assembly passed that motion, so I can only assume that the Minister carried out the subsequent mandated review. Therefore, I hope that the Minister is in a position to tell us the findings today.

We should also note that home-to-school transport is a matter not only for the Department of Education but for the Department for Regional Development, especially given the significant role of the latter in the public transport system. I note that my party colleague's Department is wisely mentioned in the wording of the motion. I am sure that he and his officials will review the main points of the debate as, ultimately, they would have the real programme of work to undertake if free school transport for all pupils were to be rolled out.

Nonetheless, this is a welcome motion and one that I and my party will have no difficulty in supporting. However, the viability of universal free school transport has been discussed before in my party. Making a good education freely accessible should, most definitely, be a consideration for the Department, but, like most good things, it will come at a cost.

We must bear in mind that, every day in Northern Ireland, thousands of children are absent from classrooms for no valid reason. Although, no doubt, there are many reasons for that — Roy Beggs recently brought a helpful motion to the House detailing many of those — we can be sure that if transporting your kids to school were no longer an issue of long walks or arduous searches for parking spaces, it may well be easier to tackle the rate of absenteeism.

2.00 pm

While the benefits of free school transport are clear, so too are its potential shortcomings. Not only would it send mixed messages to kids whom we are trying to get to walk and cycle to school more often but potentially huge costs would be involved in opening up enough seats on our buses in the mornings.

Lots of matters that are linked arise today with the motion, and one incredibly important issue was raised at a recent meeting on transport. One company mentioned that, if one company were given the job of managing all the transport, it could reduce the cost of school transport by half. If the feasibility study were to be done, that should be included. Surely that must be something that we should look at, particularly in today's climate.

I will move now to a different issue, which the Member who proposed the motion touched on. If we thought of the benefits that there would be to our roads system if every pupil took the school bus or train, walked or bicycled, we would see that we should be facilitating all four of those types of transport. There would be no cars jamming up the roads or housing developments, which is something that we have problems with in Templepatrick. Everyone parks in those housing developments when they wait for the bus. All our children are being put at risk around all our schools as cars jockey for position not just outside schools but near bus stops. Now that I am talking about bus stops, I should say that we should be looking at the fact that there is, I think, a mass of children who do not take school transport because there are no bus shelters. So, as part of the feasibility study, we need to relook at the provision of bus shelters.

Many years ago, I was lucky enough to be in Boston. I noticed that, in the mornings, all the children are out on the roads and standing at the side of the road before rush hour. The school buses drive round and stop. When they stop, an arm swings out across the road. No one is allowed to overtake the buses, which have priority. Everybody takes the bus, they all go to school and rush hour then starts. So, that would be a major change, but if we are looking at the feasibility of it all, we should certainly be looking at such changes to see how we can do it better.

There are already 110,000 kids travelling to and from school, and we have heard the costs of that quoted at between £70 million and £80 million. I believe that the Minister should at least be tasked with conducting the feasibility study, as we call for it today.

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

Mr Kinahan: We support the motion and look forward to seeing the results of a feasibility study in the future.

Mr Rogers: I support the motion. It is fair to say that, since the current arrangements for the provision of home-to-school transport came into effect in 1996, a number of its provisions are, clearly, out of date. Since then, a number of papers have been published into various cost-saving measures that the Department could utilise to improve the school transport policy for children. Those papers included a number of joint reports from the Department of Education and the Department of Finance and Personnel on trying to assess potential efficiency savings. The independent review of the common funding formula has also set out possible routes for savings.

Following the publication of those papers, it is time for the Department of Education to adopt a collaborative approach with the Department of the Environment and the Department for Regional Development to assess the possibility of free public transport for all school pupils. Increasing the availability of public transport would have a knock-on beneficial effect on the level of traffic on our roads, which other Members talked about. It would reduce the financial strain on parents and improve school attendance figures.

Eligibility for transport assistance is determined by two criteria: distance and suitable school. A review of the home-to-school transport policy is long overdue, and an opportunity exists now for

the Ministers to have a joined-up approach and to assess the feasibility of the policy, which would provide all school pupils with access to public transport. That must be done with minimal delay.

In Sir Bob Salisbury's review of the common funding scheme, he recommends that a transport policy be reviewed at the earliest opportunity. That would include eligibility, the definition of a suitable school and the potential for some parents to contribute to costs.

Many children avail themselves of concessionary rates on public transport. I understand that the concessionary fare schemes that are currently in place cost the Department £30 million per annum, but that support is crucial to alleviating the financial burden on parents. It is essential that access to public transport is not undermined by curtailing access to concessionary schemes. Young people should be able to avail themselves of a service that they can rely on to get them to school safely, efficiently and without incurring a cost burden. I am reminded very much of the rural White Paper and rural access to services for our children, particularly as I come from a rural constituency. It is a long way from Boston to Brackenagh. Someone mentioned a nine-minute walk to the train or bus. In rural areas, I want to keep that firmly on the agenda.

Great inroads have been made to improve public transport services across the North. What better way to continue that than to deliver children to school in that way? I acknowledge the presence of the Minister of Education. I urge him to work with the Minister for Regional Development to pursue fully a study of how to use the transport system to the benefit of all pupils.

Mrs Hale: I welcome the opportunity to speak to the motion. I state from the outset that I broadly support the sentiments behind it. Many in the House already know my views on the need to reduce traffic, especially in rural villages.

My concerns relate to the future cost implications and the actual desired need to develop such a system of funded travel. There is also a lack of high-level information on which to consider the implications of such a motion. I stress that an in-depth study is needed on which to base any future discussions.

The motion is going in a somewhat different direction from the Department of Education's current and future education policy. Education boards have been asked to improve efficiency

and reduce costs to the sum of £5 million from the home-to-school transport budget. Home-to-school transport costs have increased by nearly 30% over the past five years to a total of £71.5 million. There has been a marked increase in the number of pupils who use free transport, even though actual pupil numbers have been falling in some areas.

The Department of Education and the library boards have been asked to consider four possible options in an attempt to lower the cost of home-to-school travel: first, to provide transport to only those children from low-income households; secondly, to provide transport only for a period of compulsory education, which is up to the age of 16; thirdly, to consider parental contributions; and, finally, to increase the statutory walking distance.

That is backed by an independent review paper produced into the common funding scheme. The panel behind the review had great concern over the escalating expenditure on home-to-school transport. It also took issue with the arrangements for parental contribution, as article 23 of the Education (Northern Ireland) Order 1997 empowered the boards to provide transport arrangements free of charge. That would limit the number of options available for future consideration. What is most notable is that none of the options being considered is to look at extending the policy to all pupils by completely overhauling the old criteria for free transport.

There are new opportunities to review the mode of transport that is utilised, improve best practice and consider the cost of each mode of transport, whether contracts are through Translink or other, private providers. That may provide options to fund such a change of policy. However, it may not be enough to fund adequately such a move.

I will switch to the implications on the Department for Regional Development (DRD). Any move to cut the amount of traffic that uses roads during rush hour must be welcomed. In my constituency, I am contacted constantly about traffic jams and the difficulty for other commuters and pedestrians that the school rush hours cause. Again, I have concerns that actively encouraging pupils who live within a safe and suitable walking distance to use public transport may be in conflict with other policies that the Executive have endorsed owing to their positive impact on health and the environment.

I am most certainly all for creating a service for pupils and their families. However, I want to be sure that there is a need for that type of change

and that families would not just continue to use their own vehicles as an easier option. Thus, any feasibility study must focus on the need to ensure that money would not be wasted funding such a change.

It is for those reasons that I welcome the motion. However, I stress that any feasibility audit must be done across all the Departments concerned. The full financial costs must be considered against current progress, and a scoping exercise on conflictual policies must also be considered.

Ms Boyle: Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to speak to the motion. Like the previous Member to speak, I, too, have concerns about the cost of such a study.

I agree with the motion, particularly about the benefits of using public sector transport during term time, as that helps to conserve natural resources, helps to reduce air pollution and is less harmful to the ozone layer. It goes some way to reducing parents' stress levels in the morning rush-hour traffic, some of whom may have to drop children off at more than one school.

As has been said, 89,000 eligible pupils get transport assistance, which is around 92%. Thankfully, education and library board buses and public sector transport are safe and sustainable ways of getting a child to school. I want to make the point that the previous Member made, which is that there is an emphasis on getting children fitter. There is an increase in obesity, and money is being spent on anti-obesity campaigns in schools and in the wider public. Walking to a school that is within a safe walking distance may be the only exercise that a child can get.

In my area of Strabane, many children have to walk to school daily, and, in my opinion, those routes are unsafe. I was involved with a number of families in the Glebe and Dunnamanagh area who lobbied to have a route deemed unsafe to walk. An assessment was carried out and the road was deemed safe, even though the PSNI felt that it had potential dangers for the children walking along it.

The added cost to parents of sending their children to school includes the rising price of uniforms and school lunches. The added cost of transport has a severe financial impact on families who already may be struggling. In the interim, or in the absence of any study, we need to have a balanced system for those who can afford transport and those who cannot.

The Department of Education's policy for delivery of home-to-school transport gives scope for variation in its operational policies across all the education and library boards (ELBs) to ensure greater flexibility and best practice to meet the needs in each ELB area. However, there are differences in the calculation of the distance when accessing eligibility for free transport, as well as the policy in respect of concessionary seats; for example, allowing non-eligible pupils to use spare seats on buses. In addition, there are different variances for deciding what provision should be provided for pupils with special educational needs, which is the biggest part of our school transport budget. So, we need to have a fair and equal system for our whole school fleet.

As I said, 89,000 pupils are currently assisted with transport to school. The remaining 231,000 pupils make their own arrangements. The cost of providing the service is approximately £700 million per annum. I believe that there is merit in a feasibility study, but you would have to look at the costs.

I am also aware that our colleagues in the Regional Development Committee are doing their inquiry into the use of public and community sector funds for the delivery of bus provision here to include school transport and how the different Departments can pool funds to maximise savings, making better use of our public funds. The Committee has received evidence from the Health Department, the Education Department and the community sector, and I commend the Regional Development Committee for that. I await the outcomes of its inquiry and look forward to its recommendations.

In many ways, this motion duplicates what the Regional Development Committee is trying to achieve. We need a value for money feasibility study to ensure that a fair and equal transport system is in place. A review is overdue, and it needs to happen soon. I look forward to hearing the Minister speak to that later.

Mr Hussey: First, I apologise to Mrs Cochrane for not being here at the start of her speech. Unfortunately, I am a lot slower than other people, and it took me a while to get here, but I reassure you that I did not come by bus.

As you are aware, I represent the constituency of West Tyrone, like the previous Member who spoke, and there is no doubt that, regardless of the constituency that we represent, there are issues that cause concern to parents when children have to walk to school. We discussed that matter some time ago under a UUP motion

in relation to home-to-school transport. The issues that we raised with the Minister of Education are as relevant today as they were then.

Michaela Boyle referred to the fact that she represents Strabane. I, too, represent Strabane, and I ask Members in the House if they consider it wise to send a child from the village of Ballymagorry to walk to Strabane along the main A5 arterial route. This particular road has little or no footpath provision, and to follow the Highway Code, the child should walk towards approaching traffic. The traffic could be a tractor or, just as easily, an articulated truck travelling at up to 60mph. If you were 10 years of age, the blast from the lorry could knock you over or, worse, suck you in towards the vehicle, with unimaginable consequences.

2.15 pm

The problem has not gone away. We are aware of the various regulations, and the Education Minister has reminded us in the past of circular 1996/411, updated in 2009, which relates to eligibility criteria. Clearly, rules are rules, but that particular rule dictates the distance from home to school. If you are three miles or over, you are granted a place; if you live next door and are outside the three miles by even 100 yards or less, you are not eligible.

We all accept that school traffic in any town is a nightmare, with cars being parked anywhere to pick up children. They park on double yellow lines and corners; they block school gates and car parks. Entire towns can come to a standstill for up to an hour during the morning and evening school runs. The problem is not restricted to schools in towns. Some rural schools have a similar problem, and those attempting to walk to school may have to avoid cars on windy country roads as they attempt to get home.

We recently experienced severe winter weather, and the prediction is that it may well return later this week. I ask you to picture the scene, with children having to walk through snowstorms. That vision on its own should be enough to seriously consider providing transport. I asked during the last debate on this issue what value would be put on a child's life. In the Strabane area, we had a local GP killed on the A5 as he cycled along the road. The driver of the lorry that killed that man did not know that it had happened, because the bicycle had been sucked in under the lorry.

There would, no doubt, be significant cost implications if universal free home-to-school

transport was introduced. If all parties want that, then all parties need to accept that DRD will need support to meet the additional cost. Cost should not be a consideration when we are dealing with children's safety. Let us see a united approach to this issue from all Departments. Children are our future. Let us see us doing as much as we can to support children and ensuring that the journey to and from school is as safe as we can make it, not just in rural areas such as Tyrone but in all areas of Northern Ireland.

Let us see a determined effort to provide free school transport for all families to revolutionise our approach to this issue, reducing traffic build-up at school times; hopefully, improving the environment, with fewer cars pumping poisonous gases into the air; and ensuring that those families that cannot afford school transport can ensure that their children are taken to and from school safely.

Finally, I appreciate that we in Northern Ireland have a problem and that our children walk less than those in other parts of the kingdom. Possibly our statistics are slightly improved by those from rural areas who have to walk long distances daily. The exercise question may be resolved by providing and encouraging attendance at sports clubs and leisure centres.

There can be nothing more important than the safety of our children. Cost should never be an issue. The risk to our children's safety far outweighs the problems associated with their need for regular exercise.

Mr Dallat: I am grateful for the opportunity to speak on this motion. I rely on my length of time on this earth to, perhaps, paint an overview of how I see it. I believe that school transport is hopelessly out of date and is, basically, the same system that was introduced in the early 1950s when people passing the 11-plus, largely middle class, had to be bussed to their posh grammar schools.

The secondary school system came into being, of course, and there was simply an add-on to that. Very little has changed, really. It has expanded on an ad hoc basis. Some of that transport is provided by Translink on a contract basis. Yes, the education and library boards, particularly those in the west, have a large fleet of buses. There is, of course, community transport, and do not forget that the health boards have school buses for children with special needs. So, a whole plethora of people provide transport.

Of course you cannot have this debate without referring to the cost, and that has already been mentioned. It is absolutely astonishing that, as far back as 2005, the Public Accounts Committee got an undertaking that there would be some kind of effort made by the Department for Regional Development, presumably in conjunction with the Department of Education, to create a network of transport in which there would be no duplication and which would provide a network of services to many more people than is the case. I believe that until we have such an integrated system of transport, the prospect of introducing free transport for all pupils is perhaps not a realistic proposition, but I hope that I am wrong.

What I am saying to the House is that, if the motion is to be taken seriously, and I hope that that is the case, the feasibility study cannot be confined exclusively to school transport but must, in fact, embrace an overarching view of transport as a whole, particularly for those living in rural areas, because we still have a system that dates way back to the 1950s, as I said. If that happened, I would be hopeful that the motion would not simply gather dust and that we could, in fact, have a really modern system of transport.

If I were to ring somebody in Birmingham today and order a spare part for my vintage car, it would be here tomorrow, because new technology, barcodes and all sorts of things allow that to happen. Why can existing new technology not be applied to our transport system? I believe that it can.

Some Members spoke about the needs of rural areas. I can tell our urban friends that living in a rural area is not a pleasant experience for a child today, because the roads are no wider than a single vehicle and there are no footpaths, and there are dangerous bends, unprotected watercourses and, indeed, many other obstacles, not least fast-moving agricultural machinery. So, you can see that there is a particular need to facilitate children in rural areas and provide transport for them.

I live in an area where, astonishingly, school buses pass children who do not qualify for transport because of the three-mile limit for secondary schools and the two-mile limit for primary schools. Of course a concessionary system operated on an ad hoc basis, and a blind eye was sometimes turned. That was a good system — I know that from teaching in a secondary school for 23 years — but it has gone now.

We really need to look seriously at the system we have. We need to get up on the balcony and start to look down, and then, hopefully, at the end of the day, we will have a system that can fulfil the needs of our people. That is not to say that I am discouraging —

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

Mr Dallat: — groups who walk to school. I am certainly not discouraging cycling or anything that cultivates a better lifestyle.

Mrs D Kelly: A number of contributors to the debate thus far have raised the cost of the feasibility study. I am somewhat confused by that, given that much of the information is already available and that there could be some in-house desk research. I am sure that the proposer of the motion is not calling for consultants to be used, so perhaps her party can respond to that when others have finished their contributions.

Other Members also raised the issue of the Committee for Regional Development's inquiry into community transport, which is currently under way. During questioning, some health and education officials were unable to give the Committee any firm steer on the working group, which we were led to believe was already established, to see how Departments could better collaborate on the provision of transport. Perhaps the Minister will give some indication of where that is at.

The Minister, as someone who shares the same constituency as me, will, I am sure, be aware of the closure of the school in Kilwarlin. As a consequence of that, 28 pupils have no transport provided to travel to the Maralin school — *[Interruption.]*

Mr Deputy Speaker: Order. I remind Members that they should not be having audible conversations when someone has the Floor.

Mrs D Kelly: Thank you, Deputy Speaker.

Perhaps the Minister will give a commitment to looking further into that case.

The motion is right: there should be a better way of doing things in the 21st century. As Mr Dallat said, the system was set in the middle of the last century; it is well due an overhaul. I fully support the call for a feasibility study, but I do not really buy the argument that others presented about the detriment of cost, particularly at a time when the Office of the First

Minister and deputy First Minister (OFMDFM) has been unable, after almost two years, to spend any of the money in the social investment fund. I believe there is a kitty of some £80 million.

Mr Deputy Speaker: As Question Time is due to commence at 2.30 pm, I suggest that Members take their ease for a few minutes. This debate will continue after Question Time, when the next Member to speak will be Steven Agnew.

The debate stood suspended.

2.30 pm

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

Oral Answers to Questions

Environment

Local Government Reform: District Electoral Areas

1. **Mrs Cochrane** asked the Minister of the Environment for his assessment of the timescale for the drawing of the district electoral area boundaries as part of the ongoing local government reform process. (AQO 3283/11-15)

Mr Attwood (The Minister of the Environment): I thank the Member for the question. As the Member will know from the debate last June, when the Local Government (Boundaries) Order was passed by the Assembly, responsibility for taking forward the detailed work in respect of the district electoral areas passed to the London Government, given that that is their responsibility under the devolution settlement. The Member may also be aware that the Secretary of State recently appointed Mr Richard Mackenzie — a person well known to many in the Chamber, and he will, no doubt, be very well known over the next year as well — to take forward the detailed work, with the intention of bringing forward his recommendations later this year. The London Government advise me that they will be in a position to pass the relevant order in advance of our council shadow elections in June of next year.

Mrs Cochrane: I thank the Minister for his answer. Will the Minister comment on any contingency that might exist in the case that boundaries are not published and consulted on until several months later than the current timetable would suggest?

Mr Attwood: I do not have a contingency, because I am being advised by the London Government that they will complete their processes in good time to have an election in June of next year. In the event that those processes are not completed, an issue will arise, but I am not working on that basis, the London Government are not working on that basis, and I hope that nobody else is working on that basis.

Mr Givan: Will the Minister give us an assurance that any proposed changes that

Members may wish to be made to the boundaries — they can often be controversial — will ultimately not be for this Minister to take a decision on? Will he assure the House that it will be a decision for the London Government and, therefore, we can be assured that there will be no unilateral gerrymandering of boundaries by the Minister, such as has happened with retail boundaries in Northern Ireland?

Mr Attwood: I am tempted to remind the Member that there was political uncertainty, doubt and delay in respect of local government, ostensibly in the last mandate, because Members had issues around the boundaries at Forestside and Dunmurry.

Mr Givan: What about Warrenpoint?

Mr Attwood: I will come back to Warrenpoint. If the Member —

Mr Deputy Speaker: The Minister will resume his seat. I ask that there is no dialogue across the Chamber. We have a system here. It seems to work well for most people, and it should work for everybody.

Mr Attwood: I would not necessarily use the word "gerrymandering", but, in the previous mandate, there was certainly a lot of political interest in where boundaries would end and begin. The process being taken forward by Mr Mackenzie and the London Government is reserved to them under the devolution settlement. Therefore, I trust that there will be no political interference. Obviously, the public, political parties and others can input to the process of consultation. I have not taken unilateral action in respect of any matter. I act in a way that is loyal to government policy, planning policy and the regional development strategy. It is others who are acting outwith those issues.

Mr Boylan: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire. I thank the Minister for his responses so far. Has the Minister considered a legal challenge to any of these processes? Also, will he assure the House that, as part of the process, he will run the severance package in tandem —

Mr Deputy Speaker: Order. One question.

Mr Attwood: It is for others to decide whether there will be legal challenge. I understand, as hinted by the Member opposite, that there is

some interest in another part of the North in respect of a legal challenge and that legal correspondence has been communicated in that regard. However, it will be for others and, ultimately, the courts to decide whether there is legal challenge in any one area.

Had he been given time to make it, Mr Boylan's point would have been about how a severance package might run with the process around the delineation of the district electoral areas. I have said on a number of occasions and am pleased to say now that, whatever happens with the severance proposal — I trust that that will be adopted by the Assembly in due course — the arrangements will remain open for qualifying councillors until such time as the district electoral area issue is resolved. That is only fair and respectful to councillors who may wish to stand down.

Mr Deputy Speaker: I gently remind Members that it is one query and one query only.

Mr Elliott: DEA boundaries are outside the Minister's remit but the local government Bill that he plans to bring forward this year is within it. Given the current difficulties around the issue of flags, does he anticipate bringing forward a provision in that Bill to allow the Union flag to be flown at every new council civic centre in Northern Ireland?

Mr Attwood: I note that the Member has, if I may put it gently, a whimsical look on his face, but it is a serious matter. Let us be clear: the issue of flags, emblems and symbols will be settled only when all parties and political leaders uphold the principle of parity of esteem. What does that mean? It means that, in this part of the world, because of the new political order that we are all meant to have embraced, things will look and feel different from how they did before. That is the outworking of respect for difference. That does not mean that any one person or community has lost or won; it is the outworking of the principle of parity of esteem.

Mr Elliott knows that before Christmas, at a meeting of the political reference group, which is part of the RPA structure going forward, I made the point that we might have to capture the issue of flags, emblems and symbols in the work of RPA. If that is necessary, we should not shirk it. We do not need to go onto that ground at the moment, but, if we have to do so, we should.

Mr Deputy Speaker: Mr Elliott and the Minister seem happy to diversify into another subject, but it does not make my job any easier. So

from now on, we will stick to the subject. I call Mr Gregory Campbell, who, I am sure, will do that.

Urban Dereliction

2. **Mr Campbell** asked the Minister of the Environment whether he will consider funding an intervention programme for councils aimed at removing the worst urban degeneration blight in tourist areas and locations where large events are scheduled during 2013. (AQO 3284/11-15)

Mr Attwood: I thank the Member, who has been very consistent in raising this issue on the Floor and in other ways, and he is right to do that. He will know that I announced this morning that a further £1 million will be allocated in this financial year to be spent between now and the end of the financial year to take forward decay and dereliction interventions in Fermanagh, Moyle on the north coast, south Down, Down and Belfast. I did that because I think that the experience of Derry, in its City of Culture year, and in Portrush and Portstewart demonstrated that, for quite moderate moneys, there was a substantial improvement in those areas and confidence in trade and visitor experience. I want to acknowledge that, although the Minister of Finance and I may differ on proposals for welfare, pensions and a national crime authority, he eventually agreed that spending £1 million on those decay and dereliction interventions would be money well spent.

Mr Campbell: It is nice to see the Minister sticking to the topic — not.

I welcome his announcement this morning. He is right about the benefit that accrued to Londonderry and the north coast. He mentioned the figure of £1 million, and there is a little concern that the source of that money may be a redundancy scheme for which the time limit for applications has not yet elapsed. Will he guarantee that the £1 million will be secured for the package?

Mr Attwood: Clearly, this late in the financial year, you have to assess, in spending upwards of £1 million before the end of the financial year, whether all that money will become available. As the Member said, the money has been released by my Department, with the Minister of Finance and Personnel's consent, on the basis that we think that the take-up of the early retirement scheme — it is not a redundancy scheme — in the Planning Service will involve x number of people. We have forensically

interrogated the figures to come up with a figure of £1 million. Indeed, it is my sense that, in the near future, there may be one or two further interventions and further spend beyond the £1 million for other parts of the North.

Mr McMullan: Go raibh maith agat, a LeasCheann Comhairle. Minister, how do groups avail themselves of that money given that it has to be spent before the end of the year and most of the large events take place in August? I am thinking of two in particular: the Irish rowing championship in the village of Carnlough and the Heart of the Glens festival.

Mr Attwood: As I believe very strongly that the £1 million spent to date in Portrush, Portstewart and Derry has had a material impact, I asked all 26 councils in the North to provide proposals in advance of Christmas. Twenty-two of the 26 councils did so, and, on the basis of that, I made a bid for £4 million in January monitoring. That failed, but, in subsequent discussions with the Minister of Finance, we agreed to release £1 million. It was the councils that developed the proposals. The Member's council produced proposals for the east Antrim and Moyle areas. The councils will now spend the money. We have been very careful and diligent in ensuring that the councils that get the money can demonstrate their authority through being able to spend the money by the end of the financial year.

The story is not over. I continue to have conversations with the Minister of Finance and Personnel. I see that his successor is not here, but I hope that there will be further conversations with the current Minister's successor to embed the roll-out of decay and dereliction interventions across all councils in the North on the basis of allocations in monitoring rounds: moderate moneys — big impact. It is time for the Executive to go beyond where they are now and dedicate quarterly monitoring moneys to this worthwhile project.

Mrs McKeivitt: I welcome your announcement this morning, Minister, of the dereliction moneys, particularly those for the south Down area. What are your views on dereliction moneys when the location in question is not a particular tourist area or is not due to host a major event?

Mr Attwood: We have a scoring matrix in the Department, which assessed all the bids that came in from the 22 councils. One aspect of the scoring matrix is whether events in a particular area during the year might lead to the

conclusion that money should be spent. That is why money went to Derry, Portrush and Portstewart and why £350,000 is going to Fermanagh. Money is going to Lisburn because it is the European City of Sport. It is a factor, but it is not the only factor. In my view, whether there are or are not major events in an area — major profile events, as opposed to the annual run of events — the scheme works by stabilising local trading conditions and maybe encouraging small business opportunities. As a fund for that purpose, never mind the events, it seems to me to be very worthwhile.

Planning: Enforcement

3. **Mr McQuillan** asked the Minister of the Environment whether he plans to bring forward legislation to expedite planning enforcement. (AQO 3285/11-15)

Mr Attwood: I thank the Member for his question. As the Member knows from a debate in the Assembly in recent weeks, we are bringing forward into the life of this mandate planning enforcement proposals that were not anticipated to be in force until 2015. The consequence of that is that, in primary legislation, we will have increases in the fines that a court can lay down for failure to comply with stop and enforcement notices. Also, in the regulations arising from the Planning Bill on the far side of its passage, multiple fees will be charged when somebody goes ahead and builds and then applies for retrospective planning permission. There will also be an accelerated passage of enforcement through fixed penalty notices. In that family of enforcement measures, in primary and secondary legislation and in this mandate rather than in 2015, I am trying to demonstrate that the underside of good planning is robust enforcement.

Mr McQuillan: I thank the Minister for his answer, but, in my experience, it takes up to a year for a planning enforcement case to reach an outcome. In this day and age, that just is not on, Minister. I urge you to do something in the meantime to speed that up.

2.45 pm

Mr Attwood: I have said that, when it comes to enforcement, there has been some tendency — I will put it no higher than that — to take the path of least resistance in the planning system. Senior management in planning know full well that that is not my approach. That is why, for example, in heritage enforcement, we have served more urgent works notices for listed

buildings in the past 18 months than in the previous 38 years. That is why 40 live enforcement cases are ongoing to ensure that those who are responsible for the maintenance of listed and heritage buildings fulfil their responsibilities. I agree with the sentiment behind the question. Where it is proportionate and necessary, be it in planning, environmental crime or other problems, the planning system needs to demonstrate that it will go after the worst offenders in a fair and proportionate manner.

Ms Boyle: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his responses. Minister, will you consider reviewing some policies to ensure greater clarity and understanding so that applicants and their agents are aware of and properly understand the planning policies that are in place?

Mr Attwood: Many applicants employ agents, and those agents, who are professionals, should know full well the character and content of the planning system. I do not know whether the Member is hinting at this, but there are some agents whose planning applications leave something to be desired. For other cases, the planning system is difficult to find a way through, given the range of planning policies, guidance notes and other interpretation that exists. That is why, as part of planning reform going forward, work is ongoing to capture all the current planning policies in a single planning policy, very much in the image of what happens in Scotland. So, rather than having 15, 20 or 25 planning policies, we would have a single document that would be reduced in size and more accessible to the citizen, the community and the professional person so that the pathway through the planning system would be better understood and the planning system more fit for purpose.

Ms Lo: The Minister is right to say that we need a robust enforcement unit to ensure compliance with the legislation and policies. I ask the Minister for his assurance that the Department will be given adequate resources to carry out its work, particularly with the new enforcement measures in the Planning Bill.

Mr Attwood: There are two answers to that. I do not think that there are enough resources for enforcement generally in the Department of the Environment. It is our responsibility to protect the environment, land and heritage, which are very much part of the quality and character of the lives that we lead and the appeal of this place to visitors and tourists. More should be

invested in time, law and resources when it comes to enforcement. That is why we recently recruited and continue to recruit significant numbers of new people to get the environmental crime unit — the environmental police officers in DOE for serious environmental crime — up to the threshold of, I think, 33 members of staff. If that is the right model for environmental crime enforcement, it is a model that can be usefully deployed in planning enforcement.

I accept the sentiment behind the question. Work is being done, and more is ongoing on a compliance enforcement unit, led by my chief planner, on taking forward comments and recommendations made by the Criminal Justice Inspection. Some corners have been turned; there are more to turn.

Belfast Metropolitan Area Plan

4. **Mr Easton** asked the Minister of the Environment for an update on the Belfast metropolitan area plan. (AQO 3286/11-15)

Mr Attwood: I thank the Member for his question. He will be aware that, contrary to all previous practice, when the Department received the Belfast metropolitan area plan (BMAP), I published it. I published it without prejudice, because I thought that it was important that, after the length of time that BMAP had been in preparation, people saw its content in advance of adoption. That happened in and around a year ago. It was my ambition then that adoption would occur in and around the end of March. There may be a little bit of slippage because we are completing a habitats regulation assessment and an equality impact assessment. Save for those matters, I intend for BMAP to be adopted shortly after Easter.

Mr Easton: Did BMAP play any role in the Minister's ludicrous decision on the John Lewis planning application in Lisburn?

Mr Attwood: There was meant to be a planning inquiry. I regret that such an inquiry did not take place, because it would have been very useful had all the information that came from DOE, the Department for Social Development (DSD) and the Department for Regional Development (DRD), as well as from other third parties, been interrogated in front of a public hearing through a planning inquiry before recommendations came back to the Government.

I note that the Member says that the decision was ludicrous. I do not know whether the

Member is aware that there are 100,000 people in retail employment in Northern Ireland or that 50,000 people are employed in retail in the BMAP area. If he is not aware of that, he cannot make the claim that the advice that I gave to the planning inquiry on the Sprucefield proposal was ludicrous. Why? What was going to be the impact of 20 shops in Sprucefield, twice the size of Forestside — only one of which was going to be John Lewis, if even that — on all the other retail centres in the greater Belfast area where 50,000 people work in retail? The impact on Craigavon would have been a retail diversion of 35%. It would have been over 20% in Lisburn and nearly 15% in Belfast. Do the maths. What would have been the impact of that on our retail businesses and our retail workforce? It would have been significant, and I would have been negligent had I not given that advice to the planning inquiry.

Mr Copeland: I thank the Minister for his answers so far. It is fair to say that this plan has been around for a very long time. What is your assessment of its usefulness when it eventually arrives, with particular reference to the proposed changes to local government boundaries with areas perhaps previously not in the Belfast metropolitan area now included in it?

Mr Attwood: I anticipate that, without prejudging it, the adoption will generally not be as controversial as the advice that I gave to the planning inquiry on the retail element of BMAP.

The Member is right: the process has taken far, far too long. However, it tends to be the nature of legal and development processes, and, in that way, I am not being critical of the Planning Appeals Commission (PAC), if anyone thought that I was being. Even though BMAP is now not as up to date as it might otherwise have been, it is my view that plan-led development, as a matter of principle, is the right way to develop an economy and communities in any place, including Northern Ireland. In the Republic of Ireland, 80% of the land mass now has development plans, showing that areas gather together and outline their priorities in order to profile the area for economic and sustainable development. Plan-led development, even if it is late, is better than no plan-led development at all.

Mr Allister: Given the negative regional impact of the Minister's recent disastrous and destructive decision in respect of John Lewis, is it not time to abandon the Belfast-centric approach and recognise that it should be

Northern Ireland plc that comes first, not Belfast comes first?

Mr Attwood: It is Northern Ireland plc that comes first. That is the entire emphasis in the regional development strategy adopted only last year by all my ministerial colleagues, even though some seem to forget that. What does it say? It says that to have a Northern Ireland-sustainable approach we need to protect our town and city centres and we should take a precautionary approach to out-of-town retail. That applies to Belfast as it applies to Derry, Coleraine, Magherafelt, Newtownards and all other places in the North. That is good, balanced retail planning that puts Northern Ireland first.

When it comes to Belfast, it is the express policy of the RDS and it is the experience in other parts of these islands and around the world that, to drive an economy forward, you need a thriving, vital and vigorous city centre. Given that Northern Ireland's capital is Belfast, given that 23% of shops in Belfast are vacant, given the RDS and given the need to protect Belfast city centre as an economic driver, are we going to send out the message to retailers, shop owners and shop workers in Belfast and those in Lisburn, Newtownards, Bangor and all the other parts of greater Belfast that they will be left on their own to sink or swim? That is not sustainable planning. It is not good planning. It is not consistent with good government. It is not consistent with government policy. That is why I gave that advice to the planning inquiry in respect of Sprucefield.

Rates: Review of Public Administration

Mr Beggs: Some suggest that the sizeable rates increases —

Mr Deputy Speaker: Order, please. The Member needs to call a question number.

5. **Mr Beggs** asked the Minister of the Environment what progress has been made in funding rates convergence costs within the new councils so that ratepayers do not face rates increases as a result of the review of public administration. (AQO 3287/11-15)

Mr Attwood: As I indicated, I have some differences with other Ministers. However, I do not think that there is any difference — certainly not in argument although maybe ultimately in scale — as regards the principle that, given the need for rates convergence across the council clusters, there will be a need for government assistance in so doing. I think that there is a

political acceptance around the Executive table in that regard. We will work that through over the next short while.

Mr Beggs: Some ratepayers face increases of up to 10% as a result of convergence. Are the Minister and, indeed, the Finance Minister aware that ratepayers are rather incensed at the thought of not only having to pay those increased rates but maybe having to pay for the borrowing and interest payments of councils that have been suggested as a means of easing the situation in the difficult convergence period?

Mr Attwood: I thank the Member for the supplementary. I work on the basis of three principles. The first is that there will be a need for government assistance with rates convergence. The second is that there will be a need to provide soft loans, potentially with the interest being paid by central government, in respect of a council's funding for the transitional and transformative costs that fall to it. The third principle is that there needs to be upfront assistance — some have said that that should be in and around £40 million — where there are no cash-releasing benefits to councils on the far side of RPA. We continue to have that conversation with Executive colleagues. I find it frustrating that we have not brought it to a conclusion. I understand that there may be a meeting some time on Thursday in advance of Thursday's Executive meeting. Perhaps that will bring it to a conclusion.

The point of all that in respect of rates convergence is simply this: there is a need to converge, but there will not be a Big Bang convergence on the day of reorganisation. It will have to be managed over a period of time so that the convergence occurs over a period of time and in a way that does not place a burden on ratepayers.

3.00 pm

Enterprise, Trade and Investment

Fuel Poverty: Energy Policy

1. **Mr McMullan** asked the Minister of Enterprise, Trade and Investment how the formation of energy policy within her Department is monitored to ensure that it addresses the issue of fuel poverty. (AQO 3298/11-15)

Mrs Foster (The Minister of Enterprise, Trade and Investment): My Department's work

on implementing the strategic energy framework, which recognises our high level of fuel poverty, is monitored on a six-monthly basis by both myself and the Enterprise, Trade and Investment Committee.

Mr McMullan: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her answer. Can she explain the logic behind the Department for Social Development (DSD) taking the lead on fuel poverty issues when her own Department has primary responsibility for two of the three measurements of fuel poverty?

Mrs Foster: DSD has always had the lead in relation to fuel poverty, but we do work together on the fuel poverty cross-departmental group. We very much take on board the issue of fuel poverty, and it is one of the key elements of the strategic energy framework.

In relation to policy development, which is what the question alluded to, we very much see the extension of the gas network as having a fundamental part to play in relation to fuel poverty, particularly for those homes in the west of the Province. We have put the renewable heat incentive in place, which will also help with fuel poverty. Our new Energy Bill, which looks at energy efficiency elements, will also help with fuel poverty. So, while DSD remains in the lead in relation to fuel poverty, we very much assist and work with our colleagues in that Department.

Mr Dunne: Does the Minister agree that the proposed North/South interconnector, which has experienced many unnecessary delays, will provide economic benefits in relation to the cost of fuel in Northern Ireland?

Mrs Foster: It is not a case of it being beneficial. The North/South interconnector is a necessity. We have a single electricity market in the Republic of Ireland and Northern Ireland, and if we are to benefit from that we need good interconnection between both parts of this island. We also need it, of course, to move ahead into the future, when we are looking at regulation right across the British Isles in Scotland, Wales and England as well as with ourselves. Therefore, it is not just a luxury; it is an absolute necessity and it is costing consumers in Northern Ireland a large amount of money. Therefore, it is imperative that it is progressed very soon.

Mr Swann: The Minister referred to the need for good interconnections and good interconnectivity — *[Interruption.]* Sorry? I

cannot help if I stutter a bit. If that is funny to you, that is fine.

Mr Deputy Speaker: Order. I ask Members to remain quiet and allow Members to ask their questions. If I feel that there is something out of order, I will address it. Carry on.

Mr Swann: Thank you very much, Mr Deputy Speaker.

In regard to the Moyle interconnector and its downtime, is that having any adverse effects on the electricity bills of those who are with the supplier and is that having an effect on fuel poverty?

Mrs Foster: The Moyle interconnector and the downtime is much to be regretted, as I am sure the Member will agree. I am meeting with Mutual Energy after Question Time to discuss some of those issues. I understand that it is looking to its insurance company on those issues and hopes that there will be no cost to the consumer. That would also be my wish. I will have more clarity after the meeting this afternoon, but that is my understanding.

“The Gathering”

2. **Mrs McKeivitt** asked the Minister of Enterprise, Trade and Investment for an update on any discussions with the Irish Government on events to be held as part of "The Gathering". (AQO 3299/11-15)

Mrs Foster: I have met Minister Varadkar on a number of occasions and discussed a number of tourism issues. I also met Minister Ring at the North/South Ministerial Council (NSMC) tourism sectoral meeting in November 2012 and received an update on "The Gathering".

Mrs McKeivitt: What initiatives will the Minister be bringing forward to increase the number of overseas visitors to the island of Ireland?

Mrs Foster: I do not have control over the island of Ireland. I do, however, very much have control over tourism in Northern Ireland.

In Northern Ireland, we have a very exciting year ahead of us, as I am sure the Member will agree. The Member joined with me at the Sons and Daughters concert up in Londonderry a few weeks ago, which was a tremendous start to what will be a tremendous year for the UK City of Culture. As well as that, we have the World Police and Fire Games coming in August, which, again, will bring a lot of people from

different countries to Northern Ireland who have not been here before. We are very much looking forward to that. Of course, I remind the House again that the G8 will come to Fermanagh in June.

Mr Gardiner: Although the Minister has touched on part of what I will ask her, she could maybe elaborate a bit. What preparation has she undertaken to ensure that Northern Ireland can maximise the potential tourism gains from "The Gathering" and what is her estimate of extra revenue and visitors as a result?

Mrs Foster: I have said many times in this House when the issue has arisen that "The Gathering" has been brought to fruition by the Government of the Republic of Ireland. It is not just about tourism but also about attracting inward investment. It is an idea to bring people back to the Republic this year and to have a gathering.

I have to repeat myself at every Question Time, and I will repeat it again today: if tourists come to the Republic of Ireland during this year, we are more than happy to accommodate them in Northern Ireland when they come to visit us. Of course we are. We want them to come and experience for themselves what Northern Ireland has to offer, and that is exactly what we will do in conjunction with Tourism Ireland and the Northern Ireland Tourist Board.

Mr Campbell: Further to the Minister's response, with "The Gathering" or with any other events or series of events in neighbouring countries, is it the intent of the Northern Ireland Tourist Board to actively target people to see whether it is possible, that, if they come to Dublin, Limerick, Kerry or wherever, they might visit Northern Ireland when they are here?

Mrs Foster: We have been asking Tourism Ireland to concentrate on that. We are saying to it that, if gatherings — for example, a golf gathering — are taking place across the Republic of Ireland, we want to try to ensure that they experience the premier destinations on the whole of the island of Ireland, such as Royal County Down or Royal Portrush. With any type of event in the Republic of Ireland, we want to make sure that we target those and market ourselves in a proactive way so that we can gain benefit from visitors coming to Northern Ireland.

Mr Flanagan: Go raibh maith agat, a LeasCheann Comhairle. The Minister said that if people want to come north, we will accommodate them. Will she encourage local

event organisers to use "The Gathering" website to promote their events?

Mrs Foster: They are at liberty to do whatever they feel is necessary to promote their own events. I will not stop anybody from promoting their events through any mechanism. They can do so very freely.

Job Creation and Job Promotion

3. **Mrs Overend** asked the Minister of Enterprise, Trade and Investment for her assessment of the conversion rate between jobs promoted and jobs created. (AQO 3300/11-15)

Mrs Foster: Invest NI's most recent analysis calculates that 75% of jobs promoted through new inward-investment projects were actually created. That work has been scrutinised by the Northern Ireland Audit Office (NIAO), which regards the figure to be "the most reliable estimate available". It should be recognised that grants will only be paid to a business upon its successful achievement of targets such as actual employment creation.

An example of a recently assisted project is Allen and Overy LLP, which announced 67 new jobs last week, bringing the total number of new jobs promoted to 384. Of those, 300 have already been created by the company well ahead of schedule. The jobs fund was launched in April 2011 and, since then, has promoted more than 4,000 jobs and created over 2,200 jobs.

Mrs Overend: I thank the Minister for her response. How many jobs have been created and sustained during the current Assembly term? What work is ongoing to implement a more transparent measurement indicator for jobs?

Mrs Foster: As the Member knows, in the past, we did not have that mechanism, and I am very pleased that we have it now. We can relay the information, either through questions or through correspondence, and I am quite content to give those answers. Our record on that is very clear.

As I indicated, the jobs fund has promoted 4,000 jobs and created 2,200. The jobs fund is a tremendous mechanism. I was with some companies in Tyrone and Portadown last week, and I could see that jobs have been made available very quickly in those companies because of the jobs fund. It is a tremendous

mechanism and one that I hope we can use more and more.

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

I know from speaking with the chief executive of Invest NI that progress is being made, and that is very useful. Business and all of us think that actual jobs created, as opposed to jobs promoted, would be a much better benchmark for those of us with a common and shared interest in the economy. So, can the Minister give us some specifics on the time frame for when that assessment method will be introduced and when we could be seeing the full details of that presented to us at a Committee?

Mrs Foster: As I indicated, the Northern Ireland Audit Office is content with the mechanism that we have put forward, so I am hopeful that that will be able to be used very soon. The Member will know that the basis upon which the Programme for Government and, indeed, the corporate plan targets have been set are on jobs promoted as opposed to jobs created. That does not mean to say that we cannot give updates periodically to the Committee on how many jobs are created now that we have that mechanism there.

Mr Newton: In the Minister's answer to the sceptical Mrs Overend, she used the words "the jobs fund", which was an initiative that was undertaken by the Minister. Will the Minister confirm the success of that scheme and, perhaps, outline the budget allocated to it?

Mrs Foster: The jobs fund came about in April 2011. I cannot remember what it was called initially. We changed the name to jobs fund because we believed that that is what it really was all about. It was about creating jobs and doing so quickly. As I said, I was able to see some of those jobs recently in JW Kane in Portadown and in Edge Innovate in Coalisland, County Tyrone. I have been able to see the way in which those jobs can come on very quickly. The money is not as slowly paid out. It is paid upfront instead of under selective financial assistance. The jobs have to come and be there for a certain time before the money is given. The fact that the money is able to be allocated early on means that people can be taken on. It does not cause cash flow difficulties, because the money is there, so it has been of great assistance to those companies. As I said, 4,000 jobs have been

promoted, and it has created over 2,200 jobs to date.

North/South Ministerial Council: Tourism

4. **Mr McCartney** asked the Minister of Enterprise, Trade and Investment to outline the agenda for the next meeting of the North/South Ministerial Council in tourism sectoral format. (AQO 3301/11-15)

Mrs Foster: No date or agenda has yet been set for the next meeting of the North/South Ministerial Council in tourism sectoral format.

Mr McCartney: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire. I thank the Minister for her answer. Can she ensure that on the agenda will be how we maximise the number of visitors to Derry in this the year of the City of Culture?

Mrs Foster: That was on the agenda at the previous North/South Ministerial Council meeting in November of last year, when we had a very good discussion about the events that were happening in each of our jurisdictions.

As I indicated, Minister Ring was in attendance on that date, because Minister Varadkar was called away on European duties. We had a very good discussion; he was talking about the Government's plans for "The Gathering", and we were talking about the importance of Londonderry to our plans for this year. I am sure that we will be discussing that again at the next North/South Ministerial Council.

Mr Cree: The Minister is on record as wishing to change the method that is used to measure tourism numbers. If it appears on the next NSMC agenda, will she consider using the new system but running it in parallel with the existing one just to compare the numbers?

Mrs Foster: I am not sure that the Northern Ireland Statistics Research Agency (NISRA) would allow us to have two systems running at the one time. It would certainly be interesting to see the differences between the two.

Part of the difficulty is that, at present, we get three main elements to make up all of our tourism figures. We get the Great Britain overseas market estimates, the Republic of Ireland market estimates and our home estimates. We then have to put those all together. The difficulty for me has been that we get these all at different times of the year, so we

get a skewed picture. We might get the overseas figure, but we do not have the home figures or the Republic of Ireland figures.

Part of what we are trying to do is ensure that, when we give out figures, we give out figures that mean something and that they are something that we can look at and work from. That is my hope from the new figures that will come out.

Mr Frew: Will the Minister detail the work that she is doing to put pressure on Tourism Ireland to promote and achieve more flights into Northern Ireland's airports?

3.15 pm

Mrs Foster: That is a matter that is very dear to my heart, as is the whole subject of air access. At present, in band B, we have only the flight to Newark. We need to have more international flights, and indeed more European flights, coming into either of the airports. We have some key objectives in relation to that issue. I have told Tourism Ireland that I will be asking it for an update every month, because this is something that we really need to deliver on, given that we now have a competitive advantage with air passenger duty set at zero for band B flights.

In looking to Europe, I have a key objective in opening a direct service between Northern Ireland and a major city in Germany, which we need not just for tourism but for investment purposes. Furthermore, I make no secret of the fact that I very much believe that we need to have a Canadian connection brought back, both for tourism reasons — there are many connections with families and friends in Canada — and from the point of view of investment and business. Those are my two key targets, and we will be working very hard on them.

Mr A Maginness: In relation to the agenda for the next meeting of the North/South Ministerial Council in tourism sectoral format, what initiatives could be discussed in relation to increasing the number of overseas visitors to Ireland as a whole, both North and South?

Mrs Foster: As I said in my last answer, I think that that is a critical piece that we need to look at again. I will be asking for the whole issue of air access to be on the agenda again. Just recently, for the first time since it left the control of the Dublin Airport Authority, Shannon Airport has secured a new route into Europe. So, we really need to up the game, in respect of air access to Northern Ireland, to make sure that

we get direct connectivity. A lot of our visitors come through Dublin Airport, and that is why we have taken a lot of advertising, as you know, in the baggage halls of Dublin Airport. However, we want to have direct access to visitors, because then we capture them immediately. That is very much what we want to do.

Agri-Food Strategy Board

5. **Mr Irwin** asked the Minister of Enterprise, Trade and Investment for an update on the work of the Agri-Food Strategy Board. (AQO 3302/11-15)

Mrs Foster: The Agri-Food Strategy Board has made good progress in respect of the development of a long-term strategic plan for the agrifood sector in Northern Ireland. The board is currently drafting the strategic plan following extensive engagement with the industry and other relevant stakeholders, and the Agriculture Minister and I anticipate receipt of the document in the coming weeks.

Mr Irwin: I thank the Minister for her reply. She is aware of the very difficult conditions experienced by farmers during 2012. In the light of that, does she accept the importance of the Agri-Food Strategy Board addressing the need for primary producers to receive a fair price for produce?

Mrs Foster: This is a very topical issue: the need for primary producers to receive a fair price for their food. The downward spiral of pricing has added to some of the difficulties that we are seeing at present in the agrifood industry.

Both the Agriculture Minister and I want farmers to have a key voice in the Agri-Food Strategy Board. We were very clear that we wanted it to listen very carefully to the primary producers and to their concerns. I have no doubt that part of that will be in relation to pricing and the fact that primary producers need to be able to make a living from farming. There is a perception about farming that farmers are all doing very well because the agrifood sector is doing very well. I believe that there are downward pressures on farmers and that those need to be recognised in the agrifood strategy.

Mrs Dobson: Will the Minister inform the House whether she is aware of engagement between the strategy board and the industry or Government representatives of Scotland, a region which has been successful in promoting its produce worldwide?

Mrs Foster: Certainly, I hope that the chair and the members of the board have taken into their view all the strategies of all our surrounding neighbours. I imagine that they will have looked at the Scottish examples, as well as at other examples in the British Isles, on how to promote agrifood.

Tony O'Neill, who is the chair of the strategy board, has briefed me on the main issues that are considered to be important by the agrifood sector, and I expect that the draft strategic plan will include recommendations as to how we address those issues when possible. It is about government facilitating the industry. The Agriculture Minister and I set the industry a task, which was to go away and come up with what it saw as the way forward and to give that to us. We will try to facilitate those plans. I am hopeful that I will have that plan very soon, and we can then take the matter forward.

Mr Hazzard: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire. Given that the strategy will be expert-led, and with major potential markets opening up in China, Russia and elsewhere, does the Minister agree that brand Ireland will give us an advantage in those emerging markets?

Mrs Foster: Given the past couple of weeks, I would have thought that the Member would have looked at that question again. I would have thought that brand Northern Ireland is our strongest brand. I have set the Agri-Food Strategy Board the task of looking at the industry in Northern Ireland, not to the exclusion of the industry in the Republic of Ireland, Scotland or the rest of the British Isles but to take the best of what they have done, to do what is right and to make it for Northern Ireland. In the strategy, I want to see "Made in Northern Ireland", which is what I hope I will get.

Mr Byrne: I thank the Minister for her answers. Will she give an assurance that food-processing companies will get all the necessary support? Will she acknowledge the difficulty that McColgan Quality Foods in Strabane is facing, and will she give some support and succour to it over the unfortunate development?

Mrs Foster: I thank the Member for his question. I commend McColgan Quality Foods for the way in which it has co-operated with the Food Standards Agency in the investigation of the incident. I recognise that it is a very difficult time for the management and staff of McColgan's. Of the four samples taken, two were found to contain trace levels of pork DNA

— trace levels. Investigations are under way to identify specifics around those findings.

The company has quarantined all products supplied to the Prison Service and stated that at no point has pork of any kind been included in the recipes of any of the halal-certified products that it supplied. I commend it for the positive way in which it is working with Invest Northern Ireland, the Food Standards Agency and the Department of Agriculture and Rural Development (DARD), which, I understand, it is meeting this afternoon. It is a difficult time for the staff and the community in Strabane, and I hope that we can work through this.

Economy: Net Fiscal Balance Reports

6. **Ms Fearon** asked the Minister of Enterprise, Trade and Investment what consideration is given to the net fiscal balance reports of 2009-2010 and 2010-11 in relation to the development of a local economic strategy. (AQO 3303/11-15)

Mrs Foster: The net fiscal balance reports of 2009-2010 and 2010-11 were published in November 2012 after the publication of the Northern Ireland economic strategy (NIES) in March 2012. The NIES, however, recognises that one of the long-term challenges constraining economic performance is an over-reliance on the public sector as a key driver of growth. That, alongside a comparatively small private sector, has contributed to a large fiscal deficit.

Ms Fearon: Go raibh maith agat. Will the Minister outline the relationship between the fiscal deficit estimated revenue and the block grant, and how all that is considered in the development of local economic strategies?

Mrs Foster: I have just indicated that the estimate came out after the NIES was put in place. Given that the Member has asked the Minister of Finance and Personnel some 20 questions on the issue, I would have thought that she would have been able to address those issues there.

Mr G Robinson: Does the Minister agree that now is the time to strengthen ties between the regions of the UK rather than increasing ties with the Republic of Ireland?

Mrs Foster: Of course, as a unionist, I always look for ways to increase ties with the rest of the Union. Given that we have a very strong economy in the UK — the sixth-largest

economy in the world — that will be my growing view. That is where our focus should be.

Mr Kinahan: Given that the Northern Ireland public sector revenue has remained flat with an increase of only 2·8% even though the rest of the UK has gone up by 5·7%, and given that the fiscal policy unit has stated that all countries are chasing the same high-tech business, are we looking widely into other areas to ensure that we can narrow that gap in the future?

Mrs Foster: I thank the Member for his question. He is probably referring to the NISRA figures for GVA that came out last week. It is the first time that we have had a measure of GVA for Northern Ireland, and it indicated that we are bumping along and are, frankly, quite flat. It also indicated that, nationally, the UK economic situation is not much better. I accept what the Member says about technology jobs. That is our particular strength, as we have seen in and around Belfast, with the way in which we have been able to attract high-end jobs, such as those in the Chicago Mercantile Exchange on the back of the New York Stock Exchange technologies. We have been able to attract our fair share of those high-end technology jobs, but we are looking more widely. We spent some time this afternoon talking about the agrifood strategy. I believe that that is certainly one of the areas on which we could continue to focus. Of course, the creative industries also provide us with a great opportunity, and that is one area that we will look at.

Job Creation

7. **Mr McGimpsey** asked the Minister of Enterprise, Trade and Investment to outline alternative means of developing the economy in terms of job creation apart from selective financial assistance. (AQO 3304/11-15)

Mrs Foster: All actions identified in the Northern Ireland economic strategy will contribute to the Executive's collective goal of creating jobs, wealth and prosperity through a focus on export-led economic growth. Selective financial assistance is only one of the means available to us to boost job creation, but it is one of the most important. It is imperative, therefore, that the revised regional aid guidelines deliver the best possible outcome for Northern Ireland. I will continue to press the Business Secretary and the EU Commission to ensure that this important job creation tool remains available to Invest NI beyond 2013.

The economic strategy also recognises the need for the Executive to secure new policy levers if we are to deliver a step change in Northern Ireland's economic performance. The Executive will continue to press the Prime Minister for an early decision on the devolution of the power to vary the rate of corporation tax.

Mr McGimpsey: How much does she estimate that she will spend on selective financial assistance in the current financial year? How will that spend break down between indigenous and foreign businesses?

Mrs Foster: It is true that we spent 65% on indigenous businesses last year, I think, and 35% on businesses from outside Northern Ireland that were looking to invest in Northern Ireland. I do not have the specific figures to hand, but I am happy to write to the Member with those.

Mr Storey: Will the Minister outline to the House the steps being taken to address concerns about the regional aid guidelines? What impact will they have on the private sector and its potential growth?

Mrs Foster: That is a huge issue for Northern Ireland, particularly as we still have not received an answer on the devolution of corporation tax. We face the worst of both worlds — we have no decision on the devolution of corporation tax, but we face the threat of having the 100% automatic status removed from us.

We have been spending considerable time on the issue. I went to see Commissioner Almunia in December, and, last week, I raised the issue in Europe. Our colleagues in Westminster have been meeting the Department for Business, Innovation and Skills. I think that they met Minister Michael Fallon in January. I also took the opportunity to meet Vince Cable while I was at an event last week. We will continue to push the issue of regional aid for Northern Ireland. It is the wrong time to remove the 100% status, particularly when we do not have clarity on corporation tax.

Private Members' Business

School Transport

Debate resumed on motion:

That this Assembly recognises the wide-ranging benefits associated with using public transport; notes with concern the increase in car traffic during school term time; recognises the financial strain on parents paying school transport costs and the administrative costs to implement the current school bus pass system; and calls on the Minister of Education, in conjunction with the Minister for Regional Development, to conduct a feasibility study into providing free public transport for all school pupils. — [Mrs Cochrane.]

Mr Agnew: Home-to-school transport is a significant issue for all of us, regardless of whether we have children, because we are well aware of the increase in traffic congestion at the beginning of and throughout the school term.

3.30 pm

As Mr Kinahan mentioned, we had a motion on the issue previously. Indeed, I tabled an amendment to that motion calling on the Minister to work with his colleague the Minister for Regional Development to provide a sustainable home-to-school transport policy. The cross-departmental nature of the issue needs to be recognised. We will find a suitable way forward only if we find a solution on a cross-departmental basis.

I think that it was Mr Dallat who mentioned the plethora of providers of home-to-school transport. We need to look at reform to find ways to provide that more efficiently. I think that I am right in saying that Michaela Boyle mentioned that a fund from the various Departments could perhaps be pooled for that. As part of my private Member's Bill, I have looked at the services delivered to children. I increasingly hear and see strong arguments on the need for Departments to start to pool budgets to meet such cross-departmental objectives.

Sometimes when we speak on private Member's motions, we wonder whether they have any effect. Given that it is over a year since our previous debate on the matter, I hope that the Minister will tell us not only that he will consider the issues raised but, indeed, that he has considered them since the previous debate

and that effective joint working is happening with the Minister for Regional Development.

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

I mentioned the cross-departmental nature of the issue, but it also relates to the Programme for Government. For example, the economic impact of congestion generally should be considered. As we are aware, home-to-school transport has a significant impact, costing the economy an estimated £250 million a year due to the delays that result from congestion. The point will be raised that it would be a costly policy to provide all schoolchildren with free transport. However, we could look at some of the money that the Minister for Regional Development spends. It is proposed that, in my constituency, £2 million will be spent to save two minutes of travel time. The A5 is probably the best example of that, where we propose to spend hundreds of millions of pounds to save 20 minutes in journey times. I wonder how much more benefit would arise if we put that sort of money into home-to-school transport to tackle the issue once and for all and get children to travel to school by more sustainable modes of transport, including, as has been mentioned, active transport models such as walking and cycling, with the necessary provision to make those options safe.

We talk about fuel poverty quite a lot in the Chamber. We have to accept that this is also a fuel poverty issue. The AA estimates that families spend up to £400 a year to fund transport to school. So, again, I ask the Minister whether his Department has been involved in the cross-departmental working group on fuel poverty and whether this issue is considered in those terms.

Obesity has been mentioned, as has safety. It has been pointed out that bus travel is probably the safest mode of travel. However, I reiterate that we have to make walking and cycling to school safe options. There are certainly examples across Europe of how that is being done. For example, there are walking buses and safe routes to school programmes, which to date have not had a huge take-up by our schools. As Ms Cochrane pointed out in her opening remarks, there are, obviously, environmental benefits. Currently, 52% of primary-school pupils are driven to school, most often within a distance of two miles. We need to address that.

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

Mr Agnew: We need to achieve a cultural change.

I certainly support the motion. The feasibility study needs to take into account not only the issues that are solely in the Department of Education's remit but those that are across Programme for Government priorities. We need to look at how we can meet objectives through that policy.

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

Mr O'Dowd (The Minister of Education): Go raibh maith agat, a LeasCheann Comhairle. Fáiltim roimh an deis freagra a thabhairt ar rún an lae inniu. I welcome the opportunity to respond to today's motion.

I should begin by addressing the claim that the school transport policy is uneconomical and outdated. Over 92% of pupils eligible for assistance with their journey to school travel on mass transport, either through a board, private operator or Translink bus. The vast majority of pupils travel by the most economical means available. Approximately half the remaining 8% travel to school by taxi. Where a pupil is in possession of a statement of special educational needs, such statements regularly stipulate that taxi transport is the only suitable means to meet those needs. For the remainder who travel by taxi, that is the most economical response available to boards, as to provide a bus would be significantly more costly. For the remainder, the appropriate response is a parental allowance.

The existing policy is founded on supporting compulsory education. When parents selects a grant-aided school for their child to attend, they are legally obliged to ensure their child's regular attendance at that school. Only three exceptions are permitted, one of which is that a child lives so far from the school that, if they had to walk there, they would not be physically able to give of their best. In that instance, a board is legally obliged to assist with transport to school. As a number of Members pointed out, the distance criterion of two miles for primary-school children and three miles for post-primary-school children is based on what children are physically capable of.

I have no difficulty in supporting a feasibility study, as mentioned in the motion. Unsurprisingly, no Members objected to the motion, but it refers to "all school pupils". If we were to proceed down that line, the figures and costs would be astronomical. It is not the cost of carrying out the feasibility study, which would be relatively cheap in comparison, but, as the

proposer of the motion pointed out, somewhere in the region of £74 million is currently spent on transport, and, of that, £1·8 million is spent on administration. However, to provide all schoolchildren with free school transport would cost somewhere in the region of £200 million annually and would cost us around £500 million capital investment in buses and so on.

Mrs Cochrane: Will the Minister give way?

Mr O'Dowd: Just one second. The costs are quite astonishing when you look at them. I am more than happy to give way to the Member.

Mrs Cochrane: I thank the Minister for giving way. I just want to clarify the exact wording of the motion. It refers to:

"providing free public transport for all school pupils."

Therefore, there is a recognition that there will still be the need for eligibility criteria for those who cannot use an existing public transport network.

Mr O'Dowd: I am glad that the Member clarified that. Therefore, we are saying that it is to conduct a feasibility study into providing free public transport for all school pupils. That means that we will no longer use any transport other than Ulsterbus and so on.

Mr Dickson: Read the motion.

Mr O'Dowd: I am reading the motion.

Mrs Cochrane: Will the Minister give way?

Mr O'Dowd: I will be happy to give way again to get clarification.

Mrs Cochrane: To clarify, it is to encourage more children to use public transport on the public transport routes that are already available and to ensure that there is free transport for those children. You will still have a situation in which children in rural areas will need to have separate buses put on.

Mr O'Dowd: The important thing about motions is that they need to state exactly what Members mean. The motion states:

"to conduct a feasibility study into providing free public transport for all school pupils."

That is exactly what it says. In the Member's introductory remarks, she stated that we spend

£1·8 million on the administration of school transport. Therefore, if I use the example that the Member has given to me to clarify the motion, she also suggested that we do away with the £1·8 million for administration and use it for public transport. Who will administer the scheme that the Member proposes? You need administrators. That is the reality of the situation. The system that the Member pointed out to me will need to be administered. It will need individuals to decide who is eligible for the transport that you pointed out, what bus routes they will travel on, how those passes will be issued, who will be eligible for the passes etc. I point that out because, although Members can, quite rightly, stand up in the Chamber and support all motions and feel free to do so, there are cost implications, resource implications and personnel implications in all these motions.

I think it was the UUP that secured a debate about a year ago calling on me to have a review of school transport and asking why it had not been conducted as yet. It will be conducted. I am examining who would be best to carry out the review. There has been a time lag because I want further information and clarity around the area planning process before bringing forward the review. The report by Sir Robert Salisbury and his team also recommends that the review is carried out sooner rather than later. I am conscious of that, and I will now bring that review forward in the short term because the legislation and criteria require to be reviewed. We are dealing with a £75 million budget, which is a significant budget in my Department, and I want to ensure that it is spent in the best possible way. As part of that review, it would be best to carry out the feasibility study called for in this motion, which refers to providing free public transport.

Mr Storey: I thank the Minister for giving way. Will he assure the House that, in relation to the proposed review, the information already obtained by the PEDU work in his Department, which looked specifically at transport, is also taken into consideration? There was a lot of valuable information there on savings that could be made in the transport process.

Mr O'Dowd: The Member is correct. The PEDU review will be invaluable in carrying out the transport review. A number of Members have stated that significant pieces of work have been carried out on these matters already that will be invaluable to whomever carries out the transport review going into the future.

Members are right in the sense that one of the most prolific schools issues, as regards mail to the Department of Education and the education

boards, is how we provide transport to schools. However, there will always be a cut-off point, whether it is three miles, two miles or one mile. There has to be some form of regulation. We have to ensure that we provide a form of transport that is based on the provision of a service based on equality and need. The review will allow us to do that. The clarification of the motion may assist in some of these things.

We also have collective responsibilities. A number of Members referred to the health and well-being programmes of the Department of Health, DRD and, indeed, my own Department, which encourage children to walk and cycle to school. I acknowledge that this is not the easiest option in some rural areas because of safety concerns around rural roads, but we also have to take it into account that we want to encourage more young people to walk or cycle to school for their own well-being.

There is little for me to say about a motion on which everybody seems to be in agreement other than that I will carry out the feasibility study as part of the ongoing transport review. I welcome the clarification from the proposer of the motion of exactly what the motion means. Whatever the outcomes of the transport review, however, we will have to take into consideration the budgetary constraints placed on Members.

Members asked a number of questions, for instance about the joint working group with DRD and the Department of Health on the use of board buses. My officials had another meeting about that last week, so that work is ongoing, and they will report on it. One Member asked whether DE was a member of the all-party working group on fuel poverty. I am seeking clarification on that and will respond to the Member directly. I will publish the terms of reference of the review, making them available to the Education Committee when they are available. We will progress and then report to the House with regard to the review.

3.45 pm

Mr Dickson: I thank my colleague Judith Cochrane for bringing the motion to the House today. I will not waste the House's time by reiterating the mainly positive comments in support of today's motion from around the House today.

I would like to preface my remarks by saying that this is not about the Department of Education. This is a genuinely cross-cutting issue and presents a challenge to the Assembly to lift its horizons and consider a new approach

to solving a problem. Minister, this is not an attack on you or your Department; rather, it is about trying to get something right for the people, if we could all work together to raise our horizons and deal with these issues. The motion is about requesting a feasibility study of the prospect of free public transport for children attending school.

Mr Storey: I thank the Member for giving way. Unfortunately, I was not able to stay for the whole debate. There is one issue about the motion that still bemuses me. Although I have no difficulty in accepting that a feasibility study should be carried out, we need to be careful that we do not end up in the same position as we were with another debate that took place in the House about free prescriptions. The people of Northern Ireland need to understand that, if you take money out of one element of the system, that will affect some other one. Do the Member and the Member who proposed the motion accept that that should also be included in the remit of the feasibility study, so that we know exactly the real cost to Northern Ireland plc?

Mr Dickson: I wholeheartedly agree with the Member. There is no such thing as a free prescription, and there is certainly no such thing as a free gallon of water either.

Free public transport schemes have been tried and tested in various ways in countries across the globe. This is another way for Northern Ireland to lead, innovate and think outside the box. In some cases, it is restricted to specific areas such as city centres or, indeed, in Northern Ireland, to the over-60s, who all can avail themselves of free public transport. The emphasis is on that public transport. Members may be aware that, for example, in the capital of Estonia, in the last month they have embarked on a city-wide free transport scheme, and that includes children attending schools in the city.

My colleague Judith Cochrane has today asked for a feasibility study to be carried out. I know that the Department for Regional Development, which I have perhaps more insight into than the Department of Education, will have some experience of undertaking such studies and delivering programmes when we consider the concessions that have been afforded to the over-60s population, as I said. Although I do not speak for everybody in the 60-64 age group — I am actually 62 — I have been contacted by constituents in that bracket, many of whom are still at work and do not want to use that concession. However, it is free and open to all of them. Likewise, there will be parents who

decide that any free transport on offer is not necessarily for their children. Nevertheless, part of the logic for offering the concession to the over-60s is to tackle social exclusion. Research has shown that children and young people are more at risk in that regard, adding another reason why we should give serious consideration to free school transport.

To add a comparison, the operational cost of delivering concessionary fares last year to those aged 60 to 64 was £6.7 million, which would actually fund a further 10,300 bus passes for our schoolchildren. Although we appreciate that those savings need to be made as a result of a more constrained public expenditure environment, the Executive must also invest to save. In Budget debates, the Alliance Party has frequently raised the issue of silo decisions. What we are trying to do today is get out of that silo and encourage you, Minister, and the Minister for Regional Development to work together to solve this problem and to come forward with innovative ideas for delivering free public transport to children attending schools. That would, of course, take us in a different direction from that which is currently envisaged in the joint report from the Department of Education and DFP, which recommends reducing the numbers eligible for home-to-school transport. That would be a retrograde step, given that we should be attempting to bring about a shift in attitudes to public transport, which is another benefit of a policy such as this. If we can instil a preference for public transport in children and young people, that will help us to widen our effort to bring about a modal shift away from our dependence on the private car.

Providing free school transport for all would obviously incur substantial costs. Those, however, could be balanced by the potential savings; for example, reduced congestion, which is estimated to cost our local economy some £250 million a year. Research has shown that approximately one in five cars on the road at peak times is on the school run and that nearly half of parents would send their children to school by bus if it were free.

There is potential to cut the number of vehicles on our roads, which would reduce congestion. It would also bring about savings in our road maintenance and wear and tear and benefits for people's health. Reducing the number of vehicles, as Members have made reference to in the past, would also improve safety. As my colleague Judith Cochrane noted, you are nine times less likely to be involved in an accident if you travel by public transport. That is particularly relevant when you consider the

massive build-up of cars at schools around drop-off and pick-up times. It would have the further consequence of allowing the children who wish to walk or even ride a bicycle to school to do so in an environment in which there are fewer cars, which are an obvious danger for children, particularly around schools.

In addition, there are potential environmental benefits and associated savings. Emissions from vehicles and exhausts are significant, and they are the source of air pollution. That is particularly important for us, as Northern Ireland is the second most car-dependent society in Europe. As my colleague said, a single bus journey will emit fewer fumes than 20 cars combined. Train emissions are 50% less per passenger per kilometre than those from private cars. We really need to calculate the potential environmental benefits and associated savings against the costs. That is why this is about thinking outside the box.

In recent months, we have been attempting to consider the active travel strategy and how walking and cycling are much connected to the availability of public transport. The combination of walking, cycling and public transport could bring about excellent health improvements and pass on financial benefits to our health service. We should not underestimate the health benefits of a daily walk to the bus stop that replaces a car journey from the front door of your home to the front door of your school.

Members may believe that free school transport would simply cost too much to deliver. However, I remind Members that we spend £270 million every year on subsidising water for our citizens, the benefits of which arguably do not offer the same scope for savings elsewhere. We need a comprehensive feasibility study that allows us to weigh the costs against the benefits, to take properly informed decisions about the future of school transport and to encourage the House and Ministers on a cross-cutting basis to think about innovative and imaginative ways to deliver for the young people of Northern Ireland and their future. Potential savings need to be made. In a genuinely shared society, this is a challenge that the Assembly needs to rise to.

Question put and agreed to.

Resolved:

That this Assembly recognises the wide-ranging benefits associated with using public transport; notes with concern the increase in car traffic during school term time; recognises the financial strain on parents paying school

transport costs and the administrative costs to implement the current school bus pass system; and calls on the Minister of Education, in conjunction with the Minister for Regional Development, to conduct a feasibility study into providing free public transport for all school pupils.

(Mr Speaker in the Chair)

National Crime Agency

Mr Speaker: The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer will have 10 minutes to propose the motion and 10 minutes to make a winding-up speech. All other Members who wish to speak will have five minutes. As a valid petition of concern was presented on Friday 1 February, the vote on the motion will be on a cross-community basis.

Mr Elliott: I beg to move

That this Assembly supports a legislative consent motion in relation to the Crime and Courts Bill to give effect to the proposed National Crime Agency operating in Northern Ireland; and calls on the Minister of Justice to progress this as a matter of urgency.

I appreciate the opportunity to move the motion at a very timely stage in the process. Her Majesty's Government of the United Kingdom are bringing through legislation to have a National Crime Agency. The Ulster Unionist Party believes that this is vital to fight the entire crime organisation not only in the United Kingdom or in Northern Ireland but internationally and throughout the world. This is a fight against serious and organised crime. I know — at least I have been informed — that there have been attempts to bring a legislative consent motion to the Executive and that those attempts have failed. That is very costly to Northern Ireland and to the fight against crime and serious international crime.

No one, no party and no organisation should oppose the legal and honourable methods of reducing serious and organised crime. I will listen with intent to those who may wish to put forward their views on why they would want or try to inhibit the fight against such crime and criminals, not only in Northern Ireland but throughout the world.

Mr Humphrey: I am grateful to the Member for giving way so early in his speech. Given the context in which we are having the debate, does the Member agree that, in Northern Ireland — set aside from the rest of the United Kingdom — crime, criminality and terrorism are closely related? Does he also agree that crime and criminality often feed terrorism financially?

Mr Elliott: I thank the Member for that. Clearly, there has been a history of terrorism and

criminals being linked in Northern Ireland and of one being the other. However, this is not just about terrorism and the dissident terrorist threat in Northern Ireland. It is much wider. It is about international crime and criminals. It is about the drug trafficking, the people trafficking, the smuggling, the serious organised crime and the paedophiles. By and large, that is the type of crime we are talking about. It is important that the people of Wales, Scotland, England and, indeed, the Republic of Ireland have every right to as much protection as we have in Northern Ireland. On the other hand, that is why we in Northern Ireland have as much right to that protection as they have. That is all that I and the Ulster Unionist Party are asking for. We ask for equality, which should help to cut out this criminal activity.

I was very surprised that Sinn Féin has tabled a motion on the regulation of social networking websites, which will be debated tomorrow. I may be surprised, but I am glad that they are bringing it forward. However, they are doing so against the background of what I assume is their opposition to a Bill that would help to fight exactly the things they will discuss tomorrow. I am interested to hear why they have opposed this legislative consent motion yet still want to table their own motion. I just cannot understand that. It is quite —

Mr Allister: Will the Member give way?

Mr Elliott: OK.

Mr Allister: Could it be because, in the words of my Member of Parliament, Mr Ian Paisley, there are those in government, he seems to say, who wish to keep their hands in control of these matters because they:

"have their hands in the pie of organised crime."?

Who does the Member think the Member of Parliament for North Antrim was referring to in the context of the Northern Ireland Executive? Who might they be who:

"have their hands in the pie of organised crime."?

Mr Elliott: I thank the Member for that point. That is obviously an issue that he and his Member of Parliament can discuss and perhaps more openly tell us in here who they are talking about, rather than me second-guessing them. I do not think that any of us need to look too far to assume who he is talking about.

There is a responsibility on all of us to support and protect the citizens of Northern Ireland. I can only assume that there is a lack of confidence among those who want to oppose this legislative consent motion and oppose the National Crime Agency having jurisdiction in Northern Ireland. I can also only assume that they have a lack of confidence in the policing and justice system in Northern Ireland that they helped to bring about.

So, that is a severe lack of confidence, and I must be absolutely open and blunt about it — I think that it is an emotional nationalist/republican green agenda, rather —

4.00 pm

Mr McDevitt: Will Mr Elliott give way?

Mr Elliott: Sorry; not the Green Party. It is a green agenda that is being brought forward by them because they just cannot accept anything that might have a hint of Britishness. I will give way in a moment. They cannot accept anything that is just British or national here in Northern Ireland.

Mr McDevitt: I appreciate Mr Elliott's giving way. To save him his rhetorical flush for the remaining three minutes, I say to him that the debate is not about whether there should be a National Crime Agency (NCA). That is not the debate. The debate is about whether, when it operates in a devolved framework, it should be as accountable as the PSNI is today.

In other words, when we have PSNI officers that we hold fully to account through the Policing Board, and we have, potentially, National Crime Agency officers, they should be held to the same standard of accountability. That standard is one that, I believe, his party and mine have fought hard for 15 years to protect and defend. I trust that he wishes to continue to protect and defend it. So, sir, this is about accountability; it is not about some fantasy of yours, which appears to be about your politics.

Mr Elliott: If anyone knows anything about rhetorical speeches, it is certainly the South Belfast Member who has just spoken. He certainly espouses it. I can tell you — *[Interruption.]* Then, what about the accountability, Mr McDevitt, through you, Mr Speaker? I understand that concessions have been got by the Minister here from Her Majesty's Government: concessions that actually mean that the Chief Constable is still the senior officer; that the National Crime

Agency will have a secondary position to the PSNI; and that it will be accountable to the Police Ombudsman. What more do you want? Do you actually want it to be that it is of no use at all to Northern Ireland and to the public here? I have to tell you that I think that that is what Sinn Féin and the SDLP want. Because it is accountable and concessions have been given by the organisation to allow it to accept the more delicate nature of policing in Northern Ireland.

I listened to your colleague, Mr McDevitt — sorry, I did not listen to him, I read his statement. He is sitting beside you. In his statement, Mr Maginness indicated:

"Scotland is wise to oppose this move. We should do the same."

I understand that the Government in Scotland are showing great co-operation towards this. They are going to implement it and support the proposals, along with Her Majesty's Government.

Mr McDevitt: Will the Member give way?

Mr Elliott: If you are very quick, Mr McDevitt.

Mr McDevitt: I have not long left a meeting with the director of the proposed NCA, and he was the first to admit that all the so-called concessions are not in statute and that he cannot make a commitment that they will go into statute. Therefore, I am afraid that what we have is promises. What we need is law.

Mr Dickson: Will the Member further give way?

Mr Elliott: OK.

Mr Dickson: I, too, attended the meeting with the director of the NCA, and one thing that he made very clear to me, and I hope that Mr Elliott will agree with me on this, was that not one single officer of any proposed NCA operating in Northern Ireland would have the powers of a constable. Therefore, the Chief Constable of the —

A Member: That is not true.

Mr Dickson: Sorry — *[Interruption.]*

Mr Speaker: Order. The Member has the Floor.

Mr McDevitt: He does not know what he is talking about.

Mr Dickson: I know what I heard — *[Interruption.]*

Mr Speaker: Order.

Mr Dickson: I know that I heard the director of the organisation say to me that he would not have the powers of a constable and, therefore, would report to the Policing Board and through the Chief Constable of the PSNI.

Mr Elliott: Like always, I am much too generous with my time and everything else. *[Laughter.]* However, I will say, finally, that this is about protecting people in Northern Ireland and throughout the world. I support it, and it is time that others had the confidence to do the same.

Mr Givan: I support the motion and apologise for missing the first couple of minutes of the debate. Just to pick up on Mr Elliott's last point: this is, ultimately, about the protection of the people. That is really what is at play in all of this; and it is disheartening that the SDLP, in particular, is playing politics with people's safety. Sinn Féin's position does not surprise me, but the SDLP's position in all of this is hugely regrettable. A party that prides itself on having stood for years against the Provisional IRA's campaign and for law and order, today stands on the side of the criminal. I will give way to Mr McDevitt.

Mr McDevitt: It is a simple request. Mr Givan works the systems provided by the Good Friday Agreement. His leader is in office because of the will of the people to support the Good Friday Agreement. His party colleagues sit on the Policing Board. It is a simple ask. If agents of the state are operating in a devolved part of criminal justice, they should be accountable through and to the Policing Board. Why does he not stand with us to make that so, so that we can get back to the business of doing it the right way? The right way is with the accountability framework that is in place in this jurisdiction.

Mr Speaker: The Member has a minute added on to his time.

Mr Givan: The Member will know that this party operates the system according to the St Andrews Agreement not the Good Friday Agreement. He makes a point about operating the institutions in the way in which they have been established. Why then operate the policing structures when the Serious Organised Crime Agency (SOCA) —

Mr McDevitt: We opposed that.

Mr Givan: You signed up to policing under Patten, with the arrangements that currently exist for SOCA. *[Interruption.]* So did Sinn Féin.

Mr Speaker: Order. Members should not debate across the Chamber.

Mr Givan: The position of the SDLP and Sinn Féin is completely bankrupt because they cannot now argue against a principle that they conceded when they signed up to policing to do with the Serious Organised Crime Agency. Of course, they are operating under a system in which they have a Policing Board, but, ultimately, this organisation will be subject to the arrangements of the Policing Board.

In opposing the legislative consent motion, the National Crime Agency will still be able to operate on issues such as immigration and customs because they are reserved matters. Under this arrangement, which is a compromise, they would be subject to Policing Board scrutiny and to Police Ombudsman investigation. If Sinn Féin and the SDLP continue on this line, those functions will operate, I suspect, without any scrutiny from the Policing Board and without the Police Ombudsman having any jurisdiction, because why would you volunteer that when the overall package is being snubbed by the SDLP and Sinn Féin?

They operate a policing structure in Northern Ireland that they signed up to, with MI5 operating in Northern Ireland. That is the system that currently operates, so now they argue on a principle that was long conceded —

Mr McDevitt: Will the Member give way?

Mr Givan: I am not going to give way to the Member. He will have an opportunity to address these points shortly. They are arguing now on a principle that they conceded a long time ago. Maybe it is some kind of charade that they want to play to the backwoodsmen in their parties who are rankling them and asking how they allowed MI5 to continue to operate and why that was not sorted out as part of the deal. They lost that argument, and now they are holding the safety of the public to ransom by the position that they are now taking, which is wholly wrong.

We will have these arguments, but I will make a point to the Home Secretary: if Sinn Féin and, sadly, the SDLP continue to take that approach, the clock will be wound back. The Home

Secretary should act, if she has the legal authority to do so, to ensure that the people of Northern Ireland do not get a second-rate policing service.

That is ultimately what will happen if this is allowed to stand and the SDLP and Sinn Féin exercise a blocking mechanism. It is beyond me why they want to position themselves on the side of those who exploit children and traffic human beings in Northern Ireland. I can understand why there is unease about fuel smugglers being targeted, but surely when it comes to children and to human trafficking, we want to make sure that we have the most competent resources at our disposal to be able to tackle those heinous types of crime. Their position is flawed and should be opposed, and this party will continue to expose it as being politically and morally bankrupt.

Mr G Kelly: Go raibh maith agat, a Cheann Comhairle. Members will know that policing was a crucial part of the Good Friday Agreement. In fact, it was so contentious that the only agreement was to send it off to an independent international commission — the Patten Commission — to bring back recommendations, which it duly did.

At the core of those recommendations and of the new beginning to policing was the fact that it should be impartial, free from partisan control, representative and, perhaps most importantly, accountable. Let me make it clear: Sinn Féin is very much for fighting organised crime, whether it is human trafficking, child abuse, drugs, illegal cigarettes —

Mr Wells: Petrol.

Mr G Kelly: — petrol, theft, burglary — *[Interruption.]*

Mr Speaker: Order.

Mr Wells: Diesel. *[Interruption.]*

Mr Speaker: Order.

Mr G Kelly: — fuel laundering — whatever you want to name it, Jim, OK? Sinn Féin is for policing and for moving ahead. I remind the UUP, which tabled the motion, that it also signed up to that. Where is the confidence in the PSNI now? This debate is about the notion of having another police force in the North. That does not show confidence in the PSNI.

We have reached a point where the PSNI is capable of handling all crime. It has a huge

serious crime unit. It has asked for international reach and information-sharing through Europol and Interpol. It sometimes asks for outside expertise, and it should have access to that. We support that. That is all available already. Direct and mutual assistance exists with the guards and many other police services. We are against a second police force that would not be accountable to the Chief Constable.

I would like to explain something for the benefit of one of the Members who spoke earlier. Keith Bristow said that he personally, as the leader of the NCA, would not have the power of a constable. However, every other member of the NCA will. The Member should check that. That is the legal position that is being pushed forward.

The NCA will not be accountable to the Policing Board or through any of the other accountability mechanisms. It will have more power than the PSNI: it will have the power of a constable, the power of customs and the power of a border patrol. It will also have the power of secrecy. We have already had that: we had the force within a force. That is why we had to have the Patten commission. We do not want a force outside a force. The way that this is going, with the British Home Secretary saying that she will expand the NCA's power, points to an FBI-type expansion of powers in the future.

I ask people to have sense. This motion is about undermining the PSNI and the Patten reforms, not strengthening them. Co-operation between the PSNI and other agencies is supported by Sinn Féin, but not at the cost of local accountability. It took until 2010 to get policing and justice powers into a local Department. Frankly, the Minister is now offering to give power back. Without that power, he would not even have become Minister.

The PSNI has a budget of £1.2 billion. It has a workforce of up to 10,000 civilians and police officers. We support that. If they need new skills, let us talk that out in the context of accountability. If new resources are needed, that is dealt with by the Policing Board on an ongoing basis.

Mr Givan: The Member talks about a need for greater resources. Will he outline how the PSNI would be able to acquire the necessary international resources, particularly to deal with cybercrime and the monitoring of paedophiles, without a national organisation that does that across the world on our behalf?

Mr Speaker: The Member has a minute added to his time.

Mr G Kelly: The Member is making a mistake. The NCA exists. No one here is arguing against its existence. However, any required expertise that is not in the hands of the PSNI can still be acquired. I repeat clearly that you cannot have another force within a force, or outside a force: people who are not accountable to the Chief Constable — they will not be — or to the other accountability mechanisms.

We have gone through weeks of damage to confidence in policing. If we needed more damage, this is the way to do it. I urge people not to support this motion.

We were told that David Ford was going to London to have negotiations to win more effective safeguards, not to come back here and tell us that we should be in line with London after it took so long to wrest that power away from London and into local hands. This is not London, Birmingham or Finchley. We —

Mr Ford (The Minister of Justice): Will the Member give way?

Mr G Kelly: You are going to get up for 10 minutes at the end, so I will let you answer me then. I am nearly out of time.

We do not need a reversal of accountability mechanisms. I argue very strongly that we should reject the motion. The PSNI is capable of doing this. If it needs more expertise, we can get it.

4.15 pm

Mr A Maginness: I want to make it plain that the SDLP is against organised crime, human trafficking, economic crime, child exploitation and cybercrime. It is for online protection. It is against all those things about which Members quite rightly spoke and with which the NCA will deal. The SDLP is not against the NCA.

What we are for, however, is Patten. We have made that plain in this House and at Westminster, through, in particular, Mark Durkan MP. He has talked in very strong terms about protecting Patten and ensuring that the accountability measures under Patten remain in place.

Under the present legislation, those protections and that accountability under Patten will be under serious threat. That is what the SDLP is

against. It is sad that we have disagreement in the House, because we are all agreed that we are against organised crime. The sadness is that we cannot reach a political agreement to preserve the gains that Patten made for us all here in Northern Ireland. I think that it is important that we preserve those gains.

That is why the motion comes at a very difficult time for everybody. The legislation is going through the House of Commons, and, of course, we know the ramifications of that. It would be much better —

Mr Wells: Will the Member give way?

Mr A Maginness: Yes.

Mr Wells: Patten is not the Koran or Holy Writ. What is more important: that you continue to worship in the temple called the Patten report, or that we protect children, stop drug abusers, stop fuel launderers and stop organised crime? Which is more important? Is Patten so sacrosanct that it cannot bend one iota to protect the wider community?

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

Mr A Maginness: The reality is that we have achieved an immense amount under Patten. For the first time in the history of this region, we have a police service that enjoys the support of the vast majority of people right across the community, whether they are republicans, loyalists, unionists, nationalists, Catholics or Protestants. Most people support the PSNI, and that, whether you like it or not, is because of Patten. That is the reality of the situation that —

Mr McGlone: Will the Member give way?

Mr A Maginness: Yes.

Mr McGlone: Continuing on that theme, would the Member accept that transparency and accountability in policing are key elements not only of Patten but of human rights compliance and the acceptability of policing? Does the Member also accept that the current NCA proposals can, indeed, only widen that accountability gap in policing?

Mr A Maginness: I accept everything that the Member says; it is well said indeed. That view is very much supported by the Committee on the Administration of Justice and other human

rights organisations that have taken a very close interest in this debate.

Indeed, the Westminster Joint Committee on Human Rights complained recently about the fact that, under the present legislation, the NCA will not be accountable under the Freedom of Information Act and will be exempt from it. That is entirely wrong. We want transparency and accountability.

Mr Beggs: Will the Member give way?

Mr A Maginness: No, I cannot give way; I am going to run out of time.

The Chief Constable of the PSNI will not have authority over the NCA here. That is the reality of the situation. There may be all sorts of understandings and rubrics for the operational side of the NCA here, but when it comes to creating law, which is what we are about here, there will be no statutory basis for that. That is the problem with this proposal.

Let the British Government go back to the drawing board and redraft their legislation so that there is accountability here and so that we can preserve the gains of Patten, which have been enormous.

In a recent 'News Letter' article describing the SDLP's attitude, Mr Elliott said that we are anti-British. First, I am not anti-British at all, nor, indeed, is my party. What I will say is this: there is nothing anti-British in saying that there is a lack of accountability. Peter Hitchens, a well-known columnist in the 'Daily Mail', says that the legislation put forward in the House of Commons and the House of Lords is, in fact, anti-British. Why does he say that it is anti-British? He says that it is anti-British because the concept of a national single unitary police service in Britain is anathema to the British tradition. He says that because there is not a national police service in Britain but 32 constabularies. In fact, the reason that the British Government want to establish this —

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

Mr A Maginness: — type of authority is precisely because of that lack of a unitary police service. We believe that the Government —

Mr Speaker: The Member's time is gone.

Mr A Maginness: — should go back to the drawing board, look at this again and come

forward with proposals that can satisfy all of us in the House.

Mr Dickson: I support the motion, but I regret that it has had to be brought before the Assembly. I further regret that it is subject to a petition of concern.

The chief aim of the proposed NCA is to tackle organised crime. That is crime that affects everyone in our society and costs the United Kingdom economy, which is also our economy, between £20 billion and £40 billion each year. The NCA will target four key areas: organised crime; border policing; economic crime; and, last but not least, child exploitation and online protection. Failing to pass a legislative consent motion (LCM) will come back to bite those who oppose it. They will make it much more difficult for us to deal with those crimes in our community. The motion is about backing the PSNI, not undermining the PSNI.

Mr Dickson: There are other organisations operating in Northern Ireland that have the powers of a constable and for whom there are direct rule responsibilities and not local accountability, not least HMRC officers when they act in that role.

The alternative to the NCA operating in Northern Ireland is an administrative nightmare, with some areas becoming operational because the Assembly cannot stop them becoming operational and others, despite the efforts of Sinn Féin and the SDLP, having to reinvent the wheel and, if it were necessary, costing the PSNI and the Budget of this Assembly even more money to do so. That will fragment efforts to tackle crime nationally and internationally, and, frankly, will make us the laughing stock of the community across the border in the Republic of Ireland, throughout Europe and throughout international policing.

Mr Humphrey: Will the Member give way?

Mr Dickson: No, I want to finish this. In contrast, the NCA would work throughout the UK, fostering a co-ordinated national and international approach. It is clear that the latter aligns itself much better with everything that is appropriate in expertise and experience, telling us about what we need to do to deal with organised crime in the 21st century. We must not allow political dogma to drown out the evidence. Just because this is an all-UK approach does not make it bad and something of which we should be suspicious.

Mr McDevitt: Will the Member give way?

Mr Dickson: No, I will not. Organised crime is increasingly transnational. It has no respect for borders, whether between Northern Ireland and Southern Ireland or in the rest of Europe. Crime groups are quick to take advantage of the differences in legal codes or state capabilities across borders to accomplish their ends. We have witnessed that when people and traffickers have used countries with lax immigration controls as transit states and when thieves and smugglers have exploited flaws in border controls. Sadly, we see that all too often across the international border between Northern Ireland and the Republic of Ireland. Crime groups are quick to catch on to those weaknesses.

In those circumstances, do we really want the NCA, which will co-operate with groups across the world, operating everywhere but Northern Ireland? No, we need it to operate in Northern Ireland. We are already being targeted by international crime gangs that operate on a global scale.

Why do the parties on my right wish to put Northern Ireland at further risk of insecurity? Recent history demonstrates the need to counter such activity through transnational policing arrangements. How can Members from Sinn Féin and the SDLP justify to their constituents making Northern Ireland more vulnerable to the activities of human traffickers, drug dealers, child abusers, fuel launderers and tax evaders? That is the society that you want for Northern Ireland.

Tomorrow, we will hear pious words about internet safety from the same people who want to tie our hands behind our backs when it comes to fighting those crimes. Weasel words.

We have got to consider the resource implications of this. Quite simply, we cannot reject the offer that is being made by the NCA, and we cannot afford to deliver this ourselves. Mr Kelly and others in this Chamber are members of the Policing Board. They cannot seriously ask the PSNI to expend the amount the budget that would be required to deliver the sort of information that is necessary to deal with this. The type of criminals we are talking about operate in a cyberworld, a fast world and an internet world.

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

Mr Dickson: The way to deal with this is to use the expertise and resources of the NCA. This is too serious a matter. For the Members of this House and for the citizens of Northern Ireland

to be defended from the heinous crimes I mentioned, the NCA should be allowed to operate here.

Mr Wells: I was not expecting to be called so early, Mr Speaker.

First, history has been made: I have never sat and listened to the honourable Member for East Antrim Mr Dickson for five minutes and agreed with every word that he said. That is unique, and I am re-examining my political position because I am so shocked that it has happened. We can make facetious comments, but this is very serious.

Many of us, particularly the older Members from my era, will have watched the movies where the posse are chasing the bandits through the American wild west. In those films, the posse come to a line in the sand and have to stop. The gang then gets away scot-free because the posse have no jurisdiction across the border in the next state. If we pursue what the SDLP and Sinn Féin want to do, that is the situation in which we are going to leave ourselves. We could have a situation in which members of a criminal gang — maybe a human trafficking group — have got on the boat at Stranraer and are heading towards Larne and the control exercised by those on the mainland —

Mr McDevitt: Will the Member give way?

Mr Wells: I will, certainly.

Mr McDevitt: I do not mean to spike the guns, pardon the terrible pun, but that is just simply not true. We are not against people being able to operate across borders or across regional or jurisdictional areas. However, when they operate here, which is a devolved area, we should be united as an Assembly on the fact that they should be subject to the same accountability framework as anyone else who is upholding the law and has a warrant card in their hand operate within in this devolved area. Surely, that is something that should unite us. We should not be divided. Mr Wells is telling us what we all know to be the problem without addressing how we can come up with a solution.

Mr Speaker: The Member has an extra minute.

Mr Wells: We all had meetings today with the officers responsible for the NCA, and they have made it very clear that they are perfectly happy to answer to the Policing Board and to come forward and answer any questions put to them. They are prepared to be scrutinised to the nth

degree, to a level that they would not be in the rest of the United Kingdom.

I am surprised by the SDLP, but I am not remotely surprised by Sinn Féin, because many of its erstwhile friends are involved in the very activities that the NCA is designed to stop; the diesel smuggling, the drugs and all of the other sinister activities that they have been up to for many decades. Therefore, there is a vested interest here.

Mr Speaker: Order. I remind the Member of his language in the House. He is an experienced parliamentarian and, on occasions, would want to be known as the Father of the House. He should behave as an experienced parliamentarian.

Mr Humphrey: Will the Member give way?

Mr Wells: Certainly, yes.

Mr Humphrey: We have listened to two Members who represent North Belfast, which is where 25% of the people murdered in the Troubles were killed — *[Interruption.]* This is obviously very funny for some. Does the Member agree that the people who represent that constituency should remember that every resource that can be used to bring people to book should be used?

Mr Maginness talked about there being 32 police services across the United Kingdom. That is all the more reason why there should be a joined-up approach and why the new organisation should be introduced, particularly here in Northern Ireland. You completely undermine your argument when you say that.

4.30 pm

Mr A Maginness: There is only one here.

Mr Speaker: Order. Let us not debate it across the Chamber. Allow the Member to continue.

Mr Wells: I did not think that the phrase "vested interest" constituted unparliamentary language, but everyone in this Chamber and the dogs on the street know what I am talking about. I am not surprised that Sinn Féin opposes this, because it knows that, if there is good and adequate co-operation between the police forces in the United Kingdom, it is inevitable that some people whom they may well know will end up in prison. However, I am surprised about the SDLP.

Mr Allister: Does the Member agree that, if policing and justice had not been devolved, the very people he refers to would not have had the opportunity, in the words of Mr Givan, to hold us to ransom on this vital issue?

Mr Wells: I do not accept that. There was scaremongering in the lead-up to the devolution of policing and justice, but the vast majority of people in Northern Ireland, as some Members have said, are genuinely satisfied with the delivery of that. It has not been perfect, and, like everyone else, the Minister has his failings, but there has generally been satisfaction. That is not the issue here.

The issue is that so-called constitutional nationalists are prepared to undermine the fight against international drug trafficking, human trafficking, diesel laundering and all the other cross-border crimes that are so evident. They know, for instance, that, as far as human trafficking is concerned, none of this is home-grown. As far as we know, not a single woman who is being held in captivity in Northern Ireland is actually from Northern Ireland. They have been trafficked from China, from Ghana and from eastern Europe outside the EEC and are held in wretched conditions. We need the full authority of the NCA to track these people across international borders and to give intelligence.

Some nonsense has been talked about how we can develop our own intelligence. We are a little part of the world, part of the United Kingdom, with 1.8 million people. We do not have the resources to build up a vast international network of information. You know that that cannot happen. The NCA has been reasonable and is trying to accommodate moderate nationalism and to be as open and transparent as possible. However, the reality is that, if you proceed to oppose —

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

Mr Wells: — this motion, we will be seriously disadvantaged as far as international crime is concerned in Northern Ireland.

Mr McCartney: Go raibh maith agat, a Cheann Comhairle. Beidh mé ag labhairt in éadan an rúin. I will speak in opposition to the motion. Whatever I say today, I will give one guarantee: it will not be based on a cowboy movie that I saw when I was young but on facts and facts only.

There are a number of issues in relation to the establishment of the NCA and the impact that it will have on the policing structures in the North, and I want to explore some of those today. Gerry Kelly and Alban Maginness have already mentioned them. This is about police primacy and about accountability. Historically, the inability to have proper police primacy and proper accountability mechanisms led us to the situation that we found ourselves in. It is our task, as legislators and public representatives, never to allow that circumstance to happen again. That is why we stand, first of all, in opposition to an LCM. Even in this particular instance, taking it away from the issue of the NCA, the Assembly should legislate for itself. We do not need to follow Westminster legislation blindly without any scrutiny. We should scrutinise any —

Mr Beggs: Will the Member give way?

Mr McCartney: I will indeed.

Mr Beggs: Will the Member accept that SOCA and other organisations that are being brought together have already been operating in Northern Ireland for the benefit of everyone in Northern Ireland? Why is he now insisting, with their demise, that there will not be an effective system in place to address internet crime? Other forms of intelligence are available. Why is he putting the lives of the people of Northern Ireland at risk from these criminals?

Mr Speaker: The Member has a minute added on to his time.

Mr McCartney: There is a massive assumption in what you are saying that standing in opposition to SOCA or the NCA will put anybody's life at risk. The PSNI is the force that is tasked with law enforcement in this jurisdiction — nobody else. That is what we are arguing for. Are you saying that the PSNI is not up to it or has been irresponsible or has allowed people to die in the past?

Mr Beggs: Will the Member give way?

Mr McCartney: I will not give way again.

The PSNI has a clear and defined role. Primacy of policing is at its core, and accountability is central. Last week, in response to a question for urgent answer, the Minister said that he was keen to see the NCA:

"operating in a way that is fully accountable, in line with the policing architecture which

exists [here]" — [Official Report, Vol 81, No 3, p42, col 2].

The Minister will have an opportunity to say whether he believes that the NCA will be fully accountable in operating within the architecture. If it is not, he has a responsibility as Minister to ensure that it does not happen unless it lives up to what he said to the House last week.

Stewart Dickson was up, and it is grand to talk in all these grand terms about the fact that child abuse, diesel smuggling and so on will go unabated. Is he saying that that is happening at present? Is he saying that that is going unchecked because the PSNI is not doing its job? I do not think that he is. Missing from all of this —

A Member: Will the Member give way?

Mr McCartney: No, I have already given way once, and I have limited time.

Missing from all of this is the word "co-operation".

Mr Dickson: Will the Member give way?

Mr McCartney: No, I have already given way, and we have limited time.

Gerry Kelly said that the NCA exists. Why cannot the PSNI co-operate with it, as it does with other law enforcement agencies? Regarding the investigation into the death of the garda last week, is anyone suggesting that the gardaí should come up here and take over the PSNI? Co-operation will ensure that those responsible can be brought to book.

The NCA and the British Home Secretary make no apology for saying that the NCA will not be accountable. It is easier for whoever to come in front of you and say that they will go in front of the Policing Board, and the NCA may say, but, if it is not in legislation that it is fully accountable, as any other police constable who operates in this jurisdiction would be, such a protocol is not worth the paper that it is written on. Last week, it was said very clearly that, in the past, there were protocols the length of our arms on policing in the North that were sidestepped, undermined and circumvented by those who wanted to make political decisions. Under this legislation, the British Home Secretary has the power to extend the powers of the NCA at her whim. You have closed your eyes to that power. That should not be allowed to take place in any jurisdiction, particularly this

one. We were mandated here to legislate, not to close our eyes to Westminster legislation.

The NCA said in the document that it released on 8 July 2012 that it will take a tasking co-ordination function, stepping in directly to task local police services. That is more or less saying that the PSNI will become secondary to the work of the NCA without accountability. We will not allow anyone or any single person to undermine public confidence in the strength of the accountability mechanisms.

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

Mr McCartney: That is why we oppose this and say that the watchwords will be primacy and accountability. That is why we put in a petition of concern.

Mr Humphrey: I have always supported the rule of law. I have always opposed —
[*Interruption.*]

Mr Speaker: Order. Allow the Member to continue.

Mr Humphrey: I know that that will be a shock to some across the Chamber, who would not know what that meant if it were looking at them. I speak in support of the rule of law.
[*Interruption.*]

Mr Speaker: Order. Let us not debate it across the Chamber. The Member has the Floor.

Mr Humphrey: I speak in support of law and order and the courts, because all those protect democracy, and I have always believed in democracy and the primacy of the ballot box. In Northern Ireland, organised crime, criminality and terrorism are interlinked, and that is why we have multimillion-pound business empires established by organisations that Mr Wells referred to earlier. I have always opposed criminality, violence, intimidation, racketeering, fraud, human trafficking, forced labour and robberies, including bank robberies. Frankly, in recent days, with the finding of yet more fuel laundering depots in south Armagh, we have heard clearly about the damage that this does to the Northern Ireland economy and to Northern Ireland plc.

If the SDLP is really about trying to get the issue of accountability sorted out, it should work on trying to address accountability and not simply oppose these issues. Mr Elliott was absolutely right: this is not about accountability; this is opposition from nationalists to laws that

seem to come from London and the national Parliament at Westminster.

Mr G Kelly: Will the Member give way?

Mr Humphrey: No. The sharing of information across this kingdom is vital. Mr Maginness made reference to Scotland. In Scotland, they are looking at merging police forces into one constabulary. So that, again, completely undermines the argument you made when you referred to Peter Hitchens. I am glad that you are reading Peter Hitchens: you just might learn something, and it might mean that you are a wee bit more exposed to ideas that actually will work. There is also just a remote chance that you might become a unionist, I guess.

Government is charged to promote and protect its citizens. What the SDLP and Sinn Féin are about here is undermining the protection of those citizens. *[Interruption.]* I have heard enough from you, to be honest.

As Mr Wells said, we are not surprised about Sinn Féin, but I am less surprised about the SDLP than I would have been a year ago. That party has changed its course so much. If it is campaigning to get terrorists out of prison, why is it opposed to legislation that will put people behind bars?

There is no denying that, when policing became an issue in political talks, the SDLP took a difficult decision to support the police and the Policing Board and took its places on the district policing partnerships without question. I commend it for that. However, surely it should have realised that that was the first step. There had to be other issues because policing is not something that is set in stone. It has to move forward; we have to have developments. As we have changes in technology and tactics, we have to have changes in how we deploy resources. I have to say that the SDLP has failed lamentably on that issue, and it is to that party's discredit. I am saddened that the SDLP is not prepared to stand up and work with others to have something brought into place that will protect this part of the kingdom and protect national security in the rest of the United Kingdom and, indeed, in the Republic of Ireland.

Mr McDevitt: Will the Member give way?

Mr Humphrey: Yes, I will give way.

Mr McDevitt: I think that this is about the fourth time that I have had the opportunity to make this point. The SDLP is happy to work with

colleagues across the House to defend the policing arrangements from wherever, as long as they are subject to the accountability framework that has delivered us, for the first time in the history of this state, near-unanimous support for the institutions of criminal justice in this jurisdiction. We should be careful not to destroy that which we most need to defend, and I appeal to Mr Humphrey and his colleagues to join us in requiring that the NCA be subject to the same accountability framework as the PSNI.

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

Mr Humphrey: I thought that I was going to hear something new, and that was why I gave way. Obviously, I did not.

It is easy to use those words, but, when it comes to going into the Lobbies on these issues, just as you did on the Armed Forces and Veterans Bill, you will vote against this. You are one of the people who spoke in that debate. You were depriving soldiers in this part of the kingdom of the privileges enjoyed by other soldiers returning from fields of conflict after serving this kingdom and protecting its national security. The SDLP, on that occasion, went into the Lobbies with Sinn Féin to vote against the Armed Forces and Veterans Bill. And you, Mr McDevitt, are one of the people who did it. *[Interruption.]*

Mr Speaker: Order. Members must address their remarks through the Chair.

Mr Humphrey: The truth of the matter is this: when it comes to the protection of victims — whether it is those who are having their life destroyed by drug trafficking, human trafficking, forced labour, fuel laundering, terror or intimidation — we are not surprised at Sinn Féin. The SDLP is not even tough on the causes of crime. SDLP members cannot talk tough in the Chamber in trying to defend a policy that has, frankly, more holes than a Tetley teabag and is without credit or credibility.

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

Mr Humphrey: Shame on the SDLP.

4.45 pm

Mr Hussey: I declare an interest as a member of the Policing Board.

My colleague, the Ulster Unionist Party's justice spokesperson, Tom Elliott, has set out the background to the creation of the National Crime Agency, including the current legislative processes and the important powers that the NCA would have, as well as the current position of some Members in this House. I will focus on three issues: first, the relationship that the PSNI enjoys with the current UK crime agency; secondly, how important those powers have been in tackling crime in Northern Ireland; and, thirdly, the potential costs should a resolution not be forthcoming.

The PSNI and the Serious Organised Crime Agency, which is the current UK-wide organisation that deals with serious crime, have an excellent relationship, and I am aware of that at first hand through the Policing Board. SOCA has a duty of care to the whole of the United Kingdom. It works closely with the PSNI, and it has an enforcement team as part of its overall deployment here. SOCA also sits as a full member of the Organised Crime Task Force, which is chaired by the Justice Minister and brings together government, law enforcement and a range of agencies to set priorities for tackling organised crime in Northern Ireland. Those working relationships and the level of engagement that has been evident previously must be maintained. The stance of some in the House will undo much of that good work and lead to a gap in the provision of policing services that I will deal with later.

The results that the partnership approach has produced so far should not be underestimated, and that is why the powers of SOCA and now the NCA are so important. For example, the latest statistics show that 73 victims of human trafficking have been rescued by the PSNI since 2009. The OCTF annual report and threat assessment highlights the fact that 30 fuel laundering plants were dismantled and 863,000 litres of illegal fuel seized. As well as that, the Minister has been able to distribute £800,000 recovered from criminal assets to community projects across Northern Ireland in an attempt to reduce crime and the fear of crime. Tomorrow, the Assembly will deal with internet safety for children. That is an example of an area that will suffer if Sinn Féin and the SDLP have their way.

In short, although there is much work to be done, we cannot take the success that we have had in combating organised crime for granted. The potential costs of the legislative consent motion on the Crime and Courts Bill not being accepted by the House are huge.

Mr Craig: I thank the Member for giving way. According to the opposition Benches, this is all about accountability. Will the Member outline the differences between SOCA and the National Crime Agency that is proposed on the statute book? At present, SOCA reports to the head of serious crime in the PSNI and needs his authorisation to carry out operations in Northern Ireland. The same will be true of the National Crime Agency. When we talk about accountability, maybe the Member could explain to me the difference between the two. I see none.

Mr Speaker: The Member has a minute added on to his time.

Mr Hussey: I thank the Member for his comments. You and I are reading from the same sheet. You and I understand it. However, it seems that some people do not have the intelligence to understand it.

There is, of course, a public safety and confidence aspect to all this. Do we really want Northern Ireland to be or to be seen as a place that is soft on crime and lacking in powers to deal with crime? I certainly do not. It will also be virtually impossible to improve on the results that I have outlined — for instance, to ensure more convictions in the area of human trafficking and fuel laundering — if the NCA is not able to carry out its role fully in Northern Ireland. As well as that, it may result in Northern Ireland having an inferior response to organised crime to that in the rest of the UK, and I note that the Justice Minister alluded to that in the press. The SDLP and Sinn Féin are bringing this totally unacceptable and avoidable situation on the public.

There will also be a real issue of clarity, as the NCA has a range of reserved and devolved powers. Should it be brought into force on the basis of being semi-operational in Northern Ireland, which looks likely, it will lead to confusion and, quite frankly, be an utter shambles in countering serious and organised crime.

There will also be a financial cost, and perhaps the Minister will deal with that issue in more detail. If the situation remains unresolved, there will be a vacuum in the workload of tackling crime that the PSNI will have to attempt to fill, and that will come at a cost.

I ask those who oppose the National Crime Agency to think again.

Mr McDevitt: The best way to fight serious crime is with community support, and the best way to build community support is through a police service, a security service or other arm of the law that enjoys the support of that community. In fact, it is the foundation of policing in these islands. It is policing by consent and is what makes these islands different from so many other parts of the world.

We have spent 10 years working hard to build community support and confidence in our police service. We have done so in the face of opposition, and we have often done so in the face of a great lack of understanding from the British Government and Secretaries of State.

It is regrettable, to say the least, that so many have come to the House ill informed. It is not true to say that the SDLP allowed SOCA to come into being because SOCA came into being in 2005 when, as we know, the House was in suspension. There was, therefore, no opportunity for a legislative consent motion. I can tell the Chair of the Justice Committee, a man who has the great privilege of holding high office in the House, that, if he studied his history, he would realise that. I can also tell him that in the Policing Board —

Mr Elliott: Will the Member give way?

Mr McDevitt: I will in a second, Mr Elliott.

I can also tell him that, in the House of Commons, we opposed the establishment of SOCA on two grounds: first, because it would not fall properly under the accountability framework that we had fought so hard to achieve, which is the Policing Board; and, secondly, because it would lie outside the framework of the Freedom of Information Act. I hate to disagree with a colleague on the Policing Board on the Floor, but Mr Hussey is simply not right to say that SOCA is accountable to the Policing Board. It is not.

Mr Elliott: I thank the Member for giving way. Even though SOCA was established before the devolution of policing and justice here, is it not a fact that he, his party and others here accepted SOCA as part of the devolution of policing and justice? He may not have accepted the establishment of SOCA, but he accepted it in principle, and he accepted its outworkings.

Mr Speaker: The Member has a minute added on to his time.

Mr McDevitt: Thank you, Mr Speaker. Mr Elliott poses a fair question. Our opposition to

SOCA is well documented, and our track record on SOCA is absolutely clear.

We now have an opportunity to debate the son of SOCA, a body that is even less accountable than SOCA. Members may wish to know — I am sure that they do not know, or so it would appear from the quality of debate so far — that SOCA at least had a board that had independent people. The NCA's board will not have one independent member. At least SOCA was not under the direct control and authority of the Home Secretary. The NCA will operate under the direct direction of the Home Secretary.

Mr Beggs: Will the Member give way?

Mr McDevitt: I will in a second, Mr Beggs.

Our new beginning to policing is built on a commitment to human rights: article 2 of the European Convention, as Mr Humphrey rightly pointed out. It is also built on the fundamental operational independence of the PSNI. It is built on the independent, non-political accountability of that service. SOCA is built on the absolute opposite, as is the National Crime Agency. The National Crime Agency does not and will not enjoy operational independence, for it is directly under the direction of the Home Secretary. Nor does it enjoy any independent accountability framework, as it is accountable solely to the Home Secretary. I pose this question to the House: why, in a devolved framework, would we want to allow the operation of an organisation that is at odds, in every possible sense of the word, with the accountability framework that has delivered us the new beginning to policing and allows our people to enjoy confidence in policing, irrespective of what community they come from?

Mr Beggs: The Member said that he opposed SOCA and how it operates. Does he accept that SOCA has had a considerable number of successes in helping to bring serious organised crime to book in Northern Ireland? Can he demonstrate, in any way, where it has abused anyone? Has it not been a force for good?

Mr McDevitt: There is no opposition here to good police officers or good investigators from wherever they may come doing the best they can do for us. What is your problem with it being accountable to an independent, non-political body? What have you against the idea of defending what we must cherish, which is our new beginning to policing? Where is the threat to the National Crime Agency to be accountable

when it operates in the devolved framework to the Policing Board of Northern Ireland? There is none. It seems to me that the debate is more about some bygone political attitude to policing than it is about defending, cherishing and building on our new beginning to policing. I just want to say that, if we were in a different situation and the gardaí proposed to do what the NCA is doing, I would be just as opposed to an unaccountable entity operating here.

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

Mr McDevitt: The question is whether Members on the opposite side of the House would support the gardaí in that sense. The consistency of their argument says that they would.

Lord Morrow: The role and function of the National Crime Agency is to tackle the scourge of drugs, secure our borders, reduce fraud and cybercrime and stop the exploitation of children. The NCA's role is also to co-ordinate cross-force activity against serious crime. The Home Secretary Theresa May tells us that organised crime is one of the greatest threats to our national security. The social and economic costs are estimated to be between £20 billion and £40 billion a year. The impact is seen on our streets and felt in our communities every day. Yet, here in the Assembly, Members from Sinn Féin and the SDLP have shown total disregard for all of that and put down a petition of concern to ensure that the motion will not be passed and that Northern Ireland will be seen as a backwater when it comes to tackling crime. That is a dangerous precedent.

It is obvious that Northern Ireland will be the poor relation if the NCA is not permitted to operate in conjunction with the PSNI, which does not have the resources to investigate crime organisations that operate into Northern Ireland from outside. Therefore, the Province will be at a disadvantage not having the NCA operate here. The attitude of Sinn Féin and the SDLP is just not credible and calls into question their commitment to support the agencies of law and order in their drive against organised crime. Their actions here are not only irresponsible but dangerous. It is one thing to say that they support policing; their actions demonstrate quite the opposite. There are tough decisions to be made in the drive against crime. There is a responsibility on every Member in the House to give their unqualified support to the PSNI in countering crime. Both Sinn Féin and the SDLP are less committed to tackling crime. Cherry-picking on such issues is just not acceptable. The drive against organised crime

will be severely obstructed. It is on such issues that Sinn Féin and the SDLP must give leadership to their communities and show unambiguously that they are on the side of law and order and the agencies tasked with upholding it.

Members know that I am extremely concerned about human trafficking. By its very definition, the movement of persons for crime or exploitation does not begin and end in Northern Ireland. It is not only UK-wide; it is global. The NCA has a major role in countering child exploitation, human trafficking and drugs. I have tabled a question to the Minister of Justice asking him to state what he feels would be the benefits of the NCA in tackling the disturbing crime of human trafficking.

Tomorrow, the Chamber will debate a motion on internet safety for children, which has been signed by Members from all five parties, including Sinn Féin and the SDLP. This is a prime example of when the NCA could step in to prevent online grooming and cyberbullying, both of which have led to tragic consequences. There are documented cases of children being groomed online for sexual exploitation by adults who have travelled to and from Northern Ireland to meet a child whom they had tricked into forming an inappropriate relationship via the internet. Tracking down those individuals would be assisted greatly by the NCA and fulfil the remit laid down by the Home Secretary. Yet, today, Sinn Féin and the SDLP are poised to oppose measures that would counter those appalling crimes.

The SDLP's stance is surprising; Sinn Féin's is not, as it is possible that the NCA would investigate continuing PIRA activities, namely money laundering and the movement of assets. Both parties have a duty to inform the House what alternatives they have in mind to tackle such crime. So far, Members from those parties who have spoken have not told us that.

If Members of this Assembly fail to support the establishment of the NCA in Northern Ireland for the safety and well-being of all our citizens, I urge the London Government to press ahead, despite objections from small-minded MLAs who remain in a time warp and who are putting their constituents' lives at risk.

5.00 pm

Finally, I urge the Minister of Justice to seek an urgent meeting with the Home Secretary, Theresa May, and call on her to proceed with the implementation of the NCA in Northern Ireland.

Mr D McIlveen: I thank the Member for giving way. Does the Member agree that it is ironic that, through the embassy in Dublin, the National Crime Agency will have a representation in the Republic of Ireland, yet the parties on the opposite Benches are suggesting that there should not be NCA representatives in Northern Ireland?

Mr Speaker: The Member has a minute added to his time.

Lord Morrow: I thank the Member for making that very interesting point. When the Members on the opposite Benches consider the point that my colleague David McIlveen made this afternoon, they will see the nonsense of the position that they have taken.

Mr Ford: I think that the Assembly is well aware that I support a legislative consent motion on the Crime and Courts Bill to enable the proposed National Crime Agency to operate in Northern Ireland for the benefit of all in our society. I, therefore, support the motion today, although it is clear by the tabling of a petition of concern that we are not going to have any successful outcome to this matter.

I listened carefully to points that were made. I was going to say "during the debate", but it is actually since about last November, when certain people started to engage following engagement that I had with the Home Office from about March or April last year. I think that it is important that we put on the record the facts of how that has been. That is why I was grateful that the director general designate of the NCA, Keith Bristow, and Assistant Chief Constable Drew Harris came to the House today and made themselves available to those parties that wished to talk to them about the NCA's role, how it would operate in Northern Ireland and how the Bill would relate to Northern Ireland.

As Members said, the background is quite simple. The National Crime Agency is the body that will replace the Serious Organised Crime Agency, which has operated here since 2007.

The point has been made fairly strenuously on the SDLP Benches that it did not accept the NCA, and although that is certainly the case, the reality is that nationalist parties accepted the devolution of justice with SOCA in place. They may not have supported SOCA and they may not support the NCA, but they accept the current system with SOCA in place. Under the NCA, there will be greater accountability in

Northern Ireland than there currently is with SOCA.

As chairman of the Organised Crime Task Force, of which SOCA is, of course, an integral member —

Mr A Maginness: Will the Member give way?

Mr Ford: — I can tell the House that I have absolutely no doubt of SOCA's contribution.

I will give way.

Mr A Maginness: The Minister says that there will be greater accountability under the new arrangements that will be put in place, but the reality is that the NCA will be directly accountable not to Parliament but to the Home Secretary, who can in fact direct the NCA. In other words, there would be political direction for the NCA. How can that be more accountable?

Mr Ford: I fear that Mr Maginness is trying to recreate the debate that is taking place in the House of Commons. My statement was that the NCA will be more accountable in Northern Ireland. That is my concern as a devolved Minister of Justice. Mr Maginness can leave it to his colleagues in the House of Commons to continue that debate generally.

Mr McCartney: Will the Member give way?

Mr Ford: I would like to make a little bit of progress. I have no doubt that SOCA has had a significant positive effect in protecting the people of Northern Ireland from a variety of organised crime threats, many of which have been highlighted. However, we are talking particularly about trafficking and child exploitation. I will give way to Mr McCartney.

Mr McCartney: Will the NCA be fully accountable under the policing architecture? I am mindful of your statement last week when you said that you hoped that it would be.

Mr Ford: Three minutes into my speech, Mr Speaker, I will try to develop those arguments. I hope that Mr McCartney will hear the argument later.

I think that the point that has been made in the House has to be restated: as Minister of Justice for nearly three years, I am not aware of my Department having received any complaints whatsoever about the operation of SOCA in Northern Ireland. If SOCA were so bad, one

would really have thought that these significant concerns would have been made clear to me before now, but they have not. We need to recognise that SOCA is a UK-wide organisation, as will be the NCA. The NCA will operate in the reserved field in Northern Ireland — alongside matters such as customs and immigration — no matter what the outcome of debates here, because it has powers to operate in the reserved field.

There will be no accountability mechanisms if we do not agree to an LCM, and there will be accountability mechanisms for all aspects of the NCA's work if we agree to an LCM. That has to be borne in mind when people talk about accountability and about where accountability is and is not.

Mr McDevitt: Will the Minister give way?

Mr Ford: If he will allow me to go on a little bit further, because I have no doubt that Mr McDevitt will seek to interrupt me again, as he has done others. *[Laughter.]* Perhaps he can save up all his interventions and let me make a bit of progress.

The Home Secretary introduced the NCA to strengthen the arrangements against organised crime. It is the prerogative of the Westminster Parliament to decide how to do that, and the Crime and Courts Bill [HL] is before the House of Commons, having been amended and passed in the House of Lords. However, what the Home Secretary set out as her ambition for the structures in England and Wales was not, in my view, in line with the arrangements that we need to have in Northern Ireland and that build on the arrangements for devolved policing and, indeed, the arrangements that flowed from the Good Friday Agreement.

Mr Kelly said that this is not London or Birmingham. Exactly, and that is why I sought changes from the Home Secretary at a very early stage last spring and long before there was engagement with other Ministers.

Mr G Kelly: Will the Minister give way?

Mr Ford: Mr McCartney said that we should not follow blindly what is happening in England and Wales. Following blindly is exactly what we are not doing. I will give way to Mr Kelly.

Mr G Kelly: Would the Minister have preferred for the NCA to be accountable to the accountability mechanisms set up under the devolution of policing and justice? In other words, that it would be accountable to the

Policing Board and the Ombudsman in the same way in which each individual police constable is at the moment.

Mr Ford: Mr Kelly has to recognise that we are talking about a UK-wide NCA and what we are doing is getting the maximum possible accountability within Northern Ireland, consistent with those structures and significantly more than will apply for the NCA elsewhere. That is why I sought at a very early stage a number of changes, and in subsequent exchanges with ministerial colleagues, I have obtained further concessions from the Home Secretary. Therefore, let us look at what we have done to ensure that the Bill is structured appropriately for Northern Ireland.

The NCA will be in a position to assist our crime-fighting while fitting within the policing architecture as applies. It will respect the primacy of the police, and operations will continue to be co-ordinated by a group of all relevant law enforcement agencies, which in existence, is chaired by the PSNI and brings together SOCA, HMRC, UKBA and others.

To reflect the primacy of the PSNI, the NCA's director general will not have the powers of a constable in Northern Ireland. We also have local accountability arrangements; for example, the statutory obligation for the director general to attend the Policing Board at least once a year. He has agreed that he will meet the Committee for Justice if requested. Those examples are significant differences from what will be the position in England, Wales or Scotland.

Mr McDevitt: Will the Minister give way?

Mr Ford: We have input into strategic and annual plans. The director general will have to take account of our local policing plan when he constructs his plan for Northern Ireland. I would consult the Policing Board on the annual and strategic plans.

I will give way to the member of the Policing Board.

Mr McDevitt: I thank the Minister of Justice. Perhaps he can tell me how all those so-called accountability concessions are consistent with the architecture that is in place that makes the PSNI, first, operationally independent and, secondly, beyond possible political influence in this jurisdiction. He is the Minister of Justice in this jurisdiction. This is an area that is largely devolved, so perhaps he can point out to me exactly how all those so-called concessions will

put the NCA on the same accountability footing as the PSNI is today in matters that are devolved.

Mr Ford: I never said that the accountability mechanisms for the NCA would put it in exactly the same place as the PSNI. What I did say was that the accountability mechanisms will be significantly stronger than they are for SOCA at present.

I referred to the annual and strategic plans. The director general's annual plan would also have to secure the prior consent of the Minister of Justice where it related to Northern Ireland.

The fundamental key issue about accountability is that, unlike the position in England and Wales, the director general will not be able to task the PSNI or direct the Chief Constable of the PSNI to undertake any particular action. That is a fundamental change from what would have happened had I not sought these changes.

Under section 75 of the 1998 Act, the NCA will be involved in making equality returns to reflect the Northern Ireland approach. The PSNI will retain primary responsibility for engagement with an Garda Síochána. Of course, I should remind Alban Maginness that the gardaí are the sole police service for the Republic of Ireland. The NCA may be an anti-British thing, but I would have thought that, for a Member of the SDLP, that was entirely in line with Irish policy and, therefore, a good thing.

I am not sure whether Hansard is reporting Mr Maginness's laughter, so I will refer to it.
[Laughter.]

Mr A Maginness: Tell that to Mr Hitchens.

Mr Ford: The day a Member of the SDLP recommends 'The Daily Mail' to me for sensible advice is the day I really will start laughing.
[Laughter.] Fundamentally, the Police Ombudsman will deal with complaints about the conduct of NCA officers on matters such as civil recovery when they operate within Northern Ireland.

I have a commitment from the Home Secretary that if she were to introduce the counterterrorism proposals, the powers that the NCA had in her draft and that were defeated in the House of Lords, they would not apply in Northern Ireland. That is another fundamental concession and another fundamental recognition of the difference in Northern Ireland. All those points were visible to the Executive

and would have been discussed with the Justice Committee and the Assembly in due course. So, I think that we need to look at the reality of what has been achieved.

I will just summarise those points. It was in one of his many interventions that Mr McDevitt referred to issues that were not on the face of the Bill. Let us be clear. On the face of the Bill there are: no powers of a constable for the director general; a consultation with the Minister of Justice here on his appointment; no directed tasking by the director general in Northern Ireland; the Police Ombudsman to have full control of the operation of NCA officers; an input into the strategic and annual plans; and the director general to secure the consent of the Minister about aspects of the plan relating to Northern Ireland. All those are on the face of the Bill. So, let us not say that they are not there.

I believe that the Home Secretary has accommodated the requests that I put to her. I made it clear that I was prepared to consider and put to the Home Secretary any further changes that I thought would improve the NCA arrangements here, but I would not put forward proposals that were detrimental to combating organised crime here. There were requests from others Members —

Mr Elliott: Will the Minister give way?

Mr Ford: Briefly.

Mr Elliott: I thank the Minister for giving way. Very briefly on that last point, I am looking for an absolute commitment that he will not give so many concessions just to placate Sinn Féin and the SDLP that would deem the NCA almost unworkable in Northern Ireland.

Mr Ford: There was a suggestion that NCA staff should not have the powers of a constable or be able to carry out any operation without effectively being chaperoned by the PSNI. I was not prepared to put that proposal to the Home Secretary.

The simple issue was whether the changes were reasonable and workable or whether they were likely to undermine the role of the NCA. I was not prepared to put forward anything like that point.

I believe that the powers of a constable are needed for those on the ground who might have to arrest people in the course of operations. That is the way in which it applies to SOCA,

and, of course, a multitude of other UK-wide agencies, be it the tax authorities or whoever.

So, I hope that Members will reflect on the steps that have been taken to ensure that the Bill respects our policing architecture while recognising that the NCA is a UK-wide body. I believe that we ought to be able to find agreement on this. We will be doing the public a disservice if we do not work together to put in place an effective way of countering operations run by some of the foulest criminals who work in Northern Ireland, across the UK, the Republic, and far wider afield. That is the fundamental issue that we have to face —

Mr Allister: Will the Minister give way?

Mr Givan: Will the Minister give way?

Mr Ford: I will give way briefly to Mr Allister.

Mr Allister: I am obliged. Can the Minister help the House? If the veto presently being exercised persists, how does he see matters unfolding in Northern Ireland and how does he see the Westminster Government dealing with that situation?

Mr Ford: The simple answer is that I have not yet had the opportunity to discuss that with the Home Secretary, though clearly I may be faced with it at the conclusion of this debate.

5.15 pm

Mr Givan: I thank the Minister for giving way. Does he have any indication of the financial implications for the PSNI should the NCA not be able to operate in Northern Ireland? Could he advise the House whether, even with a blank cheque, the PSNI would have the global network that currently exists to combat such activity?

Mr Ford: My Chair, as ever, was on the next page of my notes. Fundamentally, we need the support, expertise and resources that the NCA will have. The PSNI does not have the resources to replicate the work that the NCA will do. Since it covers only 1·8 million people, it does not have the expertise in some narrow specialist areas that will be available to an agency that covers 60 million. I have no idea of what the cost implications would be, but I know that they would be severe. That, frankly, may have to be worked through.

If we do not have support from the NCA on serious crimes, we are, effectively, asking the

PSNI to tackle organised crime without the full range of tools to do so. The time is right for us to look at it. I have listened to the points about accountability and am prepared to have further discussions about that issue with the Chief Constable if Members wish. At the end of the day, however, the people of Northern Ireland will require the NCA to operate.

Mr Beggs: Criminals are highly organised in their dealings, should it be drugs, prostitution, people trafficking, money laundering or fraud, and they deal with huge sums of money. We, as a community, must ensure that we fight effectively against that, whether across the United Kingdom, the Republic of Ireland, Europe or the wider world.

It is, therefore, appropriate that there is a rethinking of how that range of activities is tackled. Criminals who are involved in one range of illegal activity are frequently involved in another. Therefore, there is a logic in bringing together that range of specialisms and national organisations to fight crime.

Illegal criminal enterprise frequently involves millions of pounds; however, when you include the Colombian cartels, it is rumoured to involve billions of pounds. If we want to have maximum impact on trying to tackle that and to protect our people, it is vital that we make the best use of the services that are on offer and the resources that we have in our engagement with them.

A number of Members mentioned child exploitation and human trafficking. Here in Northern Ireland we have experienced how ruthless gangs have brought in people from the Far East and eastern Europe and enslaved them in a modern form of slavery to grow cannabis or to provide prostitution for their profit.

Mr Wells: Does the Member accept that it is important that are we protected from gangsters and criminals coming into Northern Ireland and that the rest of the United Kingdom needs protection from gangsters who originate in this part of the UK? We need to have a legislative consent motion to protect them. Members of Sinn Féin said that they are opposed to legislative consent motions, but they have acquiesced and passed dozens of them since devolution with no difficulty whatsoever, so what is the problem with this?

Mr Beggs: The Member has rightly highlighted that there is great concern that Northern Ireland could become a weak spot or gateway for criminal activity; it could become a base for

activity in the Republic of Ireland or a base for criminals to operate in other parts of the United Kingdom. That is why it is important that we network with the effective services that are being planned.

As has been said by a number of Members, a range of national organisations is being brought together. This is not completely new. The Minister highlighted that there will be greater accountability when the national crime agency looks at issues than there was with SOCA. Somehow, however, that becomes a problem. I have great concerns with what a number of Members said today. We must look to see how we improve the lot of everyone in Northern Ireland. That means addressing serious and organised crime.

Mr D McIlveen: Will the Member give way?

Mr Beggs: Later. I want to develop my argument a little bit. My colleague Tom Elliott rightly pointed out that no one should be in fear of these proposals. Again, the Minister pointed out that he is not aware of any complaints that there have been about the activities of SOCA, yet this has become a fundamental problem.

I have to say to those on the other side of the Room that the perception of the unionist community is that this is a serious green issue — super nationalism, raising nationalist issues above the interests of everyone in Northern Ireland and, indeed, the United Kingdom. It seems to be an emotional nationalist response, as my colleague Tom Elliott indicated. Moving on —

Mr Sheehan: Will the Member give way?

Mr Beggs: No; I want to move on.

Gerry Kelly indicated that policing has to be responsible and accountable, but there would be a greater level of accountability in what is being proposed than what went on in the past. If he seeks the perfect, he may get nothing. We are in danger of opening doors to criminals and criminal activity that will endanger the people of Northern Ireland.

The Minister indicated that he has fought for and rightly gained a number of concessions during the process. I will touch on those later on.

Mr McCartney: Will the Member give way?

Mr Beggs: I will later on.

Alban Maginness indicated his concern that this is a breach of the Patten report. Policing is an evolving process. If you were to come back in a hundred years' time and say that you cannot do anything because of the Patten report, people will stare at you. Criminals have moved on, policing is moving on and it is right and proper that we, as a community, should move on and bring about improvements.

Minister Ford indicated how several concessions have been given that respect devolution in Northern Ireland. The director general will not have the powers of a chief constable in Northern Ireland; the PSNI will have primacy; there will be input into and respect for the Northern Ireland policing plan; and the Police Ombudsman will have an oversight role on this issue.

I really have to ask: what more do you want? This is a national UK organisation, and we are a small part of that national UK organisation. We have gained much more than anyone else has in terms of accountability. We should welcome what we have gained. It would be very foolish to think that we can dictate to everyone else the world as we see it. Therefore, before we vote, I ask Members to think very carefully about what might come in the future. We must take great care.

Northern Ireland is in danger of becoming a laughing stock. You really need to stand back and think about what you are doing. Everyone should support the rule of law, oppose organised crime and empower our police and crime agencies to deal with it.

I go back to the point that no one has identified any problems with SOCA, and no one has identified any human rights breaches. Are we going to turn this down because of the lack of a data protection Act? Do you want to give criminals rights under a data protection Act so that they can find out what other people know about them? Do you want to tie that organisation up with lots of requests from journalists, criminals and politicians responding to freedom of information requests on issues around data protection? We must have a degree of common sense and allow our policing bodies and our specialist service to operate to protect our young children at home in their bedrooms on the internet — a number of Member referred to tomorrow's debate.

If we do not buy into a National Crime Agency, what will we be left with here? What input are we going to have? How are we going to be able to shape how that may operate and deal with issues that arise in Northern Ireland? It

means debates such as will come tomorrow, which many Members — I hope all Members — will be supporting, and those defences for our children and young people, will be very shallow. To say that you want that defence, but vote against the very agency that will provide that protection —

Mr D McIlveen: I thank the Member for giving way. Does the Member agree with me that the issues he has mentioned, such as prostitution, drug dealing and all forms of organised crime, are every bit as important to nationalist voters as they are to unionist voters? Does he also agree with me that the Members on the opposite Benches have seriously misread the tone of their electorate?

Mr Beggs: I think that the ordinary person in Northern Ireland wants to live in peace. They want to live within the law. They want the best for themselves, their family and their community. I have yet to understand how nationalism or unionism comes into this. The opposition is endangering members of the entire community in Northern Ireland.

Talking about human rights and such things — where are the human rights for those who are abused from the serious organised crime organisations that exist? Again, we have not heard of complaints. I will give way.

Mr McDevitt: I just pose this question to Mr Beggs and the Members opposite: should the British Government have a change of mind and decide to make NCA operations in a devolved framework accountable to the Policing Board, will he and they support that?

Mr Beggs: I will support a National Crime Agency operating in Northern Ireland. I want it to be as effective as possible. If you dig in your heels, you may get nothing. So we really want to ensure that we have protection as much as possible here in Northern Ireland. Among other things, SOCA has some 165 employees —

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

Mr Beggs: — in some 80 countries throughout the world. We want to tie into that network to protect our people. I ask everyone to support the motion establishing a National Crime Agency in Northern Ireland.

Mr Speaker: I remind Members that the vote on the motion will be on a cross-community basis.

Question put.

The Assembly divided: Ayes 56; Noes 39.

AYES

UNIONIST:

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

OTHER:

Mr Agnew, Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy.

Tellers for the Ayes: Mr Hussey and Mr Kennedy.

NOES

NATIONALIST:

Mr Attwood, Mr Boylan, Ms Boyle, Mr Brady, Mr Byrne, Mr Dallat, Mr Durkan, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Ms McCorley, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Mr McCartney and Mrs McKeivitt.

<i>Total Votes</i>	<i>95</i>	<i>Total Ayes</i>	<i>56</i>	<i>[58.9%]</i>
<i>Nationalist Votes</i>	<i>39</i>	<i>Nationalist Ayes</i>	<i>0</i>	<i>[0.0%]</i>
<i>Unionist Votes</i>	<i>47</i>	<i>Unionist Ayes</i>	<i>47</i>	<i>[100.0%]</i>
<i>Other Votes</i>	<i>9</i>	<i>Other Ayes</i>	<i>9</i>	<i>[100.0%]</i>

Question accordingly negatived (cross-community vote).

Adjourned at 5.41 pm.



information & publishing solutions

Published by Authority of the Northern Ireland Assembly,
Belfast: The Stationery Office

and available from:

Online
www.tsoshop.co.uk

Mail, Telephone, Fax & E-mail

TSO
PO Box 29, Norwich, NR3 1GN
Telephone orders/General enquiries: 0870 600 5522
Fax orders: 0870 600 5533
E-mail: customer.services@tso.co.uk
Textphone 0870 240 3701

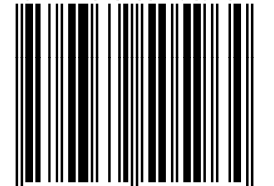
TSO@Blackwell and other Accredited Agents

ISSN 1463-7162

Daily Editions: Single copies £5, Annual subscriptions £325
Bound Volumes of Debates are issued periodically during the session: Single copies: £90

Printed in Northern Ireland by The Stationery Office Limited
© Copyright Northern Ireland Assembly Commission 2013

ISBN 978-0-339-50596-4



9 780339 505964