

Official Report (Hansard)

Monday 3 December 2012
Volume 80, No 1

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Northern Ireland Assembly

Monday 3 December 2012

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

Members observed two minutes' silence.

Assembly Business

Mr Speaker: Before we begin today's business, I want to return briefly to an issue that I have raised a number of times: Members not being in their place at Question Time and the unacceptable number of questions that are being withdrawn. The issue was mentioned by our First Minister last week at Question Time and in a point of order by our deputy First Minister. Today, I have written to every Member about the issues. Let me say that my letter is clear on what I expect. I will also raise the issue once again at the Business Committee, reminding the Whips of their responsibility. In my letter, I make it absolutely clear that I am not responsible for ensuring that Members are in the Chamber. That is clearly a responsibility for the parties and the parties alone. I remind all sides of the House where the responsibility lies.

I hope that all parties will make every effort to avoid a repeat of the situation last week. It is for all Members and Ministers to uphold all the rules and conventions of the House and realise the seriousness of the situation. I say to all sides that I will monitor the situation closely. If it continues, I will not hesitate to reintroduce sanctions on Members who are not in their place, especially at Question Time. I hope that that is clear. Let us move on.

Mr Byrne: On a point of order, Mr Speaker. As one of the offending Members who did not turn up last week to Question Time, I apologise. I was caught in the Agriculture Committee. As Deputy Chairman, I was detained there as late as possible to hold on to a quorum. I apologise.

Mr Speaker: I very much appreciate the Member's apology. Sometimes, especially on Monday and Tuesday mornings, we have confession time in the House, and, on occasion, I allow Members to come forward to confess their sins. However, let it be a reminder for the whole House that Question Time is a very important piece of business of the House. Some Members see it as the most important

piece of business of the House, especially in holding Ministers to account.

Lord Morrow: Further to that point of order, is it your intention to further analyse the number of questions that have been withdrawn and the number of Members who have not been in their position and to then break those figures down by party?

Mr Speaker: From time to time, all parties are to blame, but I have to say that some parties are worse than others. The Business Office and my office will monitor the situation and will watch carefully to see which Members are absent at Question Time. My ruling and my letter are absolutely clear. We still have Members — Members who have put down a question — coming up to the Table to withdraw their question, and they then leave the Chamber. Let us be absolutely clear: that cannot go on. I assure Lord Morrow that the whole situation will be monitored closely until we find the culprits and the main offenders.

Mr Allister: Further to that point of order, Mr Speaker. In addition to monitoring the asking of questions, will you continue to monitor the non-answering of questions tabled for written answer? I have had questions languishing for 16 months. I know that you have taken an interest in that in the past, but will you extend this exhortation to Members publicly to Ministers so that they will do their duty in answering questions?

Mr Speaker: I hear what the Member is saying. He will know that I have written to the First Minister and deputy First Minister about that issue. Once again, that really is the responsibility of Departments. That is why I have allowed Members to highlight these issues. I have said this morning that there is also a responsibility on Ministers to heed the conventions, procedures and Standing Orders of the House. Let us move on.

Committee Membership: Committee for Employment and Learning and Committee on Standards and Privileges

Mr Speaker: The first two items on the Order Paper are motions on Committee membership. As with similar motions, they will be treated as business motions. Therefore, there will be no debate.

Mr Weir: On behalf of myself and the other Member in whose name the motion stands — both of us are in our places today at the appropriate moment — I beg to move.

Resolved:

That Mr George Robinson replace Mr Alastair Ross as a member of the Committee for Employment and Learning; and that Mr Ian McCrea replace Ms Paula Bradley as a member of the Committee on Standards and Privileges.

Committee Membership: Committee for Agriculture and Rural Development

Mr Swann: I beg to move, Mr Speaker. I will stay in the House for a wee bit longer than it takes to just move the motion.

Resolved:

That Mr Danny Kinahan replace Mr Robin Swann as a member of the Committee for Agriculture and Rural Development.

Ministerial Statement

British-Irish Council: Summit (26 November 2012)

Mr P Robinson (The First Minister): In accordance with the requirements of the Northern Ireland Act 1998, I wish to make the following report on the nineteenth summit meeting of the British-Irish Council (BIC), which was held in the beautiful setting of Cardiff Castle, Wales, on 26 November 2012. All Executive Ministers who attended the summit agreed that I should make the statement to the Assembly on their behalf.

The Welsh Government hosted the summit, and the heads of delegations were welcomed by the First Minister of Wales, the Rt Hon Carwyn Jones AM. The United Kingdom Government were led by the Secretary of State for Wales, the Rt Hon David Jones MP. The Irish Government were led by the Taoiseach, Mr Enda Kenny TD. The Scottish Government delegation was led by the Deputy First Minister and Cabinet Secretary for Infrastructure, Investment and Cities, Ms Nicola Sturgeon MSP. The Government of Jersey delegation was led by the Chief Minister, Senator Ian Gorst. The Government of Guernsey delegation was led by the Chief Minister, Deputy Peter Harwood. Finally, the Isle of Man Government delegation was led by the Chief Minister, Hon Allan Bell MHK. In addition to the deputy First Minister and me, the Northern Ireland Executive delegation included the Minister of Education, the Minister of the Environment and the Minister for Regional Development. A full list of participants is attached to the statement that has been provided to Members.

The summit again provided an important opportunity for member Administrations to develop positive and practical relations on matters of common interest. Through the twice-yearly summits and the sectoral work streams, Administrations continue to consult and exchange information on a wide range of matters and seek to identify new and emerging areas in which such dialogue is likely to be of benefit to all. All parties very much welcomed the opportunity that the summit provided to engage directly on the issues of significant common interest and concern on the agenda.

The key discussion focused on the current economic situation in each jurisdiction, particularly on the role of investment in capital infrastructure in supporting and promoting economic growth. It is clear that all

Administrations continue to face significant challenges in managing the implications of the economic downturn in their communities. There is also shared recognition of the importance of infrastructural investment as a lever through which Governments can influence and mitigate the impact of the downturn by sustaining and creating employment and by providing the facilities to attract inward investment. Members will wish to note two other issues of common concern: the continuing difficulty experienced by business in sourcing investment funding from banks; and the high cost of energy, which is an increasingly important factor for companies with plants located in the BIC Administrations' areas and for those making inward investment decisions. Such is the concern about the comparative disadvantage that we have in this area that the summit resolved to return to the issue for a substantive discussion at its next summit in June 2013.

The Council noted the latest youth unemployment figures for each of the BIC member Administrations and agreed that all BIC work sectors should specifically consider ongoing opportunities to generate employment for young people in their work programmes.

The summit discussed a detailed report on the work undertaken by the early years policy work sector, which is led by Wales. It is clear from the presentations made by each Administration that there is increasing focus on that area. A wide variety of approaches and initiatives were discussed from which all Administrations can learn in developing their own strategies. The Minister of Education, John O'Dowd, reported on developments in early years in Northern Ireland. The Council concluded that investing in early years was critical to creating strong foundations for children and families and recognised the importance of generating better value for money for the public sector by moving from curative to preventative models of service delivery.

Members endorsed the principles that should underpin a common approach to early years — improved educational attainment and improved health and later-life chances — while respecting that each Administration will approach implementation in its own way and at its own pace. The Council noted the significant benefits that have been gained by officials from each member Administration through their participation in the British-Irish Council working group in sharing knowledge, challenges, best practice and research outcomes relating to early years. The Council welcomed the continuation of work in the sector and

supported the focus on improving quality, including the critical role of the workforce.

The Council also noted the good progress described in the update reports provided by each of the BIC's 11 work sectors. That work is summarised in the communiqué. This Administration plays a full part in those work sectors. Where Members of the Assembly have an interest in a particular aspect of the work, I encourage them to take it up with the relevant Minister.

12.15 pm

The Council was provided with an update on the work completed to date on the creation of a BIC work sector for the creative industries. A report will be brought to the next summit on the priority areas of greatest interest and value to all Administrations, with a view to the creative industries being formally adopted at the next summit as a new BIC work sector to be led by Jersey.

Finally, the Council noted the secretariat's mid-year progress report, which set out the progress it has made against its business plan.

At the conclusion of the meeting, the deputy First Minister and I were pleased to extend an invitation to the other Administrations to attend the twentieth British-Irish Council summit, which will be hosted by the Northern Ireland Executive in June 2013. We expect that to be held in the city of Derry/Londonderry.

Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister): I thank the First Minister for his report. With regard to the substantive discussion at the next summit about high energy costs, has the First Minister or, indeed, his colleague the Enterprise Minister received representations from any locally based business to the effect that they believe high energy costs represent an existential threat to their continuing to do business here?

Mr P Robinson: I have had meetings with business representatives, particularly those in the west of the Province, who have indicated that their ability to grow is being hampered by energy costs, and they are looking to see what other arrangements can be made. I have spoken to the Minister of Enterprise, Trade and Investment about the matter, and she, I think, is in direct contact with them.

I think we all recognise that any company considering coming to Northern Ireland or any

company in Northern Ireland that wants to expand has to look at a range of issues, and energy will be one of the costs involved. The extent to which energy will be a key factor depends largely on the nature of the business involved. Clearly, for business, the financial services and so forth, energy is not so much a component part of the overall cost, but for anything related to manufacturing, it can be a major issue.

Mr Moutray: I thank the First Minister for bringing the statement to the House this afternoon. What is his assessment of the current state of the Northern Ireland economy compared with that of the other BIC Administrations?

Mr P Robinson: All BIC Administrations have obviously been impacted by the global recession, some less so than others. The Crown dependencies, for instance, will complain about unemployment rising to nearly 4% and youth unemployment rising to almost double figures. Clearly, those are the kinds of problem that we would be quite happy to face. So, the problem is felt to varying degrees.

Everybody obviously knows about the impact on the Irish Republic. I have to say that there are clear signs that the action taken by the Government in the Irish Republic is having an impact, not least on those who take decisions in the euro zone. Hopefully, the cost of some of the support they have been given will be eased, because what happens in the Irish Republic has a direct impact on our economy. There has been a slowdown generally in our exports to Europe but particularly to the Irish Republic.

In respect of the other devolved Administrations, I think everybody knows that unemployment levels in Scotland, Wales and England are higher than those in Northern Ireland. However, Northern Ireland is still plagued by a very high level of economically inactive citizens. That issue is of particular importance to the Executive, and we are trying to address it through the plans that were recently published.

Mr Flanagan: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his statement. I note his concluding remarks that the next meeting of the British-Irish Council will take place in June 2013. The cynic in me thinks that that has been done to clash or coincide with the G8. Was the point made at the meeting that the continuing pursuance of austerity policies by the British and Irish Governments are having a detrimental impact

on our economic growth? Does he feel that there will be a move towards greater investment in capital infrastructure in the near future?

Mr P Robinson: I know there is always a danger that the BIC summit will overshadow the G8, but the answer, I think, is that we can cope with both.

During the last Westminster election, many parties — not all — indicated their concern that the cuts that were being proposed were coming too far and too fast. That was brought home to us when we received the message that our capital budget in Northern Ireland was to be reduced by slightly over 40%. That was a massive cut that had a great impact on our infrastructural development, which feeds into the growth of our economy. The other devolved Administrations had the same feeling.

I think that the coalition Government recognise that there needs to be more funding for infrastructure. The indications during the meeting were that there was likely to be a relevant announcement during the Chancellor's autumn statement. I hope that that will mean the release of more money directly into capital projects or, at the very least, opening new means of getting access to capital funds for infrastructure projects.

Mr Byrne: I welcome the First Minister's statement. Will he enlighten the House further on the situation with the banks? It is fair to say that more and more businesses are feeling the pinch and that overdraft facilities are being cut by local banks. Are further discussions proposed with Ulster Bank, First Trust Bank, Bank of Ireland or Danske Bank?

Mr P Robinson: There are ongoing discussions with the banks, although I have to be honest with the Member and indicate that we can only influence what is done about banking. It is a reserved matter, therefore all we can do is talk to the banks and represent the views of our constituents and businesses in our constituencies and of those who are having massive difficulties maintaining their business because of cashflow difficulties that are often brought about by the fact that the banks have reined in and reduced the level of overdrafts and made terms more difficult. We will continue to do that, although the Executive have attempted to offer assistance by setting up their own business loan fund under DETI. I understand that a considerable number of companies have been in contact with DETI and that funds are starting to flow out of that account. In many ways, however, it is sad that

government has effectively had to take on the role of a bank because of the inability of the banks to do what they were set up to do.

Mr Lyttle: I thank the First Minister for his statement. The First Minister has raised on a number of occasions the issue of educational underachievement, and he raised it again in the statement. What type of best practice was discussed at the summit in relation to that issue?

Mr P Robinson: Each Administration gave their own view on youth unemployment. Early years education flows into that. There is a clear view that early years education better prepares young people for a working environment at a later stage. We have taken initiatives under our Delivering Social Change policies that, along with what DEL and DETI are doing, will considerably improve the situation.

We have recognised the joined-up nature of what is required in this area. That includes what we have been doing to improve parenting skills, mentoring in primary and secondary schools for those who are lagging behind, through to the skills and training base that we are building. All of that must work together. It is not simply a case of taking one thing and saying that it will resolve the problem. It will, perhaps, be many years before we see the full benefit of all those initiatives.

According to the most up-to-date youth unemployment figures, the rate for those aged 18 to 24 in the UK as a whole is 19.4%. Northern Ireland is under that average at 19.2%, whereas Scotland and Wales are up at 22%. I do not take comfort in the relative distinctions that there might be. The fact that over 19% of our young people are unemployed is totally unsatisfactory. However, to some extent, you have to view that against the backdrop of the economic downturn and unemployment more generally. If employers can pick and choose, they pick people with the greatest level of experience, which, very often, is older people. Therefore, it is up to us to make sure that we skill people up so that they have skills and talents that may not be available to the existing workforce or people who have been in the workforce.

Mr Givan: I thank the First Minister for his statement. I know that he recognises the importance of investment in our infrastructure to try to mitigate the downturn in our economy. In the event that we receive additional resources from the Chancellor in his autumn statement, will the First Minister assure us that the

Executive will continue to invest those moneys into capital projects that generate the highest level of jobs?

Mr P Robinson: Each Department will have objective criteria that determine what their capital priorities will be. In some cases, the capital priorities of a Department will lean towards issues other than the amount of employment that might be produced. It might also, in respect of roads, be dealing with where there are accidents or problems. A number of factors have to be taken into consideration. A very considerable and important factor will be the employment consequences. Indeed, the deputy First Minister and I communicated with all our Ministers to ensure that they were prepared for any upturn that there might be in capital spend or our ability to draw down funds through private and other sources. That requires Departments to have shovel-ready schemes, so that they do not hear that there is a tranche of money available to us and then start wondering how they can get planning permission through and how they can get legal issues and design features resolved. All those things need to be ready so that we are ready to go if more funds come our way.

Mr Swann: I thank the First Minister for his statement. The Culture, Arts and Leisure Committee is undertaking quite an extensive inquiry into the creative industries. The biggest challenge has proven to be that it is quite a diverse sector. Is there anything specifically that the Northern Ireland Executive will promote and focus on to enhance our creative industries in Northern Ireland?

Mr P Robinson: The deputy First Minister and I have been very supportive in BIC of opening up that new work stream. It is a sector that has grown very considerably in Northern Ireland. Tens of thousands — I think that it is about 20,000 — of people are now employed in one section of the sector or another.

Of course, the definition of creative industries will include things from architecture through to film making and everything in between, including music and many of the other skills. However, we have had a particular interest in the television and film sector. There are now hundreds of jobs at our Titanic Studios. We invested in a second studio, and we are having negotiations on the construction of a third studio, so successful has that been. We will look at what other BIC areas have to say about the priority areas in the creative industries. Given the cultural diversity that there is in Northern Ireland and the interest in culture in

Northern Ireland, culture and the creative industries have a remarkable future in the Province. I am very committed to ensuring that it is taken up as a work stream, albeit one that will be led by Jersey rather than us.

Mr G Robinson: I ask the First Minister how unemployment figures compare with other BIC members, particularly youth unemployment. What steps have been taken to address these issues? He may have answered part of the question earlier.

12.30 pm

Mr P Robinson: Northern Ireland's unemployment rate is 7·6%, and the UK average is 7·8%. The levels of unemployment in England, Scotland and Wales are all above that of Northern Ireland, but we are the fourth lowest of the 12 regions of the United Kingdom for employment generally.

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

The figures that I outlined earlier for youth unemployment are the most up to date and again show Northern Ireland as being below the UK average of 19·4%. We are at 19·2%; Scotland and Wales are at 22%; and England is at 19%. However, the factors that do not come into play with the unemployment figures are the economically inactive. That lends support to our case for a new initiative to rebalance our economy. That is why we continue to press the Government on corporation tax, which has the potential to be a game changer.

Mr P Ramsey: I welcome the First Minister's statement to the House. Most important, it is also welcome that BIC will meet in my constituency during the City of Culture year.

I acknowledge the quite serious unemployment figures in Northern Ireland, and, in particular, the fact that we have over 40,000 young people who are not in education, employment or training. Is the First Minister content that the fullest co-operation and formal collaboration is taking place between Departments to help in that area?

Mr P Robinson: I very much welcome the fact that we will be able to host the next BIC summit. It coincides with the UK City of Culture, and I trust that we will be able to give our guests some of the culture that will be around the city when they come. We are finalising the venue at present. Hopefully, we will be able to give them the benefit of the UK City of Culture while they are there.

I do not think that I will ever be content with the interrelationship between Departments, but I have to say that it has improved very significantly. I believe, for instance, that the Education Minister will make a statement tomorrow about early years. Again I say that, because of joined-up government, one thing leads into the other, and one has an impact on the other.

The Departments are working together on this issue. You saw a number of initiatives brought forward under Delivering Social Change by the deputy First Minister and me that will have a direct impact on helping young people to get into employment. After our last Executive proposal to aid the economy, the Minister for Employment and Learning took the opportunity to bring forward a series of initiatives to help young people to skill up, train and be ready for employment. So DETI, DEL, OFMDFM and some of the other Departments are working together to look at one issue. It is disturbing, it has to be addressed, and, although we are at a lower level than the UK average, it is still unacceptably high.

Mr Allister: I note from the communiqué that, in discussing the economic situation, there was a particular focus on the important role of investment in capital infrastructure as a means of supporting and promoting economic growth. In that context, what discussion and what progress — or otherwise — has there been at this summit or at previous summits on essential improvements to the A75? That is a vital entry point or gateway for Northern Ireland's freight and for promoting our economy in the rest of the United Kingdom. Is there a focus on that, and is there any progress to report?

Mr P Robinson: In the margins, the deputy First Minister and I have had discussions with the First Minister of Scotland on the issue. We continue to press for it. Obviously, the Scottish Government will determine their own priorities, but it is a high priority for us. As the Member said, it is an essential route to the British mainland. It is important for our businesses, particularly those in the haulage industry who use it as an entry point into GB and across to Europe. So, it is important. We will continue to put pressure on, although that is difficult when there is restraint on capital spending. The Scottish Government's priorities would obviously change if they had more funds available. If such an announcement were made and if there were a change in how capital funds are drawn down using the private sector, it may become timely for us to renew that interest with them.

Mr Maskey: Go raibh maith agat, a LeasCheann Comhairle. I return to the question of the creative industries possibly becoming a new work sector. I presume that, given the First Minister and the deputy First Minister's recent display of artistic aspiration, it is timely to have this as a possible and undoubtedly very welcome new sector that is well led by the deputy First Minister and the First Minister. Given that it is a possible new sector, will the First Minister confirm that the Executive will do all in their power to continue to support it because of its newness and importance, to which the Minister referred?

Mr P Robinson: We will. We have taken a special interest in that sector, which I think has grown considerably during the period of this Executive. For instance, an architectural company was part of the delegation on our visit to China. It does business out in China, and, when I came back, I had a message from it to indicate how helpful the visit had been in tying up further clients for the company. So, as in all aspects of the creative industries, I think that innovation is part of Northern Ireland people's genes. We have seen that with some of the great research and development that we bring to the Province and in some of the great inventions that have come from Northern Ireland. So, that creative spirit in the Northern Ireland persona is such that I think that there is a great future for us in the creative industries, and we will do everything possible not only in the Office of the First Minister and deputy First Minister but through our other Departments.

Executive Committee Business

Inquiry into Historical Institutional Abuse Bill: Further Consideration Stage

Mr Deputy Speaker: I call junior Minister McCann to move the Further Consideration Stage of the Inquiry into Historical Institutional Abuse Bill.

Moved. — [Ms J McCann (Junior Minister, Office of the First Minister and deputy First Minister).]

Mr Deputy Speaker: As no amendments have been tabled, there is no opportunity to discuss the Inquiry into Historical Institutional Abuse Bill at this stage. The Further Consideration Stage of the Bill is, therefore, concluded.

Charities Bill: Further Consideration Stage

Mr Deputy Speaker: I call the Minister for Social Development to move the Further Consideration Stage of the Charities Bill.

Moved. — [Mr McCausland (The Minister for Social Development).]

Mr Deputy Speaker: As no amendments have been tabled, there is no opportunity to discuss the Charities Bill at this stage. The Further Consideration Stage of the Bill is, therefore, concluded.

Jobseeker's Allowance (Members of the Reserve Forces) Regulations (Northern Ireland) 2012

Mr McCausland (The Minister for Social Development): I beg to move

That the Jobseeker's Allowance (Members of the Reserve Forces) Regulations (Northern Ireland) 2012 be approved.

The regulations were laid before the Assembly on 9 July 2012. They are being introduced to enable jobseeker's allowance claimants who are members of the armed forces reserve to attend their mandatory 15-day annual training without needing to terminate their claim for jobseeker's allowance. Before the introduction of the legislation, a claimant who was a member of the reserved forces lost entitlement to jobseeker's allowance when they attended their 15-day annual continuous training. That occurred as they were unlikely during such periods to meet the basic job-seeking conditions of being available for and actively seeking employment. The jobseeker's allowance claim can now be kept open while they are on training, as they will be treated as being available for and actively seeking employment during the period of training. In addition, in order to passport entitlement to full housing benefit, reserve forces members can now retain entitlement to income-based jobseeker's allowance when they receive payment for their participation in annual training. To guarantee that, a minimum amount of jobseeker's allowance of 10p a week will be maintained.

Members of the lifeboat service, the Fire and Rescue Service and others engaged in emergency duties for the benefit of others are also required to undertake training throughout the year. However, that usually takes place at weekends or evenings to fit around volunteers' work and other commitments. As a result, there is no adverse effect on their jobseeker's allowance claim. Only the reserve forces have a compulsory requirement to attend an extended period of training. The changes will ensure that they are not treated less favourably than those in the other volunteer groups that I mentioned. We are therefore addressing that anomaly without creating an adverse impact on other voluntary groups.

I believe that it is unnecessarily cumbersome and time-consuming for claimants and my Department to terminate awards of benefit and then require new claims to be made when training has ended. The changes are entirely

beneficial and will generate less disruption for reservists, who will no longer be required to end their claim to jobseeker's allowance and then make a repeat claim when their training has ended.

Mr Maskey (The Chairperson of the Committee for Social Development): Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for bringing forward the regulations. The Committee gave consideration to the original SL1 pertaining to the statutory rule at its meeting on 21 June 2012 and was content for the rule to be made. The Committee gave further consideration to the rule at its meeting on 6 September 2012 and, subject to the Examiner of Statutory Rules' report, recommended that it be confirmed by the Assembly. In support of the arguments that the Minister has laid out before the House, the Committee is content to support this.

Mr Copeland: Both I and my party warmly welcome today's statutory rule, as it represents a step towards greater equality for members of the armed forces. Not only does it show greater recognition of servicemen and servicewomen by the Assembly and the coalition Government but, on a solely practical level, it should greatly reduce the cumbersome arrangements that have pertained heretofore.

The reserve forces, the Territorial Army, the Royal Naval Reserve and the air force and its reserve have a crucial and increasing role to play in the defence of the nation. The territorials and reserve forces are well trained and highly disciplined. They are an effective unit of people, all the time remaining ordinary members of the public but with a drive to serve their country further. On top of that, in their day-to-day life, they of course have their job and their family. Members of the reserve forces are expected to participate in a rigorous training regime, including drill nights, weekends away and one obligatory training period for annual continuation or continuous training. It is that training course specifically that the change will address.

People on jobseeker's allowance must already meet a long list of criteria, not the least of which is to be willing and able to take up employment immediately. At present, reservists are paid approximately £532 for their training, which is the equivalent of a fortnight's intensive work. Previously, reserve force recruits and people on the establishment needed to stop claiming their jobseeker's allowance entirely for the period of training. Today's rule, however, means that they will simply be given 10p of allowance for their time away as a training entitlement. We

should welcome the change, which I do, and we should recognise the increasing requirement for territorial and reserve forces. I have no hesitation at all in adding our support to the envisaged move.

Mr McCausland: I am pleased by the consensus across the Assembly for the regulations. I thank the Chair and members of the Social Development Committee for the positive way in which they dealt with the matter.

The reserve forces are, as has been already stated, an important element of the United Kingdom armed forces, and it is only right that we take the regulations forward. I thank Members for their interest in the regulations and hope that they will, as indicated, back them. The changes will benefit all jobseeker's allowance claimants who are members of the reserve forces when they are required to attend their annual training. Only the reserve forces have a compulsory requirement to attend an extended period of training, and these changes will ensure that they are not treated unfairly when compared to other groups who volunteer for emergency duties for the benefit of others. I commend the motion to the Assembly.

Question put and agreed to.

Resolved:

That the Jobseeker's Allowance (Members of the Reserve Forces) Regulations (Northern Ireland) 2012 be approved.

12.45 pm

Licensing (Irresponsible Drinks Promotions) Regulations (Northern Ireland) 2012

Mr Deputy Speaker: The next two items of business are motions to affirm statutory rules that deal with matters related to irresponsible drinks promotions. There will be separate debates on each of the statutory rules. However, the Minister and Members will be allowed some latitude in the first debate to address the broad policy issues that are common to both sets of regulations. I hope that the House will find that helpful.

Mr McCausland (The Minister for Social Development): I beg to move

That the Licensing (Irresponsible Drinks Promotions) Regulations (Northern Ireland) 2012 be affirmed.

As you are aware, Mr Deputy Speaker, I have been expressing my concern for some time about the way in which alcohol is promoted and marketed. In particular, I am concerned about promotions involving very cheap alcohol and its availability to young people.

Alcohol misuse damages people and costs everyone money — up to £900 million a year in Northern Ireland, according to a report commissioned by the Department of Health, Social Services and Public Safety. In 2011 alone, 252 people in Northern Ireland died directly because of alcohol misuse. Each of those deaths is a personal tragedy for the family and friends of the individual concerned.

Recent legislation gave my Department the power to ban irresponsible drinks promotions. During the passage of the Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011, a commitment was given that the detail of regulations to tackle irresponsible drinks promotions would be consulted on in advance of them being made. A public consultation ran for eight weeks on proposed regulations to ban certain irresponsible drinks promotions. The consultation sought views on the detail of regulations for two types of drinks promotions: fixed price offers, such as "All you can drink for £20"; and the sale of alcohol containing two or more intoxicating liquor products. In that instance, for example, a retailer operating off-sales would not be able to sell a package of two

bottles of wine for less than £8 if one bottle cost £4.

The consultation showed strong support for the proposed regulations from local councils and those involved in promoting public health. The Social Development Committee expressed doubts that a ban on bulk purchases would have the desired effect. Having considered the result of the consultation and the views of the Committee, I have decided to proceed with the introduction of the regulation to ban fixed price promotions such as "All you can drink for £20". However, I have decided against proceeding with the introduction of the regulation to ban bulk purchases at this time.

The ban on fixed price promotions will make this type of promotion, which encourages harmful and excessive drinking, illegal for the first time. These promotions encourage young people to buy and consume more alcohol than they normally would and need to be stopped. The introduction of this regulation, together with a properly enforced drinks industry code of practice, will put an end to some irresponsible behaviour by licence holders.

I am aware that legislation of this nature will not solve problem drinking on its own. We must continue to support public health education campaigns to raise awareness of the impact of the abuse of alcohol. Early intervention by health professionals can also help identify and help potential problem drinkers.

Subject to affirmative resolution, the regulation will become effective from 1 January 2013.

Mr Maskey (The Chairperson of the Committee for Social Development): Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for bringing forward the regulation. As the Minister has outlined, there has been considerable engagement between the Department and the Social Development Committee, and that is as it should be. People are concerned that there is a binge-drinking culture out there that is very harmful to our broader society and particularly to those who are directly engaged in it. We understand that there is no single answer. We also understand that there are mixed views on how to tackle the issue. That is why the Committee expressed reservations about the possibility of unnecessary legislation or regulations being brought to bear on the matter. However, the Committee fully supports these regulations on irresponsible drinks promotions for the reasons that the Minister outlined.

The Committee is mindful of the harmful impact that this activity has on the people who are directly engaged in it. We often hear the term "When the drink's in, the wit's out". That may well be the case, but we also know that it is much more harmful than that in many cases. We understand the implications for the health of the individuals concerned and for the well-being of society in general. On that basis, the Committee supports the regulations.

Mr Copeland: I, too, rise to welcome the proposed changes. I was not a Member of the House when the Licensing and Registration of Clubs (Amendment) Act went through the legislative process. However, it would be remiss of me not to make some reference to the Members who had the foresight to request the report initially and to the Department for acting on that report in the way it has. I do not need to remind Members of the several tragic deaths, one of which happened earlier this year and was a stark reminder to us all of the effect of cheap alcohol promotions.

As we know, the regulations being discussed today seek to ban drinks promotions that are said to be irresponsible, such as the all-you-can-drink-for-£20 promotion that has been mentioned. While we do not want to ruin anyone's fun or good time — that is what these things start out as — people must accept that countless and endless vodka shots at £1 a time for someone who may already be under the influence of alcohol will do little to make the night any better. Rather, if we limit reckless promotions, fewer people will, we hope, end up in our accident and emergency units or the cells at the end of an evening out.

A Health Intelligence briefing on the use and cost of alcohol in Northern Ireland, which the Minister referred to, reported that alcohol misuse generates overall social costs of £679.8 million — a not inconsequential amount of money. It brings added costs in healthcare, social work, fire, police and safety services, courts and prisons. All of that has an impact on the wider economy. It starts as a good night out. On many occasions, it ends up as a good night out, but, on many other occasions, it ends up quite the opposite.

The report also noted that alcohol was 66% more affordable in 2009 than in 1987. The health and social well-being improvement section of the Public Health Agency reported that alcohol has never been more affordable or more available. Stable alcohol prices mean that it is now 65% more affordable to buy drink than it was 20 years ago. The rise in the use and consumption of alcohol is striking, and we

are all aware of the huge increase in binge drinking over recent years. These things do not happen by accident. They happen through promotion, marketing and design. Surely it is incumbent on us as legislators to take effective action against the effects of these promotions.

For those reasons and many others that I do not intend to go into, I welcome regulations such as those before us today. I ask the Minister for reassurance on one point about the regulations. Can he give detail of the discussions that there have been with groups such as Pubs of Ulster to ensure that the industry is prepared for whatever changes flow from the regulations? I also draw his attention to an issue that I have spoken about from this corner in the past, namely cocktails that come in quart jugs with funny names like Black Russian and a whole lot of other stuff. Because those things are mixed on the premises, there is absolutely no indication on the jug of the strength of the alcohol that it contains. They tend to be available more often in restaurants, but I can tell you from personal knowledge that they can pack a heck of a punch when you least expect it.

Mr McCausland: I am pleased by the consensus across the Assembly for the introduction of regulations to restrict fixed price promotions, such as "All you can drink for £20". We have been reminded, over the course of the debate, about the growing awareness of the damage and the tragedies associated with alcohol abuse and its cost to our society. It is not just the £900 million that I mentioned; it is the emotional impact and trauma for families who lose a loved one. Earlier this year, in one particular instance, that was very much highlighted in the media. If you follow the newspapers on a regular basis and look at the stories that appear, it is clear that we have a serious issue in our society. The impact on hospitals and the emergency services has a cost. There is also an impact on the people who work in emergency medical services and the cost of policing the results of alcohol abuse. All those things are detrimental to our society.

I trust that this will be an important initiative. Through conversations and discussions with Pubs of Ulster, I know that there is a desire on the part of the vast majority of retailers to behave responsibly. However, there are some who behave irresponsibly, which is why we need interventions such as this. No single measure will solve the problem, but this is one of a number of measures that can contribute to an improved situation, I hope, over the next period of time — this initiative and the next one, in terms of regulations, and other things that are

being looked at, particularly in co-operation with the Minister of Health. I am pleased to commend the motion to the House.

Question put and agreed to.

Resolved:

That the Licensing (Irresponsible Drinks Promotions) Regulations (Northern Ireland) 2012 be affirmed.

Registration of Clubs (Irresponsible Drinks Promotions) Regulations (Northern Ireland) 2012

Mr McCausland (The Minister for Social Development): I beg to move

That the Registration of Clubs (Irresponsible Drinks Promotions) Regulations (Northern Ireland) 2012 be affirmed.

The issues that Members have just heard about in relation to licensed premises are issues that also relate to registered clubs. Registered clubs provide sporting and other activities in our communities and have a good record of complying with the law. However, in the interests of consistency between the licensed trade and clubs, I also intend to introduce a ban on fixed price promotions such as "All you can drink for £20" in registered clubs. Subject to affirmative resolution, the regulations will become effective from 1 January 2013.

Mr Maskey (The Chairperson of the Committee for Social Development): Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for bringing forward this set of regulations. On behalf of the Social Development Committee, I confirm that we support the regulations. We do not need to rehearse any of the arguments that have been put forward already.

Suffice it to say that the Committee recognises that the vast majority of those in the drinks industry are responsible people and responsible businesses. By the same token, there are a minority who have been engaged in irresponsible drinks promotion behaviour, and we ask those people not to consider ways of circumventing these regulations.

On behalf of the Social Development Committee, I pay tribute to the family and the loved ones of the late Joby Murphy, whose tragic and very untimely death as a result of an irresponsible drinks promotion brought this problem very clearly to the public's attention. I thank the family and commend them for, in the midst of their grief, managing to continue to work publicly to highlight the problem.

Mr McCausland: I am pleased with the consensus across the Assembly for the introduction of regulations to restrict fixed price promotions, and I commend the motion to the House.

Question put and agreed to.

Resolved:

That the Registration of Clubs (Irresponsible Drinks Promotions) Regulations (Northern Ireland) 2012 be affirmed.

1.00 pm

Private Members' Business

Human Trafficking: GRETA Report

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

Lord Morrow: I beg to move

That this Assembly welcomes the report from the Group of Experts on Action Against Trafficking in Human Beings (GRETA); and calls on the Minister of Justice, along with Executive colleagues, to implement the recommendations in the GRETA report which relate to Northern Ireland.

I am very glad that I have the opportunity to open this afternoon's debate on the GRETA report on the implementation in the United Kingdom of the Council of Europe Convention on Action against Trafficking in Human Beings.

The Council of Europe Convention on Action against Trafficking in Human Beings was adopted by the Committee of Ministers of the Council of Europe on 3 May 2005. It followed a number of other initiatives that had been taken forward by the Council in trying to find the best way to combat trafficking in human beings. The convention came into force in the UK on 1 April 2009 and is a legally binding instrument that builds on other international legislation in that area. GRETA, the Council of Europe's Group of Experts on Action against Trafficking in Human Beings, is tasked with evaluating the implementation of the convention by the parties to it. It is made up of 15 independent and impartial experts chosen for their recognised competence in the fields of human rights, assistance and protection of victims, and action against trafficking in human beings.

The report that we are considering today is GRETA's first report on the United Kingdom's compliance with the convention. It was published on 12 September, and on 13 November, the Committee of the Parties to the Council of Europe Convention on Action against Trafficking in Human Beings adopted recommendation CP(2012)10 on the implementation of the Council of Europe

Convention on Action against Trafficking in Human Beings by the United Kingdom, which recommended that the British Government implement the GRETA proposals listed in appendix 1 to the report concerning the implementation of the convention by the United Kingdom. I am glad that, to the best of my knowledge, this is the first debate on the subject of the GRETA report among the United Kingdom's legislators.

I will first highlight areas in which the Minister and his Department have made welcome steps on the GRETA report. Paragraph 97 of the report stresses the importance of formalised arrangements with NGOs and civil society to discuss and co-ordinate the application of anti-trafficking policy in Northern Ireland. I am glad that the Minister has responded to that recommendation and introduced an NGO engagement group. I hope that that body will be able to make a real difference to helping victims of trafficking on the ground and improving co-ordination among the burgeoning NGO sector in that area. Paragraph 255 outlines that NGOs met by GRETA were not aware of any leaflet that outlines the rights and entitlements of victims of trafficking and indicates that victims did not receive information from their first contact with the authorities on the relevant judicial and administrative proceedings. The Department of Justice, perhaps as a consequence of that, has sought to produce, in conjunction with Amnesty International, a leaflet outlining the rights and entitlements of victims of trafficking. That step is welcome. It is also positive that, as the report outlines in paragraph 352, there are no plans to remove legal aid for immigration cases, including trafficking in human being cases. It is good that the removal of legal aid is not on the table as it seemed to be for a period in England and Wales.

I should add that the GRETA report's comments on the quality of the Women's Aid shelter in Belfast reflect the fact that Northern Ireland has an excellent standard of care for female victims of violence and trafficking. Paragraph 267 describes the shelter as being of a high standard and having very good common facilities. The Department of Justice's close relationship with Women's Aid should be commended. However, it must be noted that the GRETA report is not entirely positive about the work of the Department of Justice on combating human trafficking. Paragraph 132 outlines that concerns have been raised about the lack of reliable data on adult and child victims of trafficking in Northern Ireland. Different bodies are involved in collecting data, but there is no central data collection and

analysis point, which is crucial for enabling planning policies to protect and assist victims of trafficking. That is certainly a matter of real concern when it comes to our looking to shape our policy responses in this area.

The report goes on to consider the effectiveness of the Blue Blindfold campaign, and it notes that an evaluation of the campaign in Northern Ireland showed that approximately 500,000 adults were aware of it. Of those who saw the advertising, 60% agreed that they knew something about human trafficking, 75% agreed that it is an issue in Northern Ireland and 84% agreed that they would call Crimestoppers or the PSNI if they were suspicious that human trafficking was taking place. However, the report also noted that NGO partners in Northern Ireland have:

"questioned the level of awareness in the population and the impact of the campaign."

Paragraph 225 on page 53 of the report suggested that there is, reportedly:

"some confusion as to which First Responders can act and make referrals into the NRM."

In addition, it appears that recognised first responders in Northern Ireland are unclear about the proper process of referral.

In paragraph 311, which is on page 70, the report goes on to outline that GRETA understands that:

"in Northern Ireland some potential victims of trafficking from EU countries who were referred to the NRM were repatriated two to four days after the referral."

That concerns me greatly. Vulnerable victims of trafficking who have been referred to the national referral mechanism (NRM) need to be supported effectively. That is not facilitated by deporting victims soon after they have been identified. What will the Minister do to ensure that that practice does not happen again?

The report identifies a further problem. Paragraphs 332 and 333, which are on page 75, state that:

"According to information provided by the Law Centre Northern Ireland, victims of trafficking have been prosecuted and detained in Northern Ireland before it was established whether their involvement in unlawful activities had been due to coercion."

... GRETA understands that there have been cases of victims of trafficking arrested, prosecuted and convicted in relation to migration and non-migration offences, including child victims of trafficking arrested and convicted for cannabis cultivation."

GRETA is concerned about the high number of potential victims of trafficking who are detained. There are no data on the number of potential and confirmed victims of trafficking who are detained. Again, I find that situation deeply concerning. These individuals should not be being prosecuted, and they need to be protected. What will the Minister do to ensure that they are?

Paragraph 353 on page 79 of the report outlines that:

"there have been only two successful prosecutions for THB offences in Northern Ireland, which has a detrimental impact on victims and fails to provide them with the option of claiming compensation from the offender in the framework of a criminal trial."

I submit to the Minister that, given the scale of trafficking in Northern Ireland, this state of affairs is completely unacceptable and requires a step change.

The GRETA report makes 35 proposals for the British authorities, of which the Northern Ireland Executive are one, to consider. That means that GRETA takes the view that, to achieve the best possible compliance with the convention, we need to make changes in those 35 areas. There is not time for me to reflect on them all today, but I will mention some of the most important as I consider the challenge of implementation.

The challenge of how best to implement the outstanding GRETA recommendations is key, because this happens to come at the time that the Minister introduced a Criminal Justice Bill. That Bill proposes changes to the legislation in the area of human trafficking, and, although those changes are welcome, they do not implement a number of the GRETA report's proposals. I appreciate that that was due to the fact that the Criminal Justice Bill was produced and published before the GRETA report. However, now that the Minister has had the opportunity to consider the GRETA report, he should look at amendments to the Criminal Justice Bill as a means of implementing outstanding GRETA recommendations.

A further vehicle that could be used is the private Member's Bill that I have proposed for

the Assembly's consideration. The convention's provisions have heavily influenced the definition of my Bill, and a number of the Bill's clauses would help to bring Northern Ireland into line with the GRETA report's recommendations. Recommendation 1 of the GRETA report articulates the conviction that the constituent countries of the United Kingdom must be guided by a human-rights-based, victim-centred approach. The anti-trafficking convention is fundamentally a human rights convention. My Bill continues in that vein. It contains extensive provisions to ensure that victims are cared for appropriately, as well as seeking better provision for prosecution. Those are outlined in clauses 5(3) and 8.

Recommendation 22 in the report proposes that there be provision of legal guardians for potential child victims of trafficking. Clause 11 of my Bill rises to that challenge through having legal advocates provide both a consistent advocate for the best interests of the child and a complex care and legal system.

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

Lord Morrow: Those legal advocates, it must be noted, are quite different from guardians ad litem, who provide a different role.

Mr Lynch: Go raibh maith agat, a LeasCheann Comhairle. Sinn Féin supports the GRETA recommendations. They are progressive and comprehensive, and therefore we support the motion.

From the outset, I wish to put trafficking into context. It is important to stress that human trafficking highlights social inequalities, both in the countries from which those trafficked come and the countries of destination.

The trafficking of human beings is a violation of human rights. It is perpetrated by individuals and organisations solely for the purpose of profit. Basically, it is the poorest and most vulnerable people from societies, particularly women and young people, who become the majority of those trafficked. Thousands of people are trafficked each year within the EU. Nearly 800,000, in one form or another, are trafficked globally. Many are forced to work in the sex industry, forced labour, domestic services or criminal activity, and, in some cases, people have their organs removed for sale.

Victims are often trafficked to a foreign country where they cannot speak the language. They

have their travel and identity documents removed. The International Labour Organization estimates that the profits from trafficking worldwide are in excess of \$32 billion each year. It is the third most profitable crime and comes closely behind that of trafficking drugs.

Human trafficking is nothing short of modern-day slavery, but it assumes a different mantle from the slavery of 200 years ago. Then, it was a part of everyday life, but today's slavery, in the guise of human trafficking, is more hidden from the public gaze. As President Obama aptly put it, human trafficking is:

"barbaric and it is evil, and it has no place in a civilized world."

Although there is no evidence of a major human-trafficking problem in the North of Ireland, or indeed on the island of Ireland as a whole, that does not mean to say that it is not happening in a significant way. A scoping study compiled by the Equality Commission in 2009 on the nature and extent of human trafficking in the North of Ireland concluded:

"In general, few cases of trafficking ... are detected, few victims are identified and protected, and few perpetrators are actually prosecuted and convicted."

Hard information about human trafficking in the North of Ireland is scarce. As I said earlier, trafficking is a hidden problem and understandably difficult to measure or quantify. You do not get to hear about it until something happens. Often victims will not divulge any information, because they are scared or distrust those who are trying to assist them. That is why I want to support the implementation of the GRETA recommendations around the issues of training relevant professionals, having a more focused campaign of information and awareness-raising, and strengthening the role of labour inspections.

As I said at the outset, the GRETA recommendations are radical and progressive in the process of tackling this crime, which has a devastating effect on so many human beings.

Mr Elliott: I welcome the motion and apologise to Lord Morrow for missing most of his introduction. I heard the last bit of it. He is working on the issue on his own behalf as well as for the Assembly and, indeed, everyone who is affected by it.

I must say right from the outset that human trafficking is wrong. Every possible action should be taken to stop it happening and to prevent it from happening in the first place. It becomes even more difficult and relevant when we hear of the children who are involved in it.

1.15 pm

Quite a number of GRETA's recommendations talk about co-ordination, co-operation, supporting one another and agencies working together. If one message comes out of this, it should be that agencies in the United Kingdom, Northern Ireland and, indeed, those in wider Europe and the rest of the world, need to work together and have a co-ordinated approach between the security services, customs and all the relevant agencies. It is imperative to listen to those who are impacted; those individuals and the agencies and authorities that know what is happening on human trafficking.

I have heard some horror stories from those who have seen people being brought into Northern Ireland. We may think that this does not happen in Northern Ireland, but we would be wrong. Human traffickers bring people into Northern Ireland and, where possible, that must be prevented.

I am grateful to the Ulster Unionist Party's MEP, Jim Nicholson, who is the European Conservatives and Reformists (ECR) group co-ordinator for the special committee on organised crime, corruption and money laundering. The committee considered human trafficking throughout the European Union and produced a paper on the issue in September 2012, which looked specifically at preventative actions and stressed that the issue was particularly serious when it involved children. That goes back to my initial point about children.

One of GRETA's recommendations is to work with the Children's Commissioner in Northern Ireland, and I think that the Children's Commissioner here would be very receptive to that and very helpful. We can have all the reports and acknowledgements that we want but, unless there is action on the ground and a proper co-ordinated approach, they will not work. None of the reports will come to fruition unless we have that co-ordinated approach, and I hope that we can have some organisation or some body to look at the issue. I am interested in hearing what the Minister of Justice has to say, whether he and his Department will take the lead, and who they will co-ordinate and co-operate with. Obviously, the security services will be a key aspect, and

social services and the Children's Commissioner are vital. However, we must have a co-ordinated approach if we are to achieve any fruitful outworking of the recommendations.

It would be interesting to see how other countries deal with the human trafficking issue and whether additional laws would be required here. The Justice Bill, which is at Committee Stage, focuses quite a lot on human trafficking, and I hope that it can be strengthened more to help and support those who are being trafficked in Northern Ireland and in the rest of Europe. I know that there has been some debate about whether those who break the law on human trafficking inside and outside Northern Ireland can be charged or convicted if they carry out those acts outside Northern Ireland and where that charge or conviction would take place.

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

Mr Elliott: The Ulster Unionist Party is happy to support the motion. I look forward to everyone in the House supporting it.

Mr A Maginness: I commend Lord Morrow and his colleagues for bringing forward the motion, which calls for the implementation of the recommendations in the GRETA report from the Council of Europe that relate to Northern Ireland. The SDLP welcomes the opportunity to debate the report. Trafficking in human beings is a global criminal activity that requires global and local responses to tackle what is believed to be a growing problem. I have no doubt that it is a growing problem.

This is the first GRETA report on UK compliance with the Council of Europe Convention on Action against Trafficking in Human Beings, which came into force in the UK on 1 April 2009. I believe that this is, as Lord Morrow said, the first Assembly on these islands to specifically debate the GRETA findings. At the core of the GRETA report is the conviction that we must be guided by a human-rights-based, victim-centred approach. That should remain centre stage in the debate and in any actions that follow from the Minister.

On 7 February 2012, the Minister of Justice told the Assembly:

"if the report makes recommendations, I will take them to the relevant justice agencies to ensure that we maintain our position at the forefront of dealing with this crime." —

[*Official Report, Bound Volume 71, p171, col 1*].

The Department of Justice is to be commended on the steps that it has taken with regard to some of the recommendations outlined in the GRETA report. A new NGO engagement group on human trafficking has been set up, and the Department has sought to produce a leaflet outlining the rights and entitlements of victims of trafficking. Guidance has been produced on welfare and the protection of adult victims of human trafficking. Although generally welcome, those measures need to be completed, and may still fall short of their stated intentions.

Other recommendations of the GRETA report remain to be implemented. Some Members, including the proposer of the motion, may believe that a private Member's Bill exists that would progress the implementation of those other recommendations. That may or may not be the case. We will debate the merits of that Bill, if and when it comes before the Assembly. I commend Lord Morrow for his work in relation to that matter.

GRETA was particularly concerned that more effort should be made to discourage demand for the services of trafficked persons for the purpose of domestic servitude and labour exploitation, including in the agriculture, fisheries, construction, hospitality and cleaning sectors, and that more should be done to raise awareness about internal trafficking and those trafficked abroad, with special emphasis on the trafficking of children.

Specifically stated in the GRETA report was concern about the lack of reliable data on adult and child victims of trafficking here in Northern Ireland. GRETA points out that there is no central data collection and analysis point. Such a central point is crucial for planning policies intended to protect and assist victims of trafficking. Therein lies a weakness.

I welcome the fact that the GRETA report identifies some good practice here with regard to tackling human trafficking. The measures taken by the Department will help to address some of the shortcomings that remain. Amongst those shortcomings is the concern that victims of trafficking have been prosecuted and detained before it was established whether their involvement in unlawful activity had been due to coercion.

The report makes recommendations on a UK-wide basis, as well as for the devolved Assemblies. The Minister must co-ordinate his response with other Parliaments and

Assemblies, not only with the devolved Assemblies but with the British and Irish Governments. Human trafficking is a problem for all of us on these islands, North and South. Given the shared jurisdiction of the island, there is a real need for a co-ordinated all-island approach to tackle the trafficking of human beings. The Minister should be actively lobbying the British Government to implement the recommendations —

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

Mr A Maginness: — as well as progressing those recommendations it is within his ability to deliver.

Ms Lo: Human trafficking is not only a criminal offence but a gross violation of the human rights of its victims. I welcome the opportunity to speak on an issue that I have long campaigned against. I support the motion and thank Lord Morrow for bringing it to the House.

Although the GRETA report notes the advances that the UK has made in tackling human trafficking, it sets out what work still needs to be done. Most of the action points are specifically for the consideration of Westminster. Others directly or indirectly concern us here in Northern Ireland. The first recommendation of the report is that the authorities should address the consequences of having numerous pieces of legislation on human trafficking and ensure that all types of human trafficking are included and applied in full conformity with the Council of Europe convention.

Our legislative framework comprises a number of laws, and there is a need for a co-ordinated and coherent approach to human trafficking. The Republic of Ireland has a specific piece of legislation, which is the Criminal Law (Human Trafficking) Act 2008, but there is no evidence to say that a single piece of legislation may make it easier for the Public Prosecution Service (PPS) to bring prosecutions and for the courts to pass longer sentences than we have seen so far to the perpetrators.

There is no doubt that we need clear definition and strong legislation to tackle this crime. Therefore, I welcome the PPS commitment to issue guidance on human trafficking offences early next year, in line with another of GRETA's recommendations on issuing guidelines.

GRETA urges authorities to ensure that all victims of trafficking under 18 years of age be considered as child victims of trafficking within

the meaning of the European Convention. That is already the case in Northern Ireland, and it is the duty of the social care trusts to look after child victims. The all-party group on human trafficking recently heard from Barnardo's and the NSPCC highlighting the problem of internal trafficking, with emphasis on children. All too often, we are only adult-focused in addressing human trafficking, forgetting the importance of public awareness regarding trafficking of children.

One other recommendation is a continuation in developing a comprehensive and coherent data collection system on trafficking in human beings. It is suggested that that is done by compiling statistical information from all main actors and allowing disaggregation concerning sex, age, type of exploitation, country of origin and/or destination, etc.

In September, I attended a parliamentarians against human trafficking seminar in London, where I was particularly struck by a pilot scheme instigating a pan-European monitoring scheme on trafficking in human beings. The scheme collects data from five different countries, highlighting the social and economic profile of victims and offenders, as well as the geographical context. That helps to act as an early warning system and maps out where human trafficking is most prevalent. Human trafficking is of a transnational nature, and we know that Northern Ireland is not only a destination country, but a transit route between us and the South. I gave evidence recently to the British-Irish Parliamentary Assembly committee's inquiry on human trafficking, and I made the point that there needs to be more collaboration on information sharing between the other two countries, as Alban has just mentioned.

The report also deals with compensation, training officials, evaluating authorities' responses, ensuring the right toolkits are in place, collaboration with NGOs, recovering and reflection period, and the protection of witnesses and victims, all of which demand our attention and efforts to review our practice and findings to strengthen our approach.

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

Ms Lo: In terms of compensation, we need to look more closely at confiscation of criminal proceeds from the traffickers to help not only fund victim compensation, but increase the capacity of the voluntary sector, which is well placed to support victims.

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

Mr G Robinson: Human trafficking is defined as the acquisition of people by improper means, such as force, fraud or deception, with the aim of exploiting them.

That definition is sickening and undermines the essential fact that no human being is a commodity or profit-making tool. We must all be aware that behind the statistics and definitions are real people. It must also be remembered that the criminals who traffic people do not care about age, gender or, indeed, anything that is linked to an individual. They see only how much money they can make by the cruel exploitation of the people whom they treat as slaves.

1.30 pm

It is the traffickers, not the victims, whom we should punish. That is why the low conviction rate for perpetrators must be addressed as a matter of urgency by whichever joined-up agencies can eradicate that horrendous and sickening crime once and for all. To remove trafficking is to reduce the overall problem. I urge the Minister of Justice to seek an urgent review of the current system and the introduction of a system that removes those cruel and heartless people from society.

The victim is the person who suffers most, be that physically, psychologically or both. Let us remember that people from other countries, many with poor English and little understanding of how to escape their plight, are also victims of that evil trade. That is wrong. The victim must be the most important person in any legal process to tackle human trafficking. I hope that the Justice Minister will agree with me on that point. That will then give definitive impetus to the changes that are required to current legislation. I appreciate that things take time. However, if we can speed up the process, I urge that that approach be taken.

As I stated, we must remember that the issue is about vulnerable people who are in the control of criminals who have no regard for the people whom they subject to what is modern-day slavery. I fully support the motion that was brought to the Chamber by my colleague Lord Morrow.

Ms McCorley: Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom tacaíocht a thabhairt don rún. I support the motion.

I want to outline some of the shortcomings that have been pointed up by the GRETA report, some of which have been referred to so I do not need to go into them in any great depth. I want to make my case that they are matters of concern. Ba chóir dúinn aird a thabhairt ar na cúrsaí seo. We need to pay attention to those details.

There is an issue with the lack of data and a centralised function for collation of data. That must be addressed if proper planning is to be put in place to deal with an insidious crime in this country and throughout the world.

It was pointed out that a leaflet was being put together to give information to victims so that they have all the necessary relevant information about their rights and the assistance to which they are entitled. However, there does not seem to be much awareness of that leaflet. People have not been made aware of its existence. It is unclear whether it actually exists. If it has not already been developed, it needs to be fast-tracked so that people have the relevant information that they need to get the assistance that is crucial to their case. It must be in a language that they understand.

The fact was raised that there are a number of pieces of legislation to cover human trafficking. It has been suggested from many sources that it would be better if all of them were pulled together under one piece of legislation. That also needs to be considered.

With regard to the 45-day period of reflection for victims, I do not believe that a limit should be set. It must be borne in mind that people are traumatised by their experiences. It is not really possible to know what a person has been through in any given case, so limiting the period of reflection and time for consideration does not help. It should be more flexible.

Special account must be taken with children who are victims of trafficking so that they are dealt with in an atmosphere and setting that are appropriate for them. The people who deal with them should be adequately trained and professionally qualified to be able to deal with children. That is so important. We just need to be sure that all that is in place.

GRETA has produced many considerations and points about assistance to victims in general that, I think, we can agree with and take cognisance of. I will highlight some of those points. The report states:

"GRETA considers that the authorities of the UK and the constituent countries should

make further efforts to ensure that all potential and actual victims of trafficking are provided with adequate support and assistance from their identification through to their recovery. This should involve ... adopting clear support service minimum standards for victims of trafficking".

It also states:

"Competent Authorities officials ... need to respect this period as defined in the Convention. Potential victims of trafficking should be systematically informed of the implications of this period, in line with Article 13 of the Convention."

We need to ensure that, where appropriate, access to compensation is available and that victims and people who have suffered because of human trafficking are aware of their entitlements. They need to be made aware of their legal right to financial assistance, accommodation, legal aid and anything else to which they are entitled. It has to be made absolutely clear that all that is available, and we need to ensure that it can be clearly seen. We have to bear in mind that most trafficking victims who come to the North and to other parts of the world —

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

Ms McCorley: — will have language issues. Mar fhocal scoir, ba mhaith liom tacaíocht a thabhairt don rún seo agus do na moltaí atá sa tuarascáil GRETA.

I commend the motion.

Mrs Hale: I am glad that I have the chance to contribute to this afternoon's debate. I commend the Members who tabled the motion, which brings the GRETA report to our attention.

The report raises some crucial issues with regard to how we respond to the heinous crime of human trafficking in Northern Ireland. Like other Members, I state my support for the comments that Lord Morrow made in his opening speech on the motion. I agree with him that the Minister of Justice and his Department have taken positive steps in the area and have made a real difference to victims on the ground. The Minister should be commended for the steps that he has taken. However, it is patently obvious that the Department of Justice needs to go much further.

As I have only five minutes, I will focus on one issue, that of forced labour, referring particularly to GRETA recommendation 16, which is concerned with addressing the demand for services provided by trafficked people, especially those who are trafficked for labour exploitation. I will also focus on recommendation 26, which addresses the need for proper assistance and support for trafficked people.

In considering forced labour, I think that it is important to examine the excellent work that the Joseph Rowntree Foundation does in that area. In 2011, a report that it commissioned from the Institute for Conflict Research highlighted very graphically the reality of forced labour in Northern Ireland today. The report demonstrates that it is a particular problem for some in the fishing industry, agriculture, domestic work and other areas of casual work. Like sexual exploitation, some people who are subjected to forced labour have been trafficked, in the narrow sense of the word, into Northern Ireland, while some have not. Lord Morrow argued that, courtesy of the UN special rapporteur on trafficking, all forms of selling sex meet the demands of trafficking because of the abuse of power that is involved. I think that an identical point can be made about forced labour, where the person is abused even if they have not been trafficked, in the narrow sense of the word, into Northern Ireland.

The Institute for Conflict Research report pointed to a number of different ways in which control can be exerted against vulnerable individuals. First, it can be done by threatening actual physical harm to the worker. The report found evidence of a number of cases where individuals in Northern Ireland have been threatened with actual violence to force them to work.

Secondly, control can be exerted through the restriction of movement and confinement to the workplace or to a limited area. That includes fishermen who were confined to their ship as their transit visas did not allow them to live on land and others who were advised to stay in indoors as the town they lived in was dangerous.

Thirdly, control can be exerted through debt bondage. That includes a worker having to pay off a debt or loan and, therefore, not being paid for their labour. The report noted that it was not unusual for Polish or Filipino migrants to have to pay fees to agencies in their home countries to secure jobs in Northern Ireland.

I think that every Member would agree with me saying that these practices cannot be tolerated in our society. The evidence uncovered in the

2011 report into forced labour in Northern Ireland is truly shocking.

I suggest three measures. The first two are mindful of GRETA recommendation 16 and the third is mindful of recommendation 22. In approaching the first two, I recognise that, on the basis of the national referral mechanism figures, the principal driver for trafficking to Northern Ireland is sexual exploitation, and it is vital that we work harder here. As Lord Morrow pointed out, the current offence of paying for sex with someone subjected to force has not resulted in a single conviction. Something needs to be done, and I commend clause 4 of Lord Morrow's Bill as a best way forward.

Although I am focusing on forced labour, I regard trafficking for sexual exploitation and forced labour as being equally unacceptable. We need to work harder to address the challenges that they both present.

The Department of Justice should develop an annual strategy on raising awareness and reducing trafficking, as suggested in clause 13. That should include data collection to facilitate effective monitoring of human trafficking, and therein forced labour, in Northern Ireland. Secondly, I strongly urge the Minister to look at the practical measures that would reduce demand for forced labour. One should start, as GRETA recommendation 16 suggests, with additional resources for inspections of private sector business in the high-risk areas of fishing, agriculture and domestic servitude.

Finally, I suggest that the Minister of Justice amend the Criminal Justice Bill to enshrine in law the need to support victims of trafficking and forced labour. Lord Morrow's Bill does not provide such support to victims of forced labour who have not been trafficked, so I urge him to consider amending it to include support for such victims of forced labour.

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

Mrs Hale: That would ensure that for the first time in the United Kingdom victims of forced labour who have not been trafficked in the narrow sense of the word have access to the support and assistance that they will need. I commend the motion to the House.

Ms McGahan: Sinn Féin believes that the most effective crime policies — the ones that have the capacity to deliver real community safety — focus on prevention. That requires a twin-track, front-end approach, dealing squarely with the

individual and systemic causes of crime, complemented by other measures proven effective to deter crime.

It is important that we have real, effective measures to combat human trafficking and protect the victims of that odious crime. Sinn Féin has been critical of initiatives that assume that all human trafficking is sex trafficking, which is not the case. Around the globe and across Ireland, significant numbers of people are trafficked to work in the domestic sector as well as in the agriculture and catering industries. A key recommendation of the GRETA report is that all types of trafficking in human beings be included, and applied in full conformity with the Council of Europe convention.

Greater attention also needs to be paid to the trafficking of children, as mentioned in the GRETA report, for not only sexual exploitation and forced labour but begging and petty theft. It is important to ensure that, in line with the UN Convention on the Rights of the Child, the best interests of the child should be paramount in all actions taken on trafficked children. A child's right to privacy must be respected, and the views of children should be sought and taken into account.

'Trafficking in Persons Report', published in 2005 estimated that approximately 600,000 to 800,000 men, women and children are trafficked across international borders each year. Approximately 80% are women and girls, and up to 50% are minors. Trafficking for sexual exploitation of women and children must not be seen simply as a problem faced elsewhere in the world. It is happening here.

We need to develop an all-Ireland strategy ensuring PSNI and gardaí co-operation to combat and prevent the trafficking of people into the sex industry, bonded and forced labour, forced marriages, and so on. We also need to ensure that the protection of the human rights of trafficked persons is a priority in all policies and practices related to human trafficking, including offering a full range of protection and support measures as well as medical, professional and legal assistance that addresses the particular needs and risks faced by the individual and, where applicable, members of their family. As was alluded to in the GRETA report, we need to improve and increase investment in prevention efforts based on good quality research that also examines the links between poverty, migration, discrimination and trafficking. I support the motion. Go raibh maith agat.

1.45 pm

Mr Agnew: I welcome the motion, and I commend the proposer for bringing it to the House. Indeed, I welcome the increasing focus that the Assembly is putting on human trafficking. Since I was elected, this is the second debate that we have had on the issue. We have also had the establishment of the all-party group on human trafficking, and, as Members are aware, Lord Morrow is working on a private Member's Bill on the issue.

I do not want to dwell on the seriousness of the crime of human trafficking too much. Many Members have outlined that. It is one of those issues that is hard to do justice to. When you hear the stories of victims of human trafficking, you can use many superlatives; I would certainly say that it is horrendous. I am thankful that we are focusing on not the numbers but the severity of the crime. We are unsure of the number of victims involved, but we know the number of people convicted. It may be small, but given the nature of the crime, we cannot be aware of the number of victims who are undetected. Due to the severity of the crime and the serious and damaging impact that it can have on people's lives, it is getting an increasing focus in the Assembly and in the priorities of the PSNI.

I welcome the GRETA report. It is a valuable contribution to tackling human trafficking. One of the issues that has been alluded to but on which I would like to focus is immigration and how the UK Border Agency treats the victims of human trafficking. I appreciate that this is not within the powers of the Assembly, but I would like to make the points to the Minister and hear from him how he engages with the Immigration Minister and the UK Border Agency on the issue.

As Members will be aware, victims of trafficking have a 45-day period of reflection in which to assist police with their enquiries and take part in any legal proceedings. I appreciate that this can be extended if legal proceedings are under way and their contribution is needed. However, as a standard, the 45 days is insufficient. I am concerned — and again, I would be interested to hear the Minister's views — that, as things stand, victims of human trafficking face the risk of becoming victims of our immigration system as well. As Members will be aware, when a victim of human trafficking is deported back to their country of origin, there is often the possibility at the other end that they will become, once again, the victims of human trafficking. We must do all that we can to ensure that that is not the case and that victims

are offered every support possible from our statutory agencies.

The Criminal Justice Bill has been alluded to. I hope that the Minister will take cognisance of the recommendations in the GRETA report. There has been much talk in those recommendations and in the contributions today of the need for collaboration across agencies, borders and seas. I hope that, given the work that is being done by the Justice Minister and Lord Morrow, we will see collaboration on their part as well to ensure that the best of Lord Morrow's Bill and the best aspects of the Criminal Justice Bill are at least complementary. Perhaps the Minister will take on some of the best aspects of Lord Morrow's Bill to ensure that we get the legislation right. As has been pointed out, it is key that legislation is clear. Having one piece of legislation rather than two simultaneous pieces could make that right. As I said, we need the best aspects of both, whether that is separate or in a single Bill. I think that a single Bill would be preferable, as long as we get it right. That has to be the key thing.

Mr McNarry: At the outset, I want to associate myself and UKIP with the comments that Lord Morrow made in opening the debate.

I want to focus on recommendation 22 of the GRETA report, which outlines that British authorities, including the Northern Ireland Executive, should ensure that:

"all unaccompanied minors who are potential victims of trafficking are assigned a legal guardian."

That is an eminently sensible proposal, and I am pleased to see that clause 11 of Lord Morrow's Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill contains such a provision.

Child trafficking guardians — or "legal advocates" as they are helpfully designated in Lord Morrow's Bill to avoid confusion with the term "guardian", which has a different meaning in our law — address a very real problem, which is not distinct to Northern Ireland or the United Kingdom. In the context of the hugely daunting, soul-destroying, complex bureaucratic demands to which child victims of trafficking are subject, as they are bounced from one state agency to another, children become exceptionally vulnerable to re-trafficking. Child trafficking guardians address the presenting challenge by providing a constant point of contact for trafficked children, accompanying them in all their visits to state agencies and

speaking on their behalf if the child wishes them to, so that they do not have the trauma of having to repeatedly recount the horrors of their ordeal to different officials. I apologise for my sore throat. According to our Minister, however, legal advocates are unnecessary, because guardians ad litem are sufficient to promote the well-being of trafficked children. I disagree.

The International Organization for Migration has stated:

"The Guardian-ad-Litem is not a child advocate so that it would not increase the professional services to which a child victim would have continual access".

It continued that guardians ad litem:

"would not increase their needs provision socially, psychologically, linguistically or educationally."

I strongly urge the Minister to reconsider his position on that. The idea of a legal advocate has widespread support in the House and among many NGO groups that work with trafficking victims in Northern Ireland. I especially note, as has Lord Morrow, that the Northern Ireland Children's Commissioner is in favour of such legal advocates. The principle is, of course, also strongly supported internationally, hence general UN endorsement, in addition to the United Nations Children's Fund (UNICEF) definition and GRETA's intervention. Surely trafficked children, who are some of — if not the — most vulnerable individuals who come to our shores, deserve to be supported by some sort of guardian for trafficked children or legal advocate as per Lord Morrow's Bill.

As Lord Morrow has mentioned, on 7 February 2012, the Minister stated:

"I assure Members that if the report makes recommendations, I will take them to the relevant justice agencies to ensure that we maintain our position at the forefront of dealing with this crime." — [Official Report, Bound Volume 71, p171, col 1].

On behalf of those children and the House, I ask the Minister to listen to one of GRETA's proposals and change course.

Mr Ford (The Minister of Justice): I congratulate Lord Morrow and his colleagues on tabling the motion, and for giving the Assembly the opportunity to debate this

important issue again in the context of the GRETA report.

As Lord Morrow highlighted, I believe that this is a first for any of the UK legislatures, and he should take some pride in that. As has frequently been said in the House, including today, human trafficking is one of the most appalling of crimes. It can involve foreign nationals being tricked into coming to Northern Ireland for a better life, only to be trapped into, for example, domestic servitude, forced labour or sexual exploitation. It can also involve trafficking within the United Kingdom. It has the most profound effect on victims. I am not sure whether many MLAs were at the Lyric Theatre last week to see the play 'Diablo', performed by theatre company Spanner in the Works. It compressed into five characters what goes on in trafficking. I am not sure that all Members would necessarily have appreciated the language that was used in the play, but it was a forceful statement of what trafficking means for human beings; it was something that merited wider attention.

As we know, because we have referred to it here before, 33 potential victims of human trafficking were recovered in Northern Ireland in 2011-12, and seven since April this year. We believe that there are others who have not been recovered. From my role as Chair of the Organised Crime Task Force and through my engagement with MLAs and NGOs, I know that the issue is extremely emotive. I want to tap into that emotion and the enthusiasm that comes with it to maximise society's efforts against this wicked crime. Only by working in partnership and by taking a holistic approach across the three fronts of prevention, protection and prosecution can we tackle this successfully. It is a cross-cutting issue for which my Department has the lead but others, particularly the Department of Health, Social Services and Public Safety (DHSSPS), have responsibility, and all Departments must play their part.

The motion is specifically about the report published by GRETA on the implementation of the Council of Europe convention by the United Kingdom. That report was published on 12 September and can be summarised by quoting the words of GRETA president, Nicolas Le Coz, who used much the same terms as those used by many Members this afternoon:

"The UK has clearly made significant progress in fighting human trafficking since the Council of Europe convention came into force, but there is still work to be done in a number of areas."

GRETA looked at compliance with the convention, and a group of experts visited Northern Ireland to take evidence. The convention is a detailed document that sets out a number of standards for prevention, protection and prosecution. It covers the responsibilities and work of a number of agencies, both devolved to Northern Ireland and, as immigration is not a transferred matter, UK-wide authorities here too.

My Department has been working to ensure that we are compliant with the EU directive on preventing and combating trafficking in human beings and protecting its victims by the deadline of 6 April next year. For example, I have, as Members said, brought to the Assembly a Bill that addresses the two key areas where we need to bolster the offence provisions. A detailed table setting out the view on compliance with the directive has been provided to the Justice Committee. The work in connection with the directive and on strengthening our approach to human trafficking is ongoing.

It is worth highlighting a couple of issues there. I have asked officials to consider whether or not human trafficking should become an indictable-only offence, in other words triable only in the Crown Court. In addition, I have asked them to consider whether the Department of Justice should introduce regulations that put the support for victims required by article 11(5) of the directive on a statutory basis. Support for victims during the recovery and reflection period has been in place since April 2009. It is currently provided through a contract with Migrant Help, to the value of £145,000 per annum. A statutory basis is being considered to see whether that would be appropriate.

Other areas of work are ongoing too, including, for example, training by statutory agencies, which I have highlighted previously, with work being done by the Public Prosecution Service, the UK Border Agency and by the PSNI to bring their staff up to date with an online trafficking package. Raising public awareness is an important area in which we have conducted research to focus our approach. As Members have said, I recently announced the establishment of an engagement group on human trafficking, under the umbrella of the Organised Crime Task Force. This is made up of representatives from a number of NGOs, as well as officials from my Department, the Police Service and the health and social care sector. The group's main purpose is to facilitate engagement between NGOs and government on human trafficking; to share information; and to provide a way in which NGOs can assist

government and law enforcement agencies in their work in tackling human trafficking. The group will hold its first meeting on the thirteenth of this month.

The GRETA report makes a number of proposals. Only one of them is specific to Northern Ireland. Proposal 33 states that the Public Prosecution Service should "promptly issue guidance" on human trafficking offences in Northern Ireland.

The guidance was issued for consultation in June, and, following consideration of consultee comments, the PPS will formally issue the guidance early in the new year. Some of the other proposals are not relevant to Northern Ireland. A number of them are, and they are being considered by the relevant Departments and other agencies. My Department made a commitment to the Justice Committee to report to it on the GRETA report, and that is scheduled for the new year.

2.00 pm

I now turn to Members' comments. I will first state my appreciation of the way in which comments have been made this afternoon. It is rare that Departments are recognised for good work, although almost every Member who paid compliments then felt the need to go on to refer to other issues that need to be addressed. Let me deal with some of the issues that were highlighted.

Lord Morrow, backed by nearly everybody who spoke, highlighted the importance of ensuring proper data. The relevant paragraph in the report refers to the developing work of the Causeway data system. There is also a Home Office group, which my Department is part of, looking at how data is handled in an appropriate way across the UK. The immigration and human trafficking subgroup of the Organised Crime Task Force is looking at the issue. The issue of first responders was handled in the Government's response, which is published with the report.

Concerns were raised about some people being repatriated too early. That would undoubtedly cause me concern, if there was evidence of people being repatriated against their will, but, for some people, early repatriation is desired and is appropriate in those circumstances.

Lord Morrow also highlighted the arrests of trafficking victims. On some occasions, the law enforcement agency may think that an arrest is appropriate because of information that it has at

a particular time. However, it is also the case that the PPS has, on a number of occasions, directed that no prosecutions be made, which suggests that the issue is being properly addressed.

(Mr Speaker in the Chair)

Mr Elliott referred to wider issues of co-ordination, and I assure him that I fully accept the need for ensuring that partnership is built. That is why one of the key bits of work of the Organised Crime Task Force is done through the immigration and human trafficking subgroup, which has representation from all relevant agencies, including on a cross-border basis. That is where we ensure co-ordination. Agencies are left to carry out their own formal duties, but the subgroup ensures that the work is held together in an appropriate, co-ordinated and joined-up way. Similarly, the interdepartmental ministerial group, led by the Home Office, ensures that level of co-ordination across the UK. On a similar point, I assure Alban Maginness — I do not wish to go too far into a statement that I am due to make to the House later — that at last week's meeting of the intergovernmental agreement on criminal justice co-operation, Alan Shatter and I again discussed human trafficking because it is a concern to both jurisdictions on this island.

Rosie McCorley and Steven Agnew raised the issue of whether a single piece of legislation would be beneficial, which was disputed in what I regarded as a helpful intervention by my colleague Anna Lo. All I can say to the House is that the law enforcement agencies have not said to me that they see a need for a single consolidated piece of legislation. They believe that the current legislation is adequate and there is no need to consolidate all legislation at the moment. Rosie McCorley also mentioned her concerns about the 45-day reflection period. As Members know, that can be and frequently is extended, although I suspect that her desire to have no limits is perhaps not realistic. However, I agree entirely with her that it should be extended when necessary. Just as those who wish to be repatriated early should be, those who require a reflection period of longer than 45 days should be able to benefit from that.

Mr Agnew: I thank the Minister for giving way. He said that the reflection period should be extended "when necessary". Does he agree that that should be when it is necessary for the victim, not just for our legal system?

Mr Ford: Absolutely. The period of reflection is for the benefit of the victim, and its extension should be for the benefit of the victim.

I have responded to a number of key points. I have had a number of meetings — for example, with the immigration Minister in the Home Office — relating to the way in which UKBA operates. I have visited its facilities in Belfast and Larne. Reasonable measures are being put in place. The detention facility in Larne is the only place that I have heard about where clients from any aspect of the justice system have expressed their appreciation to those who look after them. That must be an indication that some of these difficult issues are being handled sensitively. David McNarry raised other issues relating to the way in which children are looked after. However, those are, frankly, more for the Minister of Health, Social Services and Public Safety than for me, and Mr McNarry may wish to take those matters further with him.

As I have just said, the GRETA report advises a comprehensive and co-ordinated approach to tackling human trafficking. I believe that, in Northern Ireland, that is evidenced by the presence of the range of bodies that we have on the OCTF immigration and human trafficking subgroup, including the Garda Síochána, the Gangmasters Licensing Authority and other UK-wide bodies. So, I think that that is a measure of the point that so many Members made about joining matters up.

There is no doubt that trafficking is an important issue for this society. As I have said before, it is one into which my Department puts a great deal of resource and effort and rightly so. The Department of Justice will continue to work to consider ways of improving the collective response on the issue. It will do that with the OCTF partners and, as Members highlighted, the new engagement group with NGOs.

We have debated the issue in the House before, and I suspect that we may well debate it again. Today, however, in the context of the GRETA report, I welcome the fact that we have had the debate and the constructive manner in which it has been handled around the Chamber. I assure Members that their remarks, including those to which I have been unable to refer in the time allowed, will be reflected on in the Department.

I support the motion, which, I believe, reinforces the Department's approach. However, as I said in my summary, I fully acknowledge that it indicates that more work remains to be done here as it does in the other three UK jurisdictions. The Department of Justice is

working hard on this, alongside DHSSPS in particular. With the formation of the engagement group with the non-governmental organisations, we hope to extend that reach further.

I welcome the attention that the House has paid to the issue, and I welcome the motion. I commit my Department to continuing to progress the issue on all three fronts: prevention, protection and prosecution.

Mr Weir: I welcome the fact that we have had the opportunity to debate the motion. As the Member who moved it indicated, this is the first opportunity anywhere in these islands to debate the issue in the context of the GRETA report. Indeed, we are the first jurisdiction to do so, and that does credit to the Northern Ireland Assembly.

I will take this opportunity to pay tribute to Lord Morrow, who moved the motion. He has been at the forefront of the issue and has helped to drive it forward. I welcome the fact that we have had a debate across the Chamber that has been constructive, as the Minister indicated, and in which there was universal support for the motion. I should particularly commend David McNarry, who, I was going to say, by the sound of him nearly avoided his own wake to be here today. For a while, I was concerned about whether he would make it to the end of his speech, but he fought on bravely to complete his five minutes.

Mr McNarry: I will send you an invitation to my wake. *[Laughter.]*

Mr Weir: Absolutely.

Human trafficking comes in many forms. We heard about exploitation in the sex industry and exploitation in the fishing and farming communities and a range of other areas. Brenda Hale said that it can come about in different circumstances, such as the threat of violence, limits to the areas in which people can work or debt bondage. Given those variations, as we debate the policies and strategies that we need to pursue, we should bear in mind George Robinson's remarks. He said that, ultimately, behind all the statistics and the evidence, we are dealing with real people who are in real suffering. We should always keep that at the forefront of our mind.

It is also the case that, although a lot of good work has been done to raise awareness, too many people still believe that this is someone else's problem and it does not have an impact

in Northern Ireland. I must say the opposite of what Neville Chamberlain said: this is not happening in a faraway country about which we know little; this is happening on our doorstep. We need to recognise both what happens in Northern Ireland directly and, as a number of Members highlighted, the fact that Northern Ireland can act as a sort of transit camp that is used as a gateway to other parts of the United Kingdom or to the Republic of Ireland.

The motion aims to highlight the work of GRETA and the background to its report. A number of Members, including Lord Morrow and Alban Maginness, highlighted a lot of the good work that is ongoing. There is no attempt to have a go at the Department of Justice, even on the points about which we disagree. We welcome the ongoing work. We welcome the establishment of the task force to look at this with full involvement; the joint work that has been done between the Department and Amnesty on the production of the leaflet; and the reassurances that have been given on legal aid. As the Minister agreed, the thrust of this is that significant progress has been made. That progress is ongoing, but it is clear that there is still work to be done.

A common theme expressed by Seán Lynch, Alban Maginness, the proposer, Brenda Hale and Rosie McCorley is that, in dealing with the issue, we need to concentrate on data. If we are to crack this problem, we need to ensure that collective work is done on it. As Brenda Hale and the proposer highlighted, although considerable work has been done on awareness, we need to help raise awareness further. As the proposer indicated, the issue of clarity around first responders needs to be tackled.

As the proposer, Tom Elliott, Rosie McCorley and Steven Agnew indicated, we need to ensure that the action that we take to deal with victims of human trafficking does not help to revictimise them. A number of Members mentioned the opportunity to ensure that compensation is available. We need to tackle that as well.

A number of Members, including Tom Elliott and Anna Lo, specifically mentioned the impact on children. Bronwyn McGahan gave figures that indicated that 80% of victims were women and girls and 50% were minors. Therefore, it is important that, when looking at the problem, we do not concentrate simply on adults but include children. As Tom Elliott pointed out, the key test of that is action on the ground. As David McNarry said, there is a need to ensure that we take the right way forward and that, within the

procedures, there is a legal advocate for those children. At present, there is a system of a guardian ad litem. However, the UN, UNICEF and GRETA have all indicated that there needs to be a very solid form of protection advocacy for children. The Children's Commissioner has also highlighted that. Although a guardian ad litem may provide some support to vulnerable young children, it is not the same as a legal advocate. That needs to be taken on board.

Legislation was mentioned. There was perhaps slight disagreement over whether a single piece of legislation was needed or whether the work that can be done under the Criminal Justice Bill and Lord Morrow's Bill can act in tandem. I take slight exception to the mention of guidance and guidelines. Guidance and guidelines are very good as far as they go; however, there is a clear need for legislation. Guidance, in and of itself, cannot be necessarily binding, because it may or may not be implemented consistently. Guidance can then sometimes be changed without proper Assembly scrutiny. The approach of guidance makes it difficult for a victim to challenge a decision through judicial review. Finally, if we limit ourselves purely to guidance, there is a danger that we send out a signal that we do not deem this to be of sufficient priority. This has to go beyond guidance and into the realms of legislation.

We need to ensure that there is proper prosecution. As Brenda Hale and the proposer mentioned, there needs to be that protection. For example, the present law on sex workers has meant that having sex with someone who has been exploited through trafficking has not resulted in a conviction as yet. That is one of the areas of my colleague's Bill that I commend.

One of the other consistent themes in the debate was the need for co-ordination. There is a clear determination to have that level of co-ordination, and we need to ensure that that is borne out in actions. A number of Members — Alban Maginness in particular — mentioned the need for collaboration between jurisdictions. As indicated, we are talking about something that affects 750,000 people across the world and is a particularly significant problem in the European Union. So, we need to work on a North/South, east-west and cross-Europe basis to provide co-ordinated responses. I was glad to hear the Minister give a degree of assurance that that is being done.

It is clear that there is a unified voice coming from the Assembly on how to deal with what Mr Lynch called this modern-day slavery that is hidden from the public gaze. There is a determination to send out a clear signal. The

key test for all of us will not just be whether we can unite around a motion but whether we can implement the recommendations of the GRETA report to ensure that the greatest level of bearing down is pressed upon this modern evil in Northern Ireland. We must ensure that this scourge can be removed from our jurisdiction. I commend the motion to the House.

Question put and agreed to.

Resolved:

That this Assembly welcomes the report from the Group of Experts on Action against Trafficking in Human Beings (GRETA); and calls on the Minister of Justice, along with Executive colleagues, to implement the recommendations in the GRETA report which relate to Northern Ireland.

Mr Speaker: Order. The next item of business on the Order Paper is Question Time. I therefore propose, by leave of the Assembly, to suspend the sitting until 2.30 pm.

The sitting was suspended at 2.16 pm.

On resuming —

2.30 pm

Oral Answers to Questions

Office of the First Minister and deputy First Minister

FM/DFM: Visit to China and Hong Kong

1. **Mr Irwin** asked the First Minister and deputy First Minister what opportunities exist following the recent visit to China and Hong Kong. (AQO 2991/11-15)

3. **Mr Dunne** asked the First Minister and deputy First Minister for an update on development opportunities following their recent trip to China. (AQO 2993/11-15)

Mr M McGuinness (The deputy First Minister): Mr Speaker, with your permission, I will answer questions 1 and 3 together.

We visited China following an invitation from senior Chinese Government Ministers to help to strengthen government relations, particularly in economic development, education, research and technology. During our visit, we met diplomats and businesspeople, who all stressed the economic opportunities that exist for our businesses in China. In all our meetings, we were advised that we need to build a strong relationship in the future, which will require further visits and economic missions to China.

On this visit, we led an economic mission of over 30 organisations, and the feedback from all the participants was very promising. Our involvement helped to raise the profile of our businesses to potential buyers and business influences in China. During the visit, we announced new business deals for Glenarm Organic Salmon, orders worth £1 million for Carrickfergus company Yelo, and we also facilitated a contract signing between software designer Texthelp from Antrim and the China Education Alliance. We also expect more business deals to be announced over the coming months.

Education is also an important contributor to economic growth. We visited Shanghai Jiao Tong University, which has a strategic alliance with Queen's University Belfast, and saw the benefits of the joint £2.3 million science bridge project, which strengthens research links in the field of sustainable energy. We met the

Financial Secretary of the Hong Kong Government and discussed a number of possible economic opportunities for the future.

We also hosted the NI Connections event to reach out to our diaspora now living in Hong Kong and China, and met over 100 people who have agreed to help us in our efforts to identify opportunities and grow our economy in international markets.

We met the directors of the Kowloon Motor Bus Company, which uses buses supplied by Wrightbus. That provided us with an opportunity to support that company's business growth efforts in Hong Kong.

Another objective of our visit was to promote our tourism offering. We met tour organisations, including the European golfing tour and commercial sponsors of the USB Hong Kong Open to discuss possible future projects.

The visit has gone a long way to building our relationship with China. We plan to return next year for a series of meetings with senior Government Ministers to explore further opportunities across a number of important sectors.

Mr Speaker: I remind the deputy First Minister of the time limit. Sometimes, Ministers may want more time when the nature of a question demands it. Ministers who need more time may ask for it, and it is not an issue for the House.

Mr Irwin: I thank the deputy First Minister for his answer. Like many others, I wish to congratulate the Office of the First Minister and deputy First Minister (OFMDFM) on the trade mission to China.

In my constituency, there is a successful software company called First Derivatives, which has created many jobs in Newry. Will the Minister state whether any development opportunities have been realised in that regard as part of the visit?

Mr M McGuinness: Not too long ago, the First Minister and I visited First Derivatives in Newry. It is an incredible company. We also went on to open its new office in New York. It is obvious that First Derivatives has a wide reach throughout the international community, so I would be very surprised if there were not further opportunities for a company such as it in the future in the Chinese market.

China is opening up to the international community, and the fact that some 350

businesses from here have travelled to China over the past six years suggests that there are incredible opportunities. It will not suit every company, but it is a perfect fit for a company such as First Derivatives.

Mr Dunne: I thank the deputy First Minister for his answer. Will he advise the House what follow-up action is being taken by agencies such as the Department of Enterprise, Trade and Investment (DETI) and Invest NI in relation to the visit?

Mr M McGuinness: I take this opportunity to pay tribute to Invest NI, Arlene Foster, the Minister of Enterprise, Trade and Investment and, indeed, Michelle O'Neill, the Minister of Agriculture and Rural Development. They were with us on the visit to China, and they understand the importance of building those relationships. When Madam Liu Yandong came to Belfast, I think that it was a clear signal that China recognises that building relationships with this part of the world is very important for them.

The First Minister and I were very pleased to accept the invitation from the Taoiseach to go to Dublin to meet Vice-President Xi, who has since been announced as the new leader of China and is due to take office in, I think, March next year. So, I think that it is hugely important for DETI and Invest NI to build on the contexts that are now clearly there and on the opportunities that are clearly opening up. Something like over £100 million of trade went from here to China last year, and I think that it is clear that that can be built on. There will be a huge responsibility on Invest NI and DETI to seize every opportunity that comes their way. I think that the contacts with the Ministers that we hope to meet next year will further boost that effort.

Mr Nesbitt: I thank the deputy First Minister for his answers. I note that he talked about meeting diplomats and businesspeople, but there was no talk of meeting politicians. Given that the Chinese party congress coincided with your trip, do you accept that you did not get within 1,200 kilometres of anybody of any real political significance? Is that why the taxpayers have to fund a return trip so early in the new year?

Mr M McGuinness: I think that it is obvious from that that the view of the deputy mayor of Larne that the Ulster Unionist Party is in tatters is clearly an indicator of the ignorance of the question that was asked. The reality is that the trade mission to China was organised well

before the Chinese communist party convention was held. At that stage, the First Minister and I agreed that we would lead the delegation and be part of it. It was not our fault that the Chinese communist party decided to change the date for its event. The advice that we received from diplomats on the British and Irish side was that the First Minister and I should still go. I think that it was a very important first entry to China and that the opportunities that that presents to us are unlimited. That was a very small-minded question from the leader of a party that is now, clearly, much smaller than it was previously.

Mr Boylan: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for his answers so far. Will he outline any plans for a return visit to China?

Mr M McGuinness: Yes, there are plans for a return visit to China. I think that the fact that Madam Liu Yandong issued the invitation to the First Minister and me is a very clear indicator that we need to go back. When we decided to undertake the mission to China, we spoke with a number of people who are acutely aware of what is required to build relationships in China. The advice that we received was that you do not go once to China; you have to build relationships with the Chinese political leaders and the Chinese business community. There is an art to that. That art is well-made in a book published by, I think, Trinity College Dublin, which clearly indicates the way in which businesspeople from this part of the world should approach the way that they build contacts with the Chinese business community.

So, yes, it is very important to go back. The Chinese market is huge, and there are incredible opportunities. The University of Ulster recently opened the Confucius Institute, an event that Madam Liu Yandong was there for. Given that Queen's University and the University of Ulster, as well as dozens and dozens of businesspeople from all over the North and from all over the island of Ireland, recognise that they have an opportunity to increase trade to China, we would be very foolish not to try to build on the relationships that we have begun recently.

Ms Lo: I am very pleased that the deputy First Minister visited my homeland. I hope that he thoroughly enjoyed his trip. You are right. We have done well in establishing links with China through our two universities. They have worked very hard to do that. One thing that we may not have done

enough of is to develop tourism. A number of travel agents from the Far East have talked to me about the potential for developing tourism links. The Titanic is very big in China, because of the movie. Have we any solid plan for developing tourism between China and Northern Ireland? The travel agents also talked about direct flights from Belfast to Beijing. I wonder whether there is any solid plan on that.

Mr M McGuinness: I thank the Member for her question. We told the Chinese people that we are very proud of the fact that we have a woman from China in our Assembly. They were quite surprised at that. It was a real opportunity for us to outline the way in which politics here has moved forward in a progressive way.

Tourism is of huge importance. Of course, the responsibility for marketing tourism resides with Tourism Ireland. You are absolutely right to say that the Titanic brand is absolutely huge in China. Therein lies an opening for us to try to ensure that we get as many people as possible from Asia, and from China itself, to visit here.

There are challenges, as you identified. Those challenges include access and the number of flights. It is absolutely vital that we build connections with all parts of the world, including China. That does represent a real challenge, to which there will be no overnight solution. However, on all our visits there, and this was one of the purposes of going to the Hong Kong Open, we outline for people that we have an incredible tourism project here, not just the Titanic but the Giant's Causeway and the many other things that are happening. The recent find in Fermanagh, for example, is very clearly of interest to an awful lot of people, and, of course, my own city is the City of Culture next year, something that is rapidly catching the imagination of many people. I do not know whether that will reach as far as China, but we will do our best.

Social Investment Fund

2. **Mr Humphrey** asked the First Minister and deputy First Minister for an update on the social investment fund. (AQO 2992/11-15)

4. **Mr Lunn** asked the First Minister and deputy First Minister to outline the measurements to be used to ensure that projects funded under the social investment fund are sustainable and meet the overall objectives of the programme. (AQO 2994/11-15)

Mr M McGuinness: Junior Minister Jennifer McCann will answer that question.

Ms J McCann (Junior Minister, Office of the First Minister and deputy First Minister): With your permission, Mr Speaker, I will answer questions 2 and 4 together.

The area planning process for the social investment fund is now well under way, with all zones in the middle of delivering their engagement strategies. Steering groups across the nine social investment zones have been consulting locally with the wider voluntary and community and statutory sectors to identify priorities for inclusion in the draft area plans. Those are due by 31 December 2012. Following submission of the draft plans, consultants will support steering groups during January to review and refine plans across all zones. That will ensure consistency of approach and alignment in common areas of need. We expect final plans to be submitted for appraisal by 31 January next year. The appraisal process will assess the individual projects in the plans against set criteria, such as need, viability, sustainability, value for money and collaboration. That will help steering groups to prioritise those projects that will achieve maximum impact during the first phase of delivery of the programme. We anticipate that delivery will commence early in the next financial year.

Mr Humphrey: I thank the junior Minister for her answer. What benefits does she believe the social investment fund will have for working-class communities, such as those in my constituency of North Belfast?

Ms J McCann: I believe that the fund will have positive benefits for communities such as the ones that you mention. Although it is to be welcomed that the social investment fund is an additional pot of money, it cannot operate in isolation. It must integrate and add value to other key policies and initiatives. We hope that the social investment fund will not only bring those projects and programmes forward but will lever in other moneys from other areas. There are very clear links to the likes of neighbourhood renewal, anti-poverty measures, education, regeneration and employment programmes, investment and other initiatives. We hope that that will all be very positive news for communities such as your own where there is deprivation and disadvantage.

Mr Speaker: Trevor Lunn is not in his place. His question has been grouped with question 2. I call Chris Lyttle.

2.45 pm

Mr Lyttle: Is the junior Minister confident that the Office of the First Minister and deputy First Minister will be able to fulfil its statutory obligation to consult with all section 75 groups in the production of the social investment fund area plans in the timescale set?

Ms J McCann: I assure the Member that that will be the case. We are taking that forward at the moment, and we are consulting with a number of groups.

Mr Mitchel McLaughlin: Given the numbers on the steering groups, not all areas across the North have representatives on a steering group. Will the Minister assure us that the areas that are without direct representation will not be excluded from benefiting from the fund?

Ms J McCann: I thank the Member for that question, and I understand the concerns. Other Members have raised those concerns, and I am happy to give him the reassurance he is seeking. Although we have been very mindful of the geographical representation, the reality is that we have to have steering groups of a manageable size in order to work properly. A group of 14 members is certainly manageable, but, unfortunately, that does not mean that every area can be represented, but it does not mean that all areas are not involved in the process. Engagement strategies have been delivered with consultative workshops and clinics held across the breadth of the zones, where possible, to ensure maximum participation.

Mr Durkan: Will the junior Minister let the House know whether the 50:50 split between capital and revenue or resource spend is likely to be retained given the delays in the rolling out of the social investment fund?

Ms J McCann: The spend to date has focused on the consultation work to establish the steering groups and processes for the delivery of the fund, but, although funding was allocated in 2011 and 2012, it was recognised early on that it would take time to get the necessary approvals, structures and processes in place to ensure that the fund was delivered to the benefit of the communities in need. As a result, this had to be reprofiled into subsequent years of the programme at an early stage. As we have now moved into the area planning stage, funding has been allocated for technical assistance to support the steering groups to develop those plans. Programme spend will be on the delivery of projects approved within the

area plans, and we will continue to consider parallel schemes for the delivery of smaller, less strategic interventions that will also have an impact on communities.

Mr Allister: For propositions for spend, be it capital or resource, will the normal procedure of accompanying such an application with an approved business plan be followed under spend under the social investment fund? If not, why not?

Ms J McCann: As I said, it is going to be linked with other interventions that are going to be in place. The intention is that each area plan will consist of about eight to 10 strategic projects directly aligned to the four objectives of the fund. The community will be involved in deciding exactly what those strategic plans are going to be. Some zones will have higher levels of capacity and will not be starting from a blank page, but it is still going to have to go through processes. However, we are still going to be able to get spend out into the communities, and projects, programmes and capital build projects will commence under the time frame that I said earlier.

Maze/Long Kesh: Community Zone

5. **Mrs Hale** asked the First Minister and deputy First Minister to outline the proposed community zone scoping study on the site adjacent to the Halftown Road, Lisburn, in relation to the Maze/Long Kesh development. (AQO 2995/11-15)

Mr M McGuinness: The provision of high-quality facilities, which will meet the needs of the local community, is one of the early priorities in the development of the Maze/Long Kesh site and has been included in discussions on the use of the site. In November, the Maze/Long Kesh Development Corporation commissioned a scoping study into the possible development of a community zone on approximately 10 acres of the site. The purpose of the study will be to help identify a mix of potential users for a possible new purpose-built community zone, with improved leisure and recreational amenities, which will complement and be adjacent to the existing Halftown Road community facility.

Stakeholder engagement has already begun with local residents, including the Halftown Road residents and the local council, and feedback to date has been very positive. It is anticipated that the scoping study report will be completed by April 2013.

Mrs Hale: I thank the deputy First Minister for his answer. Can he outline the time frame for when he believes the land may become available for community use?

Mr M McGuinness: That is now all very much the domain of the development corporation. As many Members will know, the development corporation is up and running. It is one of the most exciting projects that the Assembly or, indeed, the Executive will deal with. I believe that it will pursue the development of the site with all haste.

The fact is that the Royal Ulster Agricultural Society (RUAS) is now on site. It has effectively taken 65 acres. It expects to be up and running by early 2013. Developments on the peace-building and conflict resolution centre are now moving forward decisively. Daniel Libeskind, one of the main architects of the new World Trade Center in New York, has visited the site. The First Minister and I are due to meet him shortly.

Therefore, things are beginning to move. In all of that, it is incumbent upon the development corporation to take into account the needs of the local community and ensure that it is not left behind. I believe that we will proceed with all haste and see very positive developments with the Halftown Road community's needs being dealt with effectively. The speed at which things move is, obviously, down to the development corporation. We urge it — as an example of the project moving forward — to deal with that issue as quickly as possible. It is very important to have community buy-in, particularly on a site of that scale. The development corporation will be very conscious of that need.

Ms Boyle: Can the deputy First Minister update the House on progress on developing the Long Kesh site?

Mr M McGuinness: As I said, work is progressing well on the regeneration of the site. That is a priority in the Programme for Government. The budget in the current comprehensive spending review (CSR) period for regeneration of the site is £21 million. That substantial investment will primarily be in internal and off-site road infrastructure. Work has commenced on the provision of essential utilities, including developing a mains water and electricity supply for the site. That funding is additional to the €20 million that was secured from Europe for the peace-building and conflict resolution centre.

As many people know, the development corporation board was constituted on 10 September this year. It is tasked to maximise the economic, social and historical potential of the site. The corporation's initial priorities are to ensure the relocation, as I said, of the RUAS to the site in time for the 2013 agricultural show; to have the peace-building and conflict resolution centre up and running by 2015; and to provide essential infrastructure. That initial work will help to create jobs and act as a stimulus to help to generate future investment. Preparations are well advanced for the RUAS with regard to its timescale. Heads of terms have been signed. The contractual development agreement is being finalised for signature by the development corporation and the RUAS. Therefore, the project is moving forward decisively. It can create thousands of new jobs. We are very confident about progress that has been made to date.

Corporation Tax

6. **Mr Lynch** asked the First Minister and deputy First Minister for an update on devolving corporation tax powers. (AQO 2996/11-15)

Mr M McGuinness: The joint ministerial working group met for the last time on 18 October. The group's work is complete. A report of its main findings was sent to the Prime Minister for his consideration on 16 November. The British Government must now decide whether the Executive should be offered the opportunity to take responsibility for the tax. The continued challenges that are faced by the local business community as the economy struggles out of recession mean that it is essential that the Government make their decision as soon as possible.

At our meeting with the Prime Minister during his visit on 20 November 2012, we discussed issues that impact on the local economy, including the general implications of devolving corporation tax. As the Prime Minister needs to consider the matter further, we agreed that we would have a further meeting in London at which we can make our case. We wrote to the Prime Minister on 29 November to ask for that meeting as soon as possible. We hope that the decision can be made quickly in order to allay speculation and unease in the local business community. We have asked for that request to be given urgent consideration.

Mr Lynch: Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagra. I thank the Minister for his answer. Does he have any concern that the referendum

on Scottish independence will delay a decision on devolving corporation tax here?

Mr M McGuinness: As I said, we have done everything in our power to make this happen. The final decision obviously rests with the British Prime Minister. I think that we are all very conscious — our Finance Minister referred to this at the weekend — that the situation in Scotland can either be an advantage or a disadvantage to us, and the person who has to decide which way that goes is, obviously, David Cameron. I think it is hugely important that he recognises that we have a special case. Indeed, when David Gauke from the Treasury came to Stormont to meet the First Minister and me, along with our Finance Minister and the Minister of Enterprise, Trade and Investment, he clearly acknowledged that the disadvantages that we face, in regard to the border and the 12.5% corporation tax rate in the South, need to be recognised and dealt with.

So, we hope that the decision, when it is made, will be favourable. We are up for the challenge. However, as I said, this is now in the hands of the British Prime Minister in 10 Downing Street; it is up to him to decide, and I hope that he decides in our favour.

Mr Campbell: The deputy First Minister will be aware that we have lost many thousands of jobs down through the years, in no small measure to the murder campaign that is sometimes described as a conflict. How important does he feel the campaign to get corporation tax is in order to try to redress the loss of those many thousands of jobs?

Mr M McGuinness: I am very reluctant to enter into a political debate around that question. We could start the clock 800 years ago or 90 years ago, when Ireland was partitioned. I am not going to deal with that. We will deal with the reality [*Interruption.*]—

Mr Allister: No justifying it.

Mr Speaker: Order.

Mr M McGuinness: We will deal with the reality that we are faced with a situation that could clearly be of great advantage to us as we attempt to climb out of recession. The First Minister and I, and, indeed, other Ministers in the Executive, are approaching this in a very positive way, as opposed to the very negative way posed just now in that question.

Mr Cree: Yesterday, the Finance Minister said that the decision on corporation tax was now a

political one. Does that mean that there is agreement between Treasury and OFMDFM on the actual cost of such devolution?

Mr M McGuinness: The First Minister and I are members of the ministerial working group that has met Treasury officials on quite a number of occasions. From the very beginning of this project, I have been conscious of the fact that there is considerable opposition in Treasury to devolving the power to set corporation tax to our Administration. At the earliest stages of the process, we witnessed an almost stand-up row in the Cabinet Office between Government Ministers and Treasury.

The Finance Minister is absolutely right. During the course of our discussions with David Cameron in Stormont Castle just a short time ago, we made it clear that we believe it is now over to him. It will be a political decision. This project was driven by Owen Patterson from the very beginning, and we were very interested in having those powers devolved to our Administration. David Cameron saw his own Secretary of State, Owen Patterson, coming here on a white horse, charging forward on the issue of a lower rate of corporation tax in order to help us to rebalance our economy. I do not believe that Owen Patterson did that without the knowledge and support of David Cameron. What we now need to see is those politicians who agreed with us that this is a good idea stepping up to the plate and recognising that it is an essential contributor if we are to be in any way successful in rebalancing our economy and moving forward in a way that we consider is affordable for us.

Social Development

Neighbourhood Renewal: Omagh

1. **Mr McElduff** asked the Minister for Social Development whether the neighbourhood renewal action plan and actions within it identified by Omagh neighbourhood renewal partnership will be delivered before 2015. (AQO 3004/11-15)

3.00 pm

Mr McCausland (The Minister for Social Development): My Department has and will continue to work closely with the Omagh neighbourhood renewal partnership until 2015 to deliver a range of actions identified by the partnership as priorities within the neighbourhood renewal action plan. Since the launch of the Omagh neighbourhood renewal

action plan in 2007, 62 projects have been delivered at a cost to the Department for Social Development (DSD) of £4,656,000. There are 31 actions still to be delivered in the action plan, of which nine projects are at various stages of development.

Mr McElduff: Given the fact that the neighbourhood renewal money needs to be spent by March 2015, is there any prospect of an extension, if required, to allow for actions to be delivered? If we have phase 2, would consideration be given to revising the boundaries? In some cases, current boundaries are not, perhaps, as relevant. They were set down some years ago, but —

Mr Speaker: I encourage the Member to finish his question.

Mr McElduff: If new priorities exist, might boundaries be revised?

Mr McCausland: The Member makes an interesting point. In some areas, if you look at the areas that were identified as being in the top 10% as regards deprivation, you will see that those same areas, in spite of all the neighbourhood renewal work, are still in the top 10%. That raises a question about the effectiveness of the outworking of neighbourhood renewal in those areas, in that it has not yet made the difference that it should have. In other areas, we find that communities that were previously excluded from the top 10% should now be included. So, questions arise, and those are the sorts of questions that fed into my recent thinking about a review of neighbourhood renewal, looking at the guidance for neighbourhood renewal and what happens beyond 2015, because, in due course, it is intended that that area of work will transfer to local authorities.

Mr Byrne: Will the Minister give consideration to facilitating those areas in the neighbourhood schemes to finance youth-related activities in conjunction with education? Youth services are very often at a loss in those areas.

Mr McCausland: I visited in recent days and months a range of youth centres and facilities funded through neighbourhood renewal. I visited St Malachy's youth club in the Markets area of Belfast the other week, where work is ongoing. I have been at youth projects in mid-Ulster. There are already many examples of support for youth work in terms of programmes being delivered for young people and facilities and buildings. That work is already happening.

G8 Summit: Public Realm Works

2. **Mr G Robinson** asked the Minister for Social Development, in light of the announcement that the Lough Erne Resort, Enniskillen, will host the G8 summit in 2013, what steps he will take to ensure that any investment in public realm works in Enniskillen is fast-tracked to maximise the potential benefits from the summit. (AQO 3005/11-15)

Mr McCausland: My Department has a long track record of working in partnership with Fermanagh — sorry; apologies. Apologies; that is right — it was the connection between Mr Robinson and Fermanagh that threw me there for a minute. Obviously, East Londonderry has expanded.

My Department has a long track record of working in partnership with Fermanagh District Council and others to make improvements to Enniskillen and the neighbourhood renewal areas on the outskirts of the town centre. DSD was the substantial funder of works to create the riverside promenade along Queen Elizabeth Road in the town some years ago and continues to support property owners through the provision of urban development grants to bring empty or derelict commercial buildings back into productive use.

Following my very recent launch of the Enniskillen town centre master plan, which was on the day that the newspapers first reported the G8 story, I signalled my intention to earmark funding for a major public realm improvement scheme in the town centre, with natural stone pavements, public spaces, lighting and street furniture delivering a real boost to the town centre streetscape for the benefit of local people, traders and visitors alike. That work was due to start in the autumn of 2013. I have asked my officials to accelerate portions of the scheme that can be delivered ahead of the G8 summit. I am also pleased to advise that I have committed £250,000 in the past week to fund a revitalisation programme in the town that will include shopfront dressing and shuttering works, provision of a marquee and pop-up stalls for use in public spaces, and town centre lighting. That work will be completed ahead of the summit.

Mr G Robinson: Given the limited time available, is the Minister confident that any public realm work that is started before the G8 summit will be completed in good time for the summit conference?

Mr McCausland: The Member raises an important point. Clearly, there is no point in commencing any substantial site works in the town centre if there is a prospect that the improvements cannot be completed before the end of May 2013 at the latest. The original schedule for public realm improvements was to commence the scheme towards the end of the summer next year. To accelerate a portion of that programme, perhaps to see the diamond area of the town developed in advance of the summit, will take a lot of work in the coming weeks if it is to be brought forward and started in order to be delivered on time. There will, therefore, be a judgement to be made.

I assure Members that, keen though we are to support the town and the council to showcase all that the town and Fermanagh has to offer, we will be prudent to ensure that we do not end up offering them a building site to negotiate rather than a beautiful town square for visitors to enjoy. We have already provided over £3 million towards the cost of the regeneration of Enniskillen. The additional costs of delivering an extensive public realm scheme is estimated at over £5 million, so DSD would also expect to contribute in the region of £4 million towards the cost of that larger scheme.

Mr Dallat: To sort out the confusion in the mind of the Minister about the location of Mr Robinson, I ask a simple question about Limavady. Is he aware of a serious problem there —

Mr Speaker: Order. I detect that the Member may be going outside the original question. The original question was a very specific question about Enniskillen and the G8.

Welfare Reform Bill

3. **Mr Hazzard** asked the Minister for Social Development what flexibility he is seeking in his discussions with Ministers in the Department for Work and Pensions in respect of the Welfare Reform Bill. (AQO 3006/11-15)

Mr McCausland: The Member will be aware from my statement to the Assembly on 22 October that I have already secured the deferral of the introduction of universal credit in Northern Ireland to April 2014 and flexible payment arrangements when the system goes live. However, from my discussions this week, Lord Freud has advised that he has put on hold any further discussions on flexibilities until after the Ad Hoc Committee finishes its work. The Ad Hoc Committee could cost the Northern Ireland Budget; it has now impacted my

discussions with Department for Work and Pensions (DWP) Ministers on a range of issues in relation to the Welfare Reform Bill. We are seeking to ensure that jobs that deliver welfare payments are retained in Northern Ireland; that is not the best time to have a fall-out with the coalition Government at Westminster.

Mr Hazzard: Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire. It is a rather inappropriate interference from Lord Freud in the business of the House. Does the Minister feel that flexibility is necessary in the proposed sanction regime or claimant conditionality?

Mr McCausland: I am looking at the moment, although, as I have already indicated, it has been hindered and halted. Whether the Member wants to remain in a state of denial about the truth is another matter. The fact is that it has been put on hold and halted. That was made absolutely clear by Lord Freud to members of the Committee for Social Development and members of the Executive subcommittee on welfare reform during his visit last week. The visit was productive and useful, but it could have been even more productive but for the difficulty that we faced.

Conversations and negotiations with Westminster about this are better done face to face rather than in the open Chamber. That is how to have successful negotiations; that is what worked last time. We were able to get what we wanted, and we can get more in future. That is why, for example, on Friday, while speaking to Advice NI at its AGM, I made particular reference to the issue of the migration of existing customers from disability living allowance (DLA) to personal independence payments (PIP). I wanted to flag up the areas that we are thinking about. The way to conduct those negotiations is face to face.

Mr Campbell: I thank the Minister for his work thus far in getting flexibilities. He is aware of the concern on all sides of the House regarding the implications of the Welfare Reform Bill. I know that he has done it before, but could he again spell out the implications of delay? Those who exercised their democratic mandate in setting up an Ad Hoc Committee have done so. Will he detail the cost of that, and the further cost if the Ad Hoc Committee takes an inordinate time to conclude its business?

Mr McCausland: I welcome the Member's question. First, there is the financial cost. The estimated cost to the Northern Ireland block from potential delays in the Welfare Reform Bill

not securing Royal Assent and the associated regulations not being passed in time is £18 million. That is based on a three-month delay to the current timetable and represents an estimate of the annually managed expenditure controls that will not be achieved and the funding that may have to be found by the Northern Ireland Executive for the discretionary elements of the social fund. That sets out clearly the basis on which that figure was obtained — it is not just a figure that someone conjured out of the air. I have stated clearly the two elements that make up the figure of £18 million.

I mentioned a three-month delay. I remember a discussion that I had with a Member from the other side of the Chamber, who told me that the work of the Ad Hoc Committee could be done in three days, yet it has a timetable of six weeks. We will see whether it completes its work at the end of six weeks. It certainly was not done in three days; in fact, the Committee was not even set up in three days.

Mr McCarthy: The Minister will be aware of the anxiety in the community about the Welfare Reform Bill. Will the Minister advise us whether he will allocate additional funding to the advice sector for the extra workload that will be put on it? I am thinking particularly of our citizens advice bureaux throughout Northern Ireland that will have to answer questions from all our constituents.

Mr McCausland: The Member has spoken about people's questions and concerns. At the end of Lord Freud's visit, we met the Victims' Commissioner and two victims of the Troubles. One had had both legs blown off in a terrorist explosion in the early 1970s and the other had lost a leg and the other leg had been severely damaged in a terrorist explosion in 1991. Both those individuals were obviously deeply traumatised by their experiences of violence and the injuries that they had suffered. They were also deeply concerned that, through some change from DLA to PIP, they would lose the opportunity for mobility or a vehicle or would lose their DLA payments. They were virtually on the edge of tears when they thought of the impact that that would have. That is their only lifeline to the outside world.

It occurs to me that there are two issues. The first is that everyone should be very cautious in their predictions of what may or may not happen. Lord Freud assured those two individuals that they would not be affected. He has written to people with similar disabilities in GB to reassure them, and I intend to do the same in Northern Ireland. Those who will not

be affected fear very much that they will be affected, and it is almost cruel that folk like that are being misled. So, there is one extreme of saying this or that will happen when it might not happen. On the other hand, there is the danger of offering unfounded hopes for concessions that may not be achievable. We need to be very careful and cautious in what we say.

We will look very carefully at the impact on people and the need for advice and so on. However, at this point, it is not exactly clear what shape the changes will take in Northern Ireland. We have seen some flexibilities, and I think that there may be other concessions. Therefore, I am hopeful that the impact may not be great and that we may be able to mitigate the worst excesses of welfare reform.

3.15 pm

Personal Independence Payments

4. Ms McGahan asked the Minister for Social Development what steps are being taken to ensure that the mistakes in the Atos assessments are not being repeated with the new system for the future personal independence payment assessments. (AQO 3007/11-15)

Mr McCausland: The performance of Atos in relation to the work capability assessment is subject to robust monitoring arrangements that have resulted in considerable progress towards meeting service levels and targets. The personal independence payment assessment process will be different to the work capability assessment as it will focus on the ability to carry out key everyday activities, such as preparing and cooking food, the everyday challenges that people face and the support they need, rather than the functions linked to a person's ability to work, as in the work capability assessment. As such, the information gathered and the approach taken in the assessments will be different. Moreover, the work capability assessment looks at an individual's ability to work, whereas personal independence payment will be payable to disabled people, regardless of whether they are or are not in work. That fact alone further underlines the differing nature of the assessments.

My Department will ensure that the recommendations of the independent reviews of the work capability assessment carried out by Professor Malcolm Harrington on relevant recommendations are taken into account in

developing the personal independence payment claim and assessment process.

The personal independence payment assessments will also be carried out by Capita Business Services, a different provider than that providing the work capability assessment. The personal independence payment assessment criteria have also been the subject of extensive public consultation in Northern Ireland — at the same time as in Great Britain — from May 2011, with the most recent issued in January this year. Following the closure of the latest consultation exercises, I wrote to the Work and Pensions Department's Minister for Disabled People, Esther McVey MP, and secured a commitment that all views and concerns expressed by people and organisations in Northern Ireland will be carefully considered as they evaluate what further changes need to be made to assessment criteria to ensure that they fairly reflect disabled people's needs.

Ms McGahan: Go raibh maith agat. Will medical evidence have primacy in any final decision?

Mr McCausland: I set out in my answer the nature of the assessment. There is still work to be done on that. *[Interruption.]* I will repeat, so that people who were maybe talking there — *[Interruption.]*

Mr Speaker: Order.

Mr McCausland: I think that it is difficult for some people to keep up because they are so busy talking to others at the same time that they do not really listen.

I set out in my answer very clearly the nature of the assessment for the migration to PIP. I also contrasted it with the work capability assessment (WCA) for employment and support allowance, and it is clear that everything that is decided must be evidence based. The point is that it should be based on firm and accurate evidence of which that will, undoubtedly, be a part.

Ms Brown: What assurances can the Minister provide that accessibility issues will not arise with the personal independence payment assessment service provider?

Mr McCausland: The Member raises an important point. I assure her that the documentation that was issued as part of the procurement exercise to obtain a suitable assessment provider stipulated that providers must ensure that accommodation is in a

suitable ground floor area in all locations, to enable all customers to be dealt with in an environment suitable to their needs. Capita has confirmed that the assessments will be delivered through home visits and a network of accessible consultation centres across Northern Ireland, and that it will not use any premises that are used for work capability assessment. Capita consulted extensively with representative groups to design a fair and claimant-centred assessment service, and it is committed to ongoing dialogue to ensure continuing development during implementation and throughout delivery.

Mr Beggs: Did the Minister's Department undertake any research to determine differences in the profile of likely recipients of PIP assessment and support in Northern Ireland and those in the rest of the United Kingdom and whether it will be necessary to make any adjustments?

Mr McCausland: I emphasise a point that I made already and that is fundamental to this. If we are to argue our case on those matters with Westminster, we need firm, accurate and up-to-date evidence — not something from 18 months or two years ago. We recently got up-to-date information on the housing sector and the housing stock so that we can compare Northern Ireland with other regions of the United Kingdom.

Yes, there are clearly differences between DLA and PIP. Over 110,000 people in Northern Ireland are recipients of DLA. In comparison with regions of Great Britain, that percentage is up at the high end. In some areas in Northern Ireland, the figure is proportionately higher. There are concentrations of DLA uptake where there is a higher number of claimants than in other areas in Northern Ireland, so there are differences.

I mentioned the impact of the Troubles on people who have been physically disabled. There are also many people who may not have had the same level of physical disability but whose mental health has been affected and who have been traumatised by terrorist activity. So, there are differences. That is why I said to Advice NI at its AGM on Friday that I was tasking officials here in Northern Ireland with looking at those differences in more detail to see what their impact would be so that we can present a strong case to Westminster.

Mr A Maginness: I thank the Minister for his previous answers. If, in the determination of

PIPs, the central and determinant factor is not medical, what would the alternative be?

Mr A Maginness: The key point is as I set out, and I will simply repeat what I said. The personal independence assessment payment process will be different, as it will focus on the ability to carry out key everyday activities, such as preparing and cooking food, the everyday challenges that people face and the support that they need, rather than on the functions that are linked to a person's ability to work, as in the case of WCA. Those are the key areas, and information and evidence on those will be vital.

Welfare Reform: Underoccupancy

5. **Mr McAleer** asked the Minister for Social Development for his assessment of the concerns expressed by the Housing Executive to the Committee for Social Development about the provisions of the Welfare Reform Bill in respect of underoccupancy which, if unchanged, may lead to it facing challenges in meeting the new requirements and could result in evictions and tenants being declared homeless. (AQO 3008/11-15)

Mr McCausland: I recognise that the underoccupancy restriction is a serious issue for Northern Ireland and that concern has been expressed about its possible impact.

I am very conscious that we have a different housing market here, and, although I am satisfied that the numbers that the Northern Ireland Housing Executive provided are approximately correct, my focus now is on identifying solutions. I recently had a very productive meeting with Lord Freud, the Northern Ireland Federation of Housing Associations and the Northern Ireland Housing Executive, and we will continue to work together to identify any possible solutions. However, as I said, the establishment of the Ad Hoc Committee will prohibit further discussion about the legislative proposals.

In the meantime, my officials are working with the Housing Executive to develop a range of support measures to complement those outlined in my housing strategy, which aim to mitigate underoccupancy for those affected, support households through the transition and ensure that everyone has access to affordable housing. Those measures include increased funding for discretionary housing payments.

Mr McAleer: The Minister will be aware that as many as 32,000 households will be affected by underoccupancy. In the light of the concerns

that the Housing Executive raised, will the Minister tell us how many units will be developed in the next three years to cope with that demand?

Mr McCausland: The Member raised a good point. First, the scale of the impact in Northern Ireland in percentage terms is similar to that in Wales and in a number of regions in England. For example, in the north-west of England the figure is virtually the same in percentage terms as it is in Northern Ireland and Wales, and the figure in the north-east of England is actually higher. So, the first thing to bear in mind is that we are not that different from the rest of the United Kingdom in the impact that it has on numbers. Those figures are very clear. We have that information, and we have the comparison with the rest of the United Kingdom.

The second thing, then, is how we ensure that we address that. The fact is that, when the social housing development programme was put on my desk in March 2012, I asked the Housing Executive whether it had made provision for and taken account of welfare reform, and the answer was no.

That was unacceptable, and it was why the Housing Executive was sent back to rework the social housing development programme. That is why I had the conversation with the Housing Executive and why I was particularly encouraged that its new chair gets it. He understands it, as does the new vice-chair, and the organisation has a better approach now under its new leadership. They have a lot of experience of such issues across the water in Great Britain. They have decades of experience in the field of housing, so we are in a better position.

A number of ideas were put during that conversation around how we can do that. It is a challenge. We need a little bit more time to discuss discretionary housing payments and why they have quadrupled between 2011-12, 2012-13 and 2013-14 from £1.7 million to £6.9 million. There is more money for discretionary housing payments to enable people to avoid a position in which they would be unable to stay in their home. We need to work on that in the meantime, because there are good ideas and good models of good practice about how appropriate housing can be delivered, particularly of smaller-sized units.

Mrs Dobson: Given that over 32,000 households will be affected by the underoccupancy levy on housing benefit, will the Minister confirm what assistance he will

offer those citizens who occupy lawfully allocated properties now adjudicated as being underoccupied and who wish to move but are prevented from doing so by the lack of suitable properties?

Mr McCausland: The Housing Executive approaches that by looking at how it can match people with appropriate housing. It is almost like a dating agency.

There are other issues for people who are in a property that is much too big for their needs. I know of examples of single persons being in a three-bedroom house with no children calling regularly. They are in single-person accommodation with three bedrooms, and they are heating more rooms than they need to heat. There is an issue there about fuel costs at a time when they are particularly high. That matching-up of people to accommodation is crucial.

However, to get the flexibility that we need, and movement in the housing sector, we need to have more accommodation of the right size. That is why we have had the conversation with the Housing Executive and the housing associations. As I already indicated, we have quadrupled the discretionary housing payment so that there is an opportunity to do that.

The challenge is out there and was given to the housing associations individually at an earlier meeting. We are starting to get responses back from them as to what they may be able to do.

Mr Rogers: I thank the Minister for his responses so far. What action does his Department intend to take to support those who suffer with severe mental illness who are unable to live in shared accommodation when they are hit by this underoccupancy penalty?

Mr McCausland: That issue is not unique to Northern Ireland; it happens across the United Kingdom. It was interesting to hear from David Freud when he was over that there is now some evidence of how different people are responding to that challenge in GB. Some people simply say that they want to stay where they are and if their housing benefit does not meet the full cost, they will meet the extra £9 themselves. Some people decide to move. The responses differ.

That is the situation in GB. We do not know how it will work out in Northern Ireland. However, I assure the Member that account will be taken of the cases of people who are in particularly difficult circumstances, whether

physical or mental. We have an opportunity with the discretionary housing payment to reflect on what the best outcome might be for those people. I agree with the Member entirely that we need to be very sensitive, particularly to people who have special needs such as those mentioned.

Adjourned at 3.30 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

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PO Box 29, Norwich, NR3 1GN
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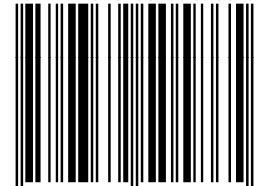
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ISSN 1463-7162

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
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ISBN 978-0-339-50586-5



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