

# Official Report (Hansard)

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Weir, Peter (North Down)  
Wells, Jim (South Down)  
Wilson, Sammy (East Antrim)

# Northern Ireland Assembly

Monday 1 October 2012

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

*Members observed two minutes' silence.*

## Assembly Business

**Mrs Cochrane:** On a point of order, Mr Speaker.

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

**Mr Speaker:** I will take Mrs Cochrane's point of order, then Mr Bell's.

**Mrs Cochrane:** Following the upset in the Chamber, last Tuesday evening, I wish to inform the House that I have since received an apology from Mr Wells, who, on reflection, recognised that his remarks went beyond what is acceptable in the cut and thrust of debate. I have accepted his apology. However, that does not excuse the behaviour of other Members of the House who were seen quite clearly on camera to resort to pack-like behaviour and to take pleasure in seeing someone upset. While some may be here for a political game, I am here to work. This is, therefore, a workplace. That type of bullying behaviour is not acceptable in any other workplace and should not be acceptable here. Mr Speaker, I ask, therefore, that you monitor that type of behaviour, as I feel very strongly that it is exactly the reason why many people, including women, with a great deal to offer Northern Ireland do not get involved in politics.

**Mr Speaker:** Let me first deal with the issue. As the Member said, she and Mr Wells met in my office last week, and Mr Wells gave a full and frank apology. I want to recognise that in the House. Let me also give credit to Mrs Cochrane, as she has dealt with the issue properly and not attempted to bring the Speaker into party politics. Far too often in the House, when, on reflection, Members know very well that they have said something they should not have said and admit to that, they then try to bring the Speaker into politics around the issue. That is something that I will not accept. I have to say that, on this occasion, that did not happen. This is how issues such as this should be dealt with. A Member might get caught up in the heat of debate, which is understandable,

given the cut and thrust of debate in the House, but they should have the good grace to reflect and apologise when they are clearly out of line and out of order. Mr Wells did that at the outset. I have said in the House already that Mr Wells was very gracious in his apology, as was Mrs Cochrane, in accepting the apology.

As part of normal politics and the cut and thrust of the Chamber, Members should expect robust debate and expect to be challenged about what they say. There is nothing wrong with that. That is where the Deputy Speakers and myself should not get involved. Members of the House can defend themselves very well, especially when it comes to political debate in the Chamber. However, it is not acceptable when remarks are offensive, personal, bad mannered and ill tempered. Over the past few weeks, we have seen enough of that from all sides of the House. There is no doubt about that. The House should give leadership, and I ask all Members to reflect on whether their general behaviour in recent weeks has done justice to the Assembly and, especially, to the leadership that is expected from Members of the House.

Several times over recent weeks, I have reminded the House about the standards that are expected of good courtesy, good temper and moderation. I also ask Members to treat each other with courtesy and respect and to be mindful of the dignity of the Chamber in everything that they say. I hope that, over the next number of weeks, we will all learn lessons and I will not have to return to this matter.

Some Members continually want to rise in their place just to offend other Members. Therefore, as Mrs Cochrane said, I will monitor the situation. I will deal with the issue if a Member says something that he or she should not have said during the cut and thrust of debate. They should reflect on it and at least have the decency to apologise. Let us leave it there.

**Mr Bell:** On a point of order, Mr Speaker. At the weekend celebrations of the Ulster covenant, Northern Ireland saw one of the most dignified, solemn and massive demonstrations

in our history. I do not want to over-egg the pudding, but, although there were tens of thousands of Union flags there on the day, the Union flag was not flying above this Building, which concerned many people. The Democratic Unionist Party opposed the Flags Regulations (Northern Ireland) Order 2000, which designated 17 days. There should be an additional day for Ulster day, and I would like the support of the House for Northern Ireland Office legislation, under the Secretary of State, to ensure that the Union flag flies above this Building on these significant days

**Mr Speaker:** Order. That is not a point of order. Let us move on.

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

**Mr Speaker:** Order. I am not taking any further points of order on this issue. If it is a different point of order, I will be happy to take it, Mr Allister, but I am not prepared to take any further points of order on this issue. Let us move on. I know that the learned Member can be very shrewd in deciding on another point of order when it is really the same point of order. I ask the Member to reflect on what I said earlier on the issue that has already been raised in the Chamber. It is not a point of order, and I have already made that clear. Let us move on.

## Committee Membership

**Mr Speaker:** As with similar motions, this will be treated as a business motion. Therefore, there will be no debate.

*Resolved:*

*That Mr Stephen Moutray, Mrs Brenda Hale and Mr Paul Givan replace Mr William Humphrey, Mr Trevor Clarke and Mr Tom Buchanan as members of the Committee for the Office of the First Minister and deputy First Minister; that Mr William Humphrey replace Mrs Brenda Hale as a member of the Committee for Culture, Arts and Leisure; that Mr Alastair Ross replace Mr Gregory Campbell as a member of the Committee for the Environment; that Mr Peter Weir and Mr David McIlveen replace Mr William Humphrey and Mr David Hilditch as members of the Committee for Finance and Personnel; that Mr William Humphrey and Mr Alex Easton replace Mr Peter Weir and Mr Sydney Anderson as members of the Committee for Justice; that Mr Gregory Campbell and Mr Sammy Douglas replace Mr Alex Easton and Mr Alastair Ross as members of the Committee for Social Development; that Mr Alex Easton replace Mr Stephen Moutray as a member of the Committee for Regional Development; that Mr David Hilditch and Mr Sydney Anderson replace Mr Sammy Douglas and Mr David McIlveen as members of the Committee for Employment and Learning; and that Mr Trevor Clarke replace Mr Alex Easton as a member of the Public Accounts Committee. — [Mr Weir.]*

## Ministerial Statements

### Adult Care and Support

**Mr Poots (The Minister of Health, Social Services and Public Safety):** With your permission, Mr Speaker, I wish to make a statement to the Assembly on the commencement of a public consultation on the reform of adult care and support in Northern Ireland.

Care and support involves a wide range of services provided across government and is aimed at helping us to live an independent, healthy, active and inclusive life. Those services include adult social care, which is the responsibility of my Department, and social security benefits and help with housing, which are the responsibility of the Department for Social Development. Not everyone, of course, receives the same type or level of service, but the aim is for people to receive the service that meets their particular needs in the best way.

On Monday 17 September, my Department published a discussion document, 'Who Cares? The Future of Adult Care and Support in Northern Ireland'. At this stage, it contains no policy proposals; those will come later in the reform process. Rather, the aim of the document is to kick-start a debate with people in Northern Ireland on two key issues: first, what care and support services people we want to see in the future; and, secondly, where the balance of responsibility for care and support in the future should lie, between government, people who use services, carers and the wider community.

There is much that is good about the current care and support system. I want to recognise the contribution made by those who work in this area and on whom the estimated 23,000 people receiving domiciliary care and the 12,000 people who are supported in residential and nursing homes rely. I want to build on what is good and address what could be better.

Northern Ireland has the youngest population in the UK, but we are also ageing more quickly than Scotland, England or Wales. Although our population as a whole is projected to increase by 8% up to 2025, over the same period, our over-65 population is projected to increase by 42% and the over-85 population by 83%. Too often, discussion about the increasing number of older people is framed in a negative manner, as if older people were a burden on the rest of society. Let me put on record my view that our growing elderly population is one of our

achievements and is to be celebrated. However, it has serious implications for demand for services. There will be a gradual increase in demand for support — yes, it is a challenging increase — but it becomes a significant problem only if those of us in government do nothing to prepare for it. I am determined that that will not happen.

Of course, with a bottomless pit of money, which we do not have, we might simply increase funding to try to keep pace with the growing demand for support. We are all aware of the financial difficulties that the world faces, and Northern Ireland is not immune from those. The days of guaranteed increases in funding are gone. However, I am convinced that we can use the funding that is available to better effect. Members will be aware that, in response to 'Transforming Your Care', Health and Social Care (HSC) is developing population plans that will propose changes to how services are delivered over the next five years. I believe that we must also now begin the process of considering the medium- and long-term challenges facing care and support. To that end, this discussion document sets out a draft vision for the care and support system of the future that recognises the role that we can all play in looking after our own health and well-being and seeks to empower us to do so.

We also know that many people do not know what support is available or how to access it, nor do they know about how that support is funded. That must change. At the very least, people need to know how to get help when they need it and how much social care and support cost in this country. We also need a system that recognises that we should provide support that, as far as possible, prevents problems occurring in the first place and seeks to restore independence where a problem has already occurred. By intervening early, by supporting people to do things for themselves and by helping them to relearn skills that may have been lost through, for example, a stroke or a fall, we can build an affordable and sustainable system of care and support that delivers the outcome that we all want to achieve: independence not dependence, empowerment not disablement.

We have also identified key principles that we believe should underpin the care and support system: affordability and sustainability; quality; dignity and respect for the individual; equality and diversity; human rights; safeguarding; and equity of access. We must ensure that we take advantage of the small size of Northern Ireland and remove any possible postcode lotteries. People should be assessed for care and

support in the same way, for the same services, against the same eligibility criteria and with the expectation of receiving the same quality of care.

We also have to recognise that, although expectations of care and support have changed dramatically in the past 10 to 20 years, the actual foundations of care and support have not kept pace. There will always be a role for traditional services such as domiciliary care, residential care and nursing home care, but we need to discuss how we can give people more choice and control over the care and support that is available. That is how we can be more flexible and innovative in our approach to care and support. The choice that people have in the services that they receive and who provides that care and support, be it in the statutory, private or voluntary sector, is what really matters to them.

We also need to have a real discussion about how we balance meeting individual preferences for how care and support needs are met with the need for cost-effectiveness. In most cases, those demands are complementary, not competing. Providing support earlier is likely to be cheaper and to enable someone to remain independent for longer. However, we need to recognise that there are some cases in which it may be less expensive to provide care and support to an individual in a residential and nursing home when they may prefer to be supported in their own home. These are difficult, challenging issues, and we cannot afford to shy away from them if we are to have the full and frank discussion that, I believe, is needed.

### 12.15 pm

We also need to discuss the respective roles of the main stakeholders. They are government, people who use services, carers and the wider community. Crucially, we need to talk about the funding underpinning care and support in the future and where the balance among those stakeholders should lie. In adult social care, we are already spending in excess of £810 million on services such as domiciliary care and residential and nursing homes.

Government also determines whether and how people contribute to the cost of care and support services. People who use services contribute over £100 million towards care and support, the bulk of which comes from people living in residential and nursing homes. That is because there is an inconsistent approach to charging for care and support services. Some services, such as domiciliary care, which

around 23,000 people receive, are provided free. Some, such as meals on wheels, require a flat-rate contribution towards the cost, so everyone pays the same regardless of their ability to pay. Services such as residential and nursing home care are means-tested, with many clients required to contribute to the cost of their care in line with their ability to pay. That can mean that those with few assets give the majority of any income that they have as a contribution towards their care costs, while those with assets may have to sell their former home to meet the full cost of their care.

Underpinning it all, an army of carers give their time freely and willingly to care for loved ones. Carers NI has estimated that that care would be worth over £4 billion if it had to be provided by government. The system simply could not cope without the role played by carers, and we need a real discussion about how to support carers in their caring role.

Many people think that the current balance between government, people who use services, carers and the wider community is unfair — unfair because people mistakenly believe that all care and support is free at the point of delivery, like the NHS; unfair because some care and support services are free, while others require people to meet the full cost of their care subject to their ability to pay; unfair because the care and support service that supports the most vulnerable – residential and nursing homes – requires the greatest contributions; unfair because those who have assets often pay the full cost of their care and support until almost all their assets are used up, while those with little or no assets receive substantial financial support from government; and unfair because family members and friends take on so much caring responsibility but feel taken for granted and unsupported. In that context, we need to debate the fundamental issue of the role of care and support. Should it be a safety net for those who cannot look after themselves or a means of providing some protection for everyone against potentially large care costs? Where should care and support sit in the list of competing priorities such as education and job creation? Given the fact that it will not be possible to create a totally fair system, which of the issues that I mentioned are the highest priorities that need to be addressed?

The case for change, in demographic terms, is clear. There is a saying around making change happen that, if you keep on doing what you always did, you keep on getting what you always got. If we keep on doing what we have always done to provide adult care and support, we certainly will not get what we always got,

because we will not be able to afford it. We need change so that we can continue to afford to meet the needs of very vulnerable people when they come to rely on state support. The need for that change to be influenced and steered by people in Northern Ireland cannot be overstated. This reform process is not just for grandparents or elderly parents. Yes, as we get older, our need for care and support increases, but we need to be thinking about and planning for what we want for ourselves in the future now. I urge everyone, young and old, to give serious thought to how care and support should be provided and funded in the future because, some day, the person needing care and support could be you or a loved one belonging to you. My Department is conducting a six-month consultation on this major issue, with 15 events being held around Northern Ireland. Whether or not people attend one of those events, I urge them to think about the issues and let us have their views.

**Ms S Ramsey (The Chairperson of the Committee for Health, Social Services and Public Safety):** Go raibh maith agat, a Cheann Comhairle. I welcome the very detailed statement today. The Minister has gone some way towards giving us some detail on how the reform of adult social care will fit in. Can he give us detail, considering that it is due to go out to consultation, of how he sees the reform fitting in with the public health and 'Transforming Your Care' agendas? Will we see movement on this? I am delighted that he is looking at a six-month consultation, because this is a major issue. However, I am concerned that it might not fit in with the overall health and social care strategy. Will he give us details of what he means by the 15 events? I take it that they will be in most constituencies, with one in Belfast. If we are trying to get people involved in the consultation, we might need to look at other events.

**Mr Poots:** The list of events will be published on the website. There are 15 events, as you said, and they are across Northern Ireland, from Omagh and Enniskillen in the west to Belfast and Newry in the east. We are covering most of Northern Ireland. I encourage people to take part.

'Transforming Your Care' is a five-year programme of change. This process is about reform beyond that period. Crucially, the reform will consider how care and support is paid for, which was not considered in detail in 'Transforming Your Care'. The review team has had some initial exchanges with the TYC team and looks forward to working more closely with it as the work develops.

You also mentioned the public health agenda, which is something that we really need to move forward. We need to get public buy-in because healthcare begins at home; it does not begin in a nursing home or a hospital. If we do not take better care of ourselves, we will have poor health, and poor health will ultimately lead to more support being required from the healthcare system. It is in everybody's interests — the individual and the system — that we continue to promote the public health agenda and that people buy into that.

**Mr Wells:** As the Minister knows, the Dilnot report was commissioned to look at this issue. Will he tell me what line his Department has taken in conjunction with Dilnot? What does he believe to be happening on the mainland of the United Kingdom in the Department of Health over there on this issue?

**Mr Poots:** The consultation is stage 1 of our process. It does not contain any proposals at this stage; it is genuine consultation, going out to the public, getting feedback and then arriving at the next process, which will be stage 2. In developing options at stage 2, the Department will consider the broad range of ideas for reform, which will include the views put forward during the consultation period as well as developments in GB, such as the Dilnot Commission, which reported last year, and the White Paper that was published in July.

Adult social care is a critical issue. As I said, it costs us £810 million out of our budget of £4.5 billion, which is a huge amount of money. Is it best spent as we currently do it? Could we spend it better? How much more money will we need? All those questions need to be answered to identify the route that we take in the future. It is important that we work closely with all our colleagues to ensure that we get as good an understanding as possible to move the process forward.

**Mr Gardiner:** I thank the Minister for his statement and his concern for the elderly in our population. Will he detail the proportion of people in residential care who pay entirely for their own care? On the other hand, what is the total cost to his Department of providing care to those who are below the assessed level of £23,500?

**Mr Poots:** The average length of stay in a nursing home is 2.33 years, and the average cost of that care is around £52,000. The average length of stay in a residential care home is 4.51 years, and the average cost of that care is around £100,000. Of those who are

in a nursing or residential home, 25% pay the full cost of their care. That figure consists of 11% private funders and 14% self-funders. The private funders are not placed by trusts; they make that choice themselves. A total of 13,000 people are in residential and nursing care, of which 10,700 are HSC-supported residents.

**Mr McDevitt:** I welcome the principles that will underpin the new care and support system enunciated by the Minister. I particularly commend him for his commitment to a human rights-based approach to the provision of adult care and support. Does the Minister accept that, given our demographics in this region, that will inevitably mean that we will have to spend a lot more money on adult care and support in the years ahead? Does he also accept that it will mean that we will have to challenge ourselves to be able to offer a service that is free or as close as possible to it to everyone who needs it?

**Mr Poots:** If we continue to do it as we have done, of course it will cost more money. We have to look at whether there are other solutions that will allow us to use the money we have as cost-effectively as possible. Incrementally, the burden on the taxpayer will rise each year. Earlier, I gave the figures for the expected increase in the numbers of over-65s and over-85s by 2025. Thankfully, neither of us will fall into that category, but, all being well, some day we will get to the point of being in that older age bracket. The truth is that, if we continue to do it as we currently do, those increasing numbers will mean that the burden on the state will be very significant.

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

In Northern Ireland, we provide domiciliary care free of charge. That is not the same as in GB. Changing that would take a brave politician; you would have to be very courageous to change that. On the other hand, we need to make a very strong case for why we should keep doing it. There are other challenges in health with, for example, neurological conditions, cancer treatments and so forth that people will want more investment in. If we are to continue to spend many millions of pounds supporting people in their own home, which does not happen in other parts of the UK, we have to make it very clear why we believe that that is a good use of our money. That is the difficult and challenging debate to be had. At the same time, we will have to look at how we can help people stay in their own home without adding to the cost. We are going down the route of telemonitoring, telemedicine and so forth.

Those provide a bit of the answer, but they do not provide anywhere near all of it. We have to look at how we can do things somewhat differently and better utilise the services that we have to support people who need those services.

**Mr McCarthy:** Like others, I welcome the statement, and I certainly welcome the absolute commitment by the Minister to support our elderly and infirm population. I have to pay tribute to the excellent work carried out in the community. However, I worry about the discrepancies that are already prevalent between the pay and conditions of trust staff and staff in the private sector. That was mentioned in the statement, and it worries me.

Will the Minister ensure that carers and social workers receive equal pay for equal work when looking after our elderly people in the community? Otherwise, our best carers will be lost and our elderly people will be the losers. Will the Minister tell the Assembly whether, at the end of this consultation, he and his Department will act on the result of the consultation with the people?

**12.30 pm**

**Mr Poots:** It is not my responsibility to intervene in what the Member seeks me to intervene on. We operate in a free market; we do not operate in the former Soviet bloc. People go out and tender for work and pay their employees for the work that they carry out. That is not my responsibility; the market is responsible for setting that. Employers who do not treat their staff well — who give them a minimum wage and so forth — are those who have a regular turnover of staff because people do not stay with them. Generally, therefore, they do not provide the best service and are not the most popular residential or care homes. Many residential and care homes pay better and have a better consistency of staff and, consequently, have more people on the waiting list to get in. That system appears to me to work without interference from politicians.

**Mr Dunne:** I thank the Minister for his statement. Will he clarify how Northern Ireland funding reforms contrast to what is happening in England?

**Mr Poots:** The main contrast is that, if you go into a residential or nursing home, you will be means-tested and will have to make a contribution if you have assets: that is the same throughout the UK. However, if you receive domiciliary care at home in Northern Ireland, it

is received free of charge, whereas in England you would have to pay a contribution to your council. That is the main difference. That costs us tens of millions of pounds each year, and, as I indicated, I think it would be very difficult for any politician to change that. It would be hugely unpopular, and this House needs to take that into account. However, at the same time, we need to take these matters into consideration and have views expressed on this type of funding.

**Mr Brady:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement. It is very clear from the Tory agenda on welfare reform that many vulnerable groups will be targeted. One of those groups is carers, who play an important role, as you outlined in your statement. Can we be assured that the views of carers will be taken into account in this consultation and that they will not be impacted on as seems to be the case in relation to the Welfare Reform Bill that is coming through?

**Mr Poots:** As I indicated, Carers NI believes that the care provided in support voluntarily is to the value of around £4 billion. Although that may have received some embellishment, there is no doubt that we get billions of pounds' worth of support from carers. We, as a Government, cannot replicate that. In fact, we could not replicate the quality of care given by carers, which is carried out with something that outsiders could not provide, as it is carried out with a huge amount of love.

What carers do is absolutely essential and critical. There is often a basic unfairness about it all, and I have identified a number of issues where people believe there is unfairness in the system. Carers are absolutely vital to us. We cannot ignore the needs of carers. We would be failing in our duty if we did not provide some support to carers, because if the carers give up, then the full cost comes on to the system. It is absolutely critical that we support carers and hear their views, and that carers make a very significant contribution to the outcomes of this consultation.

**Mr Weir:** I thank the Minister for his statement on this very important topic. Will he consider placing a cap on the total sum that anyone, regardless of circumstances, should have to contribute towards care?

**Mr Poots:** Again, that goes back to the Dilnot review's proposals. I am aware that such an approach, in principle, is being considered by the coalition Government at Westminster, but

they have been unable to identify the £1.7 billion that would be required to introduce it.

We will consider a number of options when we come to stage two of the reform process, but we will watch events closely and work closely with Westminster on the issue. Hopefully, they will go down the route of the cap, so that Barnett consequentials will kick in that will allow us to follow suit.

**Ms Maeve McLaughlin:** Go raibh maith agat, a LeasCheann Comhairle. I welcome the Minister's statement on a very important consultation on the future of adult social care. I note with interest the need for partnership and cross-departmental working on this issue specifically, as the Minister mentioned, through social security benefits and housing. Has he, or have his officials, examined best practice in adult social care in other countries?

**Mr Poots:** My departmental officials keep a watching brief on what happens in other jurisdictions around the world as to how best we can deliver adult social care. That work is always ongoing to identify what people are doing in other places.

Given what is happening in England in the wake of the Dilnot review, the £1.7 billion would be a lot of money to invest, but, at the same time, a lot of people have had virtually all their assets wiped out as a result of having to pay for the care that they have received. We have to give consideration to the inherent unfairness of the fact that people have worked extremely hard to build up their assets only to find that they are all wiped out. However, that is just one of the unfair things that people will look at. There are many other aspects of caring for adults, and particularly elderly people, where fairness and equity are an issue. That is something that we need to continue to work on in this report.

**Mr G Robinson:** Why can people in England claim back care home fees but people in Northern Ireland cannot?

**Mr Poots:** The reimbursement scheme in England is designed to deal with incorrect decisions on eligibility for continuing healthcare. Where assessments have proved to be wrong, families can claim back fees. We in Northern Ireland have not experienced the same difficulties as England in our integrated health and social care system in the first instance. That is why no formal reimbursement scheme has been introduced here. However, where people are unhappy about the outcome of an

assessment, they can request a review of their needs from their health and social care trust.

**Mr Moutray:** Would the Minister be minded to increase the £23,000-odd assets threshold above which service users are currently forced to pay for residential and nursing care?

**Mr Poots:** It is certainly something that merits consideration. We are not at the point of developing specific proposals for reform, but I suspect that there will be contributors who will suggest that we should look at that. It is certainly something that we will look at in the next stage of the process, once we have had the opportunity to ascertain the wide views of people from Northern Ireland, because there will be a whole range of issues on which people have views to express. All those will have to be assessed and measured against one another before we start to put proposals on paper.

**Mr Anderson:** I thank the Minister for his statement. I note that we currently spend in excess of £810 million on adult social care. What is the current breakdown of overall spending in Northern Ireland on residential, nursing home and domiciliary care?

**Mr Poots:** Of the £811 million that was spent in 2010-11, £265 million was spent on nursing home care, £203 million on domiciliary care, £160 million on residential care and the remaining £183 million on services such as day care and social work.

## Education: GCSEs and A Levels

**Mr O'Dowd (The Minister of Education):** Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom ráiteas a dhéanamh faoin athbheithniú ar cháilíochtaí GCSE agus A leibhéal. Mr Deputy Speaker, I want to make a statement regarding a review of GCSE and A-level qualifications.

Bhí an-chuid díospóireachta le déanaí faoi chinntí a glacadh i Sasana faoi na scrúduithe GCSE. There has been much debate recently about decisions taken in England in respect of GCSE examinations. That has generated a lot of speculation about whether we should follow suit. I am pleased to be able to update the Assembly with my decision for a review of GCSE and A-level qualifications to be undertaken.

As Members will know, education is a devolved matter. It is entirely appropriate that we should take our own decisions about the way forward for learners here. My focus will always be on putting pupils first in the education system and making sure that their needs are at the forefront of everything that we do.

The review builds on my Department's work to date. Legislation is in place to introduce the entitlement framework in 2013, which will provide greater choice to meet the needs of our children at Key Stage 4 and at post-16. We have a literacy and numeracy strategy that is central to the development of those essential skills among pupils throughout primary and post-primary learning. We are introducing new assessment arrangements at Key Stages 1 to 3 that complement and support the key aims of the revised curriculum, embracing the assessment of skills, knowledge and understanding. We are focusing on the needs, aptitudes and aspirations of all our children, including those with special educational needs. We have a school improvement policy that recognises the essential role played by our teachers in delivering high-quality educational outcomes for all pupils.

However, this is only a starting point. To underpin the existing policies, there is now a pressing need to consider what assessment or qualifications we want to provide to young people leaving school at the ages of 16 and 18 and to question whether the current suite of GCSEs and A levels is the most appropriate system.

The past 12 to 18 months has seen unprecedented levels of change and uncertainty in the qualifications system, with a

series of examination errors in 2011, changes to GCSEs, proposed changes to A levels in England, concerns over grade boundaries this year, and further proposed changes to GCSEs in England. I believe that the time is right for us to take stock of our examination system and consider whether change is now desirable or necessary. Leanfaidh mé orm ag obair ar an treo-phrionsabal, rud atá ar son leas ár bpáistí.

I will continue to work on the guiding principle of doing what is in the best interests of our children. Proposed changes to GCSEs and A levels in England present an opportunity for all involved in education here, including our pupils, to consider how best the examination system meets the needs of our children as well as the needs of our economy. I also want to reassure all pupils who are studying for GCSEs or A levels that the examination process they are currently involved in is fit for purpose. Past pupils of our examination system should be proud of their qualifications.

My vision is for our education system to be internationally recognised as world-class. I do not wish to initiate change for change's sake. If the current suite of qualifications at Key Stages 4 and 5 is deemed to be appropriate, I will be content to stick with what we have. However, I want to satisfy myself, through quantitative and qualitative research involving key stakeholders across the education and business sectors, that that is the case.

Consequently, I am commissioning a review of GCSE and A-level qualifications here to ensure that they will continue to meet our economic and societal needs now and in the future. I am asking the Council for the Curriculum, Examinations and Assessment (CCEA) to take forward the review. I have asked the CCEA to provide two interim reports, the first in January 2013 and the second in March 2013. I will receive the final report in June 2013, after which I will consider the findings and recommendations and update the Assembly on the way forward. The terms of reference for the review will be published today.

### 12.45 pm

This will be one of the most important pieces of work on our examination system to be undertaken in the past 25 years. A lot has happened since GCSEs were introduced in 1986, and we have come a long way, particularly in the past decade. With the Assembly now in its second term, the public here rightly expect, and deserve, a dynamic, self-assured and confident education system that is capable of providing our young people

with the passport that is necessary to give them their rite of passage to further education, higher education or employment.

Qualifications are a recognition of pupils' attainment, and I am determined that whatever we produce will be comparable to other equivalent qualifications that are offered, not only across these islands but internationally, now and for the foreseeable future.

**Miss M McIlveen:** Does the Minister still believe, as he did earlier this year, that it is vital that the standard of our exams remains exactly the same as that in England?

**Mr O'Dowd:** Yes — well, maybe not exactly the same; perhaps better. I think that students and prospective employees here have to be confident that the qualification certificates that they carry are equal to, if not better than, those from any other qualification system across these islands. It is a duty on the Assembly, my Department and, indeed, me, as Minister, to provide them with that confidence. I want to ensure that, whatever qualification system we decide on at the end of the review, our students have qualifications that are portable, transferable and able to work either across these islands or internationally.

**Mr Hazzard:** Go raibh maith agat, a LeasCheann Comhairle. I welcome the Minister's statement. Will he outline some of the areas where change may be desirable or necessary to create an examinations system that meets the needs of our children and our economy?

**Mr O'Dowd:** As I said in my statement, I am reasonably content that our GCSE and A-level systems meet the needs of our society and our economy. However, Michael Gove's announcement that he will break the three-jurisdiction ownership of GCSEs and perhaps A levels means that we as an Assembly, and I, as a Minister, have a duty to review our qualifications system. As I said in my previous answer, I want to ensure that those qualifications are robust and transferable.

The review will look at all aspects of the qualifications system. I do not want to pre-empt the outcome of the review. The terms of reference will ensure that the body that is set up will take on board the views that are expressed by and be representative of not only the Department of Education, which I am responsible for, but further and higher education and the business sector. I would like them to closely examine each part of our

examination system and to take a look at it to see whether it meets the needs of society and education and whether it is a true test of the ability of each individual student who passes those tests.

So, it is all up for grabs. It is up to the review body, under the terms of reference, to examine all aspects of the qualifications system.

**Mrs Dobson:** I also thank the Minister for his statement. Does he agree that the entitlement framework itself needs to be reviewed in parallel with the review that he announced today so that it does not provide a cage around any future exam structures?

**Mr O'Dowd:** No, I do not agree. The exams system will reflect our curriculum. It will be based on our current curriculum, and I have no plans to review the curriculum as it is currently constituted. The entitlement framework has come into statute. As I set out in my statement to the Assembly in September last year, the framework will flow out and become fully applicable by 2015. So, exams systems should be based on the curriculum that is delivered to the young people involved. That is exactly what will happen as part of this review.

**Mr Rogers:** I thank the Minister for his statement. I particularly welcome his reassurance to our GCSE and A-level students, past and present. What input will schools have into this review?

**Mr O'Dowd:** The review will speak to key stakeholders in our education system, and schools are key stakeholders in our examinations system. Therefore, there will be an avenue for our schools and our school leaders, teachers and pupils to have an input into the outcomes of the review. I will study the review and assure myself that stakeholders have been spoken too.

However, I have to say that a consultation is not a negotiation. A consultation is when you go out and listen to key stakeholders' views. The review itself will then have to come to decisions, and I, as Minister, will also have to then make decisions. Certainly, our schools' voices will be heard through the process.

**Ms Lo:** I thank the Minister for his statement. Is the CCEA the right body to carry out the review, given that it is the regulator and provider of examinations? Is that a conflict of interest?

**Mr O'Dowd:** The Member asks a very pertinent question, and I did ponder that. However, I am

satisfied that the CCEA, as the statutory body responsible for qualifications in this jurisdiction, is the most appropriate body to carry out the review. The review will be carried out by people who are appointed by the CCEA. They will report back to the CCEA board, which will then report to me. It is a valid question, and I have studied the issue. As I said, however, the CCEA is the statutory body responsible for examinations, so it is the right body to carry out the review.

**Ms Boyle:** I thank the Minister for his answers to date and for his statement. Will he expand on what opportunities the review may present for students? What opportunities will there be in the review to ensure that our students stay here on these islands?

**Mr O'Dowd:** As I said in my statement, I am reasonably content that GCSEs and A levels have proven to be robust examinations of individual students' abilities. Michael Gove, the Secretary of State for Education in England, has made a decision to break away from the three-jurisdiction ownership of GCSEs and A levels. That is regrettable, and I believe that there was a better way forward. I have had discussions with my Welsh counterpart, Leighton Andrews. I cannot speak on his behalf, but he has expressed his concerns about how the process has been handled. The Welsh are moving forward and, indeed, are involved in a review, which will report back around November. No doubt, Minister Andrews will then make his views known on the way forward for examination systems in Wales. Over the summer, I visited Scotland and was very impressed with the Scottish model for its national qualifications. That was a very interesting visit. I have regular contact with my colleague Ruairi Quinn of the Dublin Government, and I am aware of the examination system in the South.

This is an opportunity, in the sense that the actions of Michael Gove have forced the Administrations to take their own action, so we will examine the GCSE and A-level system from a research point of view. That will not be based on a political philosophy or anything else. Rather, let us review on the basis of research and of examination of the system, and if we can do it better, let us do it better.

**Mr Craig:** I share some of the Minister's concerns about the links being broken with England. Will he assure the House that, whatever comes out of the review, exams will remain equivalent to whatever examination system comes into being in England? That is

vital to those who wish to avail themselves of any further education in England.

**Mr O'Dowd:** The simple answer is yes. It makes no educational, economic or any other sense not to have our examinations equivalent to the English model, the Welsh model, the Scottish model and, indeed, the Southern model. Whatever our points of view are on the relationship between England and us, there has long been a strong relationship, in that students, employers and potential employees have gone to England to find work or to study. I have no wish to put a barrier to that in place. I want to ensure that students be given the flexibility to do that. As I said in response to the previous question, it is regrettable that Michael Gove has taken the actions in the way in which he has taken them. There was a better way of doing it, but, as I have said previously in the House, he had every authority to act in the way in which he did. We are where we are. We will carry out a review, and I assure the Member that we will ensure that our examination system is comparable to England's system.

**Mr Allister:** Is it not clear that GCSEs as they are are too weak a tool to command educational and employer respect and, as such, that more rigorous exams are necessary? Given that most of the rest of the United Kingdom is now moving in that direction, surely it would be wholly prejudicial to our students to seek to hold to what would then be seen as dumbed-down exams. Can the Minister assure us that that is not an option and will not be taken?

**Mr O'Dowd:** None of the research backs up the Member's comment that GCSEs are — and I do not think that I am quoting him directly — a discredited exams process. There are points of view and much debate on the matter, but none of the research suggests that GCSEs have failed to carry out the function of an exam, which is to test an individual's ability to learn and to carry out functions. I do not accept that premise.

I have said publicly that the actions of Michael Gove may have fatally flawed the GCSE product, and that perception may continue to build and grow. I certainly do not want any young person to leave our examinations system with a certificate that may, for all the wrong reasons, be looked down upon. I want our young people to leave our education system with qualifications that they can be proud of and that are portable and transferable across these islands and much further afield. I have no interest in dumbing down any examinations

process. It does no favours to the individual, our society or our economy.

**Mr Storey:** As Chair of the Education Committee, I welcome the Minister's announcement and look forward to seeing the terms of reference, which the Committee will scrutinise later this week.

Speaking as a Member, I follow on from the point made by the Member for South Belfast. CCEA has a track record of lateness in providing robust information to, for example, the Education Committee. It took a decision on the future of GCSEs over the summer, and the Committee is still awaiting evidence-based papers from that organisation. What confidence has the Minister that CCEA will be able to command the respect of stakeholders during the review to ensure that we get the proper and factual position on what we need to do, which is to come up with a Northern Ireland-based answer to the problem? Secondly, what plans has he to meet Michael Gove to discuss that issue?

**Mr O'Dowd:** I thank the Member for his question. The terms of reference will be shared with the Education Committee later this afternoon before being published.

I am setting the terms of reference for the review, and CCEA is, therefore, answerable to the House through the Department and my good self. I have asked for interim reports, but not because I believe that CCEA is not capable of the task. If I thought that that were so, it would not be carrying out the review. Interim reports will come to my Department, and we will be able to monitor the review's progress against the terms of reference and reassure ourselves that stakeholders are being spoken to and that work is ongoing. If CCEA is of the view that it needs to extend the terms of reference or that another element needs to be taken on board, the Department will take that into consideration.

I have every confidence that CCEA will be able to carry out a robust task, but, at the end of the day, the decisions will be for my Department, and I, as Minister, will make the decisions about the future direction of travel of our examinations system based on robust evidence and interrogation of all other systems and proposals.

This may seem strange coming from me as a republican, but I have asked to meet Michael Gove and he has refused to meet me. It is not the case that I have a phobia about meeting Michael Gove. We may not be on the same page on many things, but he has refused to

meet me, and I understand that he has also refused to meet the Welsh Education Minister on the subject of exams. He has offered me a meeting with one of his junior Ministers and, setting my ego aside, I may well take him up on that offer. However, I believe that Michael Gove, as Secretary of State for Education in England, should meet his counterparts. I cannot speak on behalf of the Welsh counterpart, but I certainly believe that he should meet me.

**Mr Kinahan:** I thank the Minister and welcome the review that he announced today. I note that he said in his answer to Sean Rogers that it is not a negotiation. Will he put in place a proper review that, before we get to consultation, properly consults and discusses the matter with teachers? That is the message that we got from them last week on area planning. They do not feel that they are being talked to, listened to or are a part of it, and they believe that consultation tends to be a one-way process.

**1.00 pm**

**Mr O'Dowd:** Let me clarify my use of the term "negotiation". Ministers are elected to make decisions. That is the reality; that is the democratic pathway. However, I want to make decisions based on real consultation with the sectors out there. I say that it is not a negotiation because I am familiar with other programmes of work that have taken place elsewhere which have stalled because those in charge of the consultation have bogged themselves down in a negotiation, instead of going in and consulting with people, taking on board their views, agreeing or disagreeing with them, and moving on. That is where we need to be. Whether in area planning or the review of examinations, I want people's views taken on board. If CCEA disagrees with them, I want to know why. Then, I, as Minister, will make the final decision on the way forward.

## Executive Committee Business

### Welfare Reform Bill: First Stage

**Mr McCausland (The Minister for Social Development):** I beg to introduce the Welfare Reform Bill [NIA 13/11-15], which is a Bill to make provision for universal credit and personal independence payment; to make other provision about social security; to make provision about child support maintenance and the use of jobcentres; and for connected purposes.

*Bill passed First Stage and ordered to be printed.*

## Private Members' Business

### Marriage Equality

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

I inform Members that a valid petition of concern in relation to the motion was presented on Friday 28 September. I therefore remind Members that the effect of the petition is that any vote on the motion shall be on a cross-community basis.

**Mr Agnew:** I beg to move

*That this Assembly believes that all couples, including those of the same sex, should have the right to marry in the eyes of the state and that, while the rights of religious institutions to define, observe and practise marriage within their beliefs should be given legal protection, all married couples, including those of the same sex, should have the same legal entitlement to the protections, responsibilities, rights, obligations and benefits afforded by the legal institution of marriage; calls on the Minister of Finance and Personnel to introduce legislation to guarantee that couples of any sex or gender identity receive equal benefit; and further calls on the First Minister and deputy First Minister to ensure that all legislation adheres to the Government's commitments to protect equality for all.*

Most of us in the Chamber and wider society have the opportunity to marry the person we love and are committed to. Whether in a civil or religious ceremony, we have that choice. Whether the motion is passed, and whether we legislate for equal marriage, will have little or no impact on our lives. However, there are those who happen to love and wish to commit to someone of the same sex, and they are currently denied the opportunity to marry. We as an Assembly have the opportunity to say that we see those couples as equal, and see their love as equal. We can send a message today that those in same-sex relationships should be treated equally and fairly in our society. This is very much an issue of equality.

I agree with those who say that this is also an issue of religious freedom. The law currently defines marriage in such a way that denies

religious institutions the freedom to choose to define marriage within their own values. Even churches such as All Souls' Church in Belfast cannot perform either same-sex civil partnership or same-sex marriage ceremonies because the law currently denies them that religious freedom. Equally, we have an absurdity in the law: an atheist couple of different sex may, if they choose, have a religious ceremony, yet a devout Christian couple who happen to be of the same sex cannot even have hymns played or have any religious overtones to their civil partnership, if they choose to go down that line.

As well as enhancing religious freedoms, the motion seeks to enhance religious protections. I know that there is concern out there that if we legislate to allow same-sex marriage, Churches will, somehow, be forced to perform same-sex ceremonies. I want to make it clear that that will not be the case. Currently, 11 countries legislate for same-sex marriages, and there have been no instances of the Church being required to perform same-sex ceremonies against its will. Indeed, there have been many instances where the state definition of marriage and the religious institutions' definition of marriage has been different. Some churches will not marry two people of different religions because they do not see that as being within the value of their church, and that is their right, yet the state will still perform marriages between two people of different religions. Equally, those who are divorced cannot be remarried in some churches, but the state will marry divorcees. Again, no church is forced to marry people who have been divorced if that is against the will of that institution. Importantly, the state has respected the Church's right to define practice and observe marriage within the bounds of its own belief system.

I assure those who fear other consequences and fear that their religious freedoms would be denied if same-sex marriages were allowed that I would only support legislation that ensured that that could not be imposed on a religious institution. Passing the motion will not stop people having a personal view on how they perceive and define marriage, but it will improve the life of significant numbers of people in our society who value the institution of marriage and wish to get married. So, as well as being a motion of equality, it is a motion about religious freedom and protection.

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

**Mr Agnew:** I will indeed.

**Mr Allister:** I was just wondering how far the Member's aspirations about equality go because, if you start with the principle that, historically, marriage has been the union between one man and one woman, and you now say that it can be a union between one man and another man or one woman and another man, and you say that on the basis of equality, what about the man who says, "I'm in love with two women; I want to marry two women"? Does it become a question of equality that we have to then authorise polygamy? Does it not take us back to the point that you have to have a moral root upon which you base legislation, and that is the historically trusted route that a marriage is a union between one man and one woman? If you start to go down the Member's road, where do you finish?

**Mr Agnew:** I thank the Member for his intervention, because it gives me the opportunity to clear up that point. He talked about the tradition of marriage. As I have stated already, the institution of marriage has changed a number of times over the years in terms of how it is legally defined, including legislation to allow for divorce, mixed-race marriages and marriage between two people of different religions. As regards the issue of polygamy, this is about equality saying that couples, whether they are same sex or different sex, should have equal treatment. A marriage between a man and multiple women is not equal to a relationship between two consenting adults. Indeed, there is sociological evidence that, in societies where a man is allowed to have multiple wives, society is damaged. That is a very separate issue, because there is no equal evidence to suggest that allowing same-sex relationships and same-sex marriage in any way harms society.

I have also heard concerns that, somehow, same-sex marriage would lessen the institution of marriage. I hear it, and I believe that it is a genuine concern, but I do not share that concern. Those who campaign for same-sex marriage, particularly those in the lesbian, gay, bisexual, or transgendered (LGBT) community who seek the opportunity to marry, are committed to the institution of marriage, which is precisely why they campaign to have the opportunity to marry extended to their relationship.

It is important that we are debating this today and addressing these issues, because it is a debate that is taking place across the UK. I think it is telling that a Conservative Prime Minister, the leader of a party that has arguably done more than any other to promote the

institution of marriage, is now coming out in favour of same-sex marriage. It is very rarely that I will quote David Cameron in support of one of my principles, but, in this case, I think it is important to recognise that this issue has stretched across parties, including the Labour Party, the Lib Dems, the Conservative Party and the SNP in Scotland. David Cameron said:

*"Conservatives believe in the ties that bind us; that society is stronger when we make vows to each other and support each other. So I don't support gay marriage despite being a Conservative. I support gay marriage because I'm a Conservative."*

I concur with the Prime Minister's view on that. Extending the right to marriage to same-sex couples will strengthen the institution of marriage. As well as being a motion about equality and one that seeks to enhance religious freedom, this is a motion that seeks to strengthen the institution of marriage.

I hope today's debate will be a responsible one, because it is important that the Northern Ireland Assembly sends out the right message on this issue. The motion will not have a direct impact on anyone outside the LGBT community. Those in the LGBT community still face discrimination in our society. A survey was conducted in which a quarter of gay people said that they face homophobia in the workplace and a quarter said that they feel that they have to hide their sexual identity in the workplace. Gay people are much more likely to suffer mental ill health, and a recent survey showed that one quarter of gay young men said that they had attempted suicide. So, today, it is important that our language is moderate and respectful and that Members remember those issues.

I call on all in the House to support the motion and, in doing so, to support a motion that seeks to create equality in our society, enhance religious freedom, support the institution of marriage and to send out a message to all those in the gay community that the Northern Ireland Assembly believes that they should be able to live in safety, freedom —

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

**Mr Agnew:** — and freedom from discrimination and that it is committed to a shared society for all.

**Miss M McIlveen:** I rise on behalf of my party to oppose the motion, not because we oppose anyone or how they choose to lead their life but, rather, because of what we support, and we

support the institution of marriage. I want to say at the outset that my party believes passionately in equality. Indeed, one of the founding principles of the DUP is that all people are equal under the law and equally subject to the law.

We on this side of the House take equality seriously. This debate is not about demoralising or marginalising anyone, but neither is it truly about equality. To use the word "equality" when referring to marriage is to suggest that marriage is in some way unequal or discriminatory. That is not the case. Marriage is a complementary union between a man and a woman. This is not a debate about equality; rather it is a debate about redefining the centuries-old meaning of the word "marriage". It is simply a myth that this is an equality issue, as equality already exists. People are free by marriage or civil partnership to take on the same rights and bear the same legal burdens, no matter what type of relationship they choose to enter into. Moreover, everyone is free to choose to marry. There is no bar or prohibition on marriage. People are free to marry provided they marry someone who is of the opposite sex. It is time to tear down the smokescreen that this is about discrimination. The equality issue is settled.

1.15 pm

So, what is at stake in this debate? In our law, the word "marriage" was defined in the case of *Hyde v Hyde* in 1866. The court held that marriage was:

*"the voluntary union for life of one man and one woman, to the exclusion of all others"*

The reasons for defining marriage in this way are simple. Marriage is not simply about the individuals who are getting married. Marriage is about the future and the future generations who will be safeguarded by voluntary and exclusive relationships. Marriage, then, is not really about the participants; it is about the nurturing of children. To redefine marriage is to redefine society. To redefine the word "marriage" is to say that society is not about safeguarding the future but rather about the needs of the here and now. To redefine marriage is to change the point of focus from looking to the future to looking only at ourselves and our need. That is not the type of society that we want to build in the Assembly. Marriage is more than love and commitment. It is more than a publicly declared contract; it is about the future.

Graeme Archer, himself a declared gay man, said in 'The Daily Telegraph' on 5 May 2012:

*"Deliberately to engineer children who cannot, by definition, have the advantage of a traditional family, in the hope that this brave new cohort will fashion into existence a 'more equal' society ... is, and I don't use the word lightly, irrational."*

He says that this:

*" — for gay people, as well as for those who won't, or can't, marry — is about self-acceptance ... It does take a village to raise a child. But the process should start with a mother, and a father."*

This is not some narrow and bigoted view. Article 16 of the UN Universal Declaration of Human Rights, as upheld by the UN Human Rights Committee, defends this view of marriage. In European law, article 12 of the European Convention on Human Rights upholds the same definition, and the court has deemed this to be not a matter of equality but rather a matter for individual state law.

The motion states that safeguards should be put in place for Churches, but countless legal opinions, such as that of Aidan O'Neill QC, a leading human rights lawyer, raise the issue of the far-reaching problems for Churches that refuse to perform non-traditional marriage ceremonies. Churches could be debarred from the use of public buildings for youth clubs or from accessing public money, not to mention the Christian parents who would be debarred from removing their children from classes in schools that teach about redefined marriage. No matter what some in the Alliance Party, the Ulster Unionist Party or the SDLP tell us, Churches, church groups and Christians — in fact, any person from a faith community — will be in a significantly diminished position as a result of any legal change.

The question we are really asking today is this: what sort of society do you want to build? Is it a society that looks forward and that truly protects the rights of all, or a society that narrowly redefines an institution for temporary gain? I know what type of society I want to be part of, and it is a society that is truly inclusive and that looks to the next generation. That is why we on this side of the House will oppose the motion.

**Mr Deputy Speaker:** Order. As this is the first debate in which the Assembly will hear from Ms Bronwyn McGahan, I would remind the House

that it is the convention that a maiden speech is made without interruption.

**Ms McGahan:** Go raibh maith agat. As you quite rightly said, this is the first opportunity that I have had to participate in a debate, and I thank you for giving me time to say a few words.

Members will be aware that I was co-opted to my position in the Assembly to replace Michelle Gildernew, and I want to pay tribute to Michelle. She served as an MLA for Fermanagh and South Tyrone from 1998, and she gave 14 years' service to our constituency. She continues in her role as MP for Fermanagh and South Tyrone. I also want to thank my Sinn Féin colleagues here in the Assembly team and in Fermanagh and South Tyrone for selecting me for this position. I give special thanks to Assembly staff and officials. I have found them to be very helpful in enabling me to settle down and find my way around.

I speak as a republican, and one of the principles of the 1916 proclamation is a guarantee of religious and civil liberty, equal rights and equal opportunities to all citizens. This was the first mention of gender equality, given that Irish women under British law were not allowed to vote. Another important principle is a promise to cherish all the children of the nation equally. It is in that context that the motion aspires to move us towards a more equal and tolerant society. I recognise that there are deeply held views on this issue, but we cannot pretend to be for equality and add the word "but" if we are genuine in wanting to create a society of equals.

There have been many homophobic attacks. Indeed, in my constituency, a young man was murdered because he was openly gay. If we fail with this motion, we are sending out the message that members of the lesbian, gay, bisexual and transgender community are not equal and we will be creating conditions in which their basic rights are eroded and attacks on their community become acceptable.

Inequality is a manifestation of differences among people across a range of quality of life indicators. This island has experienced enough division and hatred without perpetuating any other divisions.

The motion is simply about one thing: if two consenting adults want to get married, regardless of gender, they should not be hindered in doing so. I ask the House to support the motion.

**Mr Beggs:** I declare an interest as a committee member of Raloo Presbyterian Church. I do so because I believe that same-sex marriage legislation could have implications for many Churches throughout Northern Ireland.

Marriage is a recognised institution where a religious or civic commitment is voluntarily given between a man and a woman to share their lives and property. A stable household and positive male and female role models are recognised as important in a child's development. I and many others have very strong views on this matter. The Ulster Unionist Party has recognised this issue as one of conscience, so all members are entitled to vote according to their conscience.

The Civil Partnership Act 2004 legalised same-sex or civil partnerships in Northern Ireland. However, recently, the Home Secretary, the Rt Hon Theresa May MP, stated:

*"Same-sex couples now receive access to equivalent legal rights".*

She then added:

*"bar the ability to be able to be married and to say that they are married."*

The Assembly Research and Information Service paper states:

*"Civil partners have the same rights and responsibilities as married couples in many areas including tax, social security, inheritance and workplace benefits."*

However, the implications of introducing same-sex marriage are much more significant than merely changing the symbolic description of marriage. In its briefing paper, the Coalition for Marriage highlights that the word "marriage" appears some 3,000 times in UK legislation and that associated words such as "husband", "wife", "father" and "mother" also appear several thousand times. It points out that it is not possible to change the meaning of marriage without far-reaching consequences.

I believe that the motion is flawed. I also believe that it will not be possible to deliver same-sex marriage and to guarantee the protection of religious rights. Indeed, I believe that it will endanger civil and religious rights.

Some Members suggest that faith groups should not be concerned about the proposals to introduce same-sex marriage, as protections will be built in for those groups. However, I

note that, in the consultation paper for England and Wales, the advice is that:

*"no Church of England minister should face a successful legal challenge for refusing to conduct a same-sex religious marriage."*

There is not much certainty in that statement.

Aside from one's moral viewpoint on the rights and wrongs of same-sex marriage, I believe that the key issue is the unintended consequences for religious liberty. Any decision to introduce same-sex marriage is likely to have implications for me, for my Church and, indeed, for every religious organisation in Northern Ireland, as well as for an individual's fundamental freedom of religious expression. It is deeply disturbing that civil and religious liberties in the UK could be threatened by this proposed change.

Concerns about the proposed change to the definition of marriage have been expressed by the general board of the Presbyterian Church in Ireland, the Church of Ireland General Synod, legal advisers to the Church of England, the Roman Catholic Church, a host of other Protestant reform Churches, the Muslim Council of Britain, and Lord Singh, who is head of the Network of Sikh Organisations. So, why the concern? At present, a European Court ruling based on the current definition of marriage and of civil partnerships indicates that human rights are met by the status quo. However, should the definition of marriage be changed, the protection of religious groups to restrict marriage to between a man and a woman is likely to be challenged. I note that Adam Wagner, of UK Human Rights Blog, states:

*"It may be that once a state decides to implement gay marriage, the court will be less cautious in ruling on how exactly the rules are implemented."*

The Church of England has indicated that, even if a mutually acceptable legislative solution could be found, it cannot be assumed that such a solution would withstand subsequent challenge, whether in our domestic courts or in Strasbourg. Leading human rights lawyer Aidan O'Neill QC indicates that equality legislation could result in Church chaplains being dismissed from hospitals for expressing their religious views, teachers having to utilise "John lives with Dick and David"-type books, and a host of other things. You think it impossible that that would happen? Remember that Relate, the Roman Catholic adoption agency —

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

**Mr Beggs:** — closed its doors rather than breach its beliefs and allow same-sex couples to adopt.

I oppose the creation of same-sex marriage and support the existing concept of marriage as being between a man and a woman.

**Mr Eastwood:** The motion before the House is very welcome. I recognise that there will be strongly and genuinely held views on both sides of the argument. I hope that the spirit and conduct of the debate is cognisant of that and we do not stray into disrespectful or fundamentalist language on either side. Those of us in favour of the motion need to be sensitive, aware and responsive to the arguments and sentiments of those who are opposed. In that vein, I deem that the words of the current Irish EU Commissioner, Máire Geoghegan-Quinn, are helpful. Speaking in another place, as Minister for Justice in 1993, regarding the decriminalisation of homosexuality, she eloquently identified that the:

*"process of change is not easy and, understandably, many people worry that the traditional values which they hold so dear, and many of which are fundamentally sound, are under siege from emerging modern realities. But, of course, it is not a matter of laying siege to all the old certainties, nor is it a matter of jettisoning sound values simply to run with a current tide of demand".*

It is important that those who hold genuine concerns about same-sex marriage are assured that it will not detract from, devalue or diminish their own moral principles or the theological tenets of religious institutions. It is not about the imposition or forcing of social mores. It is not a case of a shotgun marriage between theological tradition and ever-changing social and societal compositions. Each has a place of respect and the right of respect. It is important to note that the motion calls for the respect and legal protection of religious institutions, and allows them to define and practise marriage within their beliefs. I am not of the belief, however, that the existence of one set of societal values or compositions corrodes the strength, status or symbol of any other.

In essence, the extension of the statutory recognition of marriage to same-sex couples is an affirmation of the enduring importance of

marriage. The sinews of bondage between two people, encased and sustained by the growing nature of love, is a value worthy of extension to those who would choose it. Heterosexual marriage embodies those values; so too does same-sex marriage. It is all the more important given the modern fashion of a pervasive individualism advocating and instilling an 'Atlas Shrugged' view of our world. The recognition and extension of equal marriage is ultimately about the conservation of those same values of loving inter-reliance. It is about the preservation of those values.

It is the role of the state to meet the requests of same-sex couples who want the recognition afforded to other couples. It is, I believe, worthy and right that statutory recognition be given at this time. That is not because of a trend or the tide of demand, but because it is the right thing to do and the right thing for the state to recognise.

**Ms Lo:** I welcome the opportunity to debate the issue in the Assembly. The Alliance Party supports the motion, which is very much in line with policy that was recently passed by our governing party council after a period of internal and external consultation.

### 1.30 pm

In keeping with our core commitment to equality and freedom of religion, we support the extension of civil marriage provisions to same-sex couples. However, we are very clear in stressing that robust protections are provided and encapsulated in legislation to ensure that faith groups and religious celebrants will not be forced to conduct same-sex marriage ceremonies or to have them conducted on their premises. At the same time, we further believe that faith groups that, in conscience, wish to marry same-sex couples, should not be prevented by the state from doing so. The All-Souls' Non-Subscribing Presbyterian Church in my constituency of South Belfast regularly gives blessings for gay and lesbian couples after their civil partnership. Such churches may welcome those couples in future. However, we are clear that there must be no compulsion on churches to do so. We also support the extension to accredited humanist celebrants of the authority to solemnise marriages, which, unlike the practice in Scotland, they cannot currently do.

Every person has their own particular understanding of marriage. Indeed, those views may be held in common with others. Often, those views will reflect firmly held and sincere religious beliefs. However, the state

also has a duty to treat all its citizens equally and fairly. That is not the case at present with marriage, with same-sex couples not having the ability to have their stable and loving relationship recognised by the state. I do not believe that the state recognising same-sex marriage detracts from the belief system or diminishes the Christian institution of marriage or that of other faiths. It is entirely possible to hold a set of values that govern one's personal life while recognising that, in a liberal society, it is not appropriate to impose those views and values on other people and other couples.

As elected representatives, we all have a duty to ensure that the state does not discriminate. It may be useful to draw a more direct parallel between same-sex marriage and divorce. Many people have sincere personal opinions about the rights and wrongs of divorce; indeed, many churches do not support divorce and will not facilitate second marriages. That is their right and their affair, even though I may disagree with it. However, few people today would argue against the state having a duty to provide civil divorce to any person or couple who wishes to dissolve a marriage.

Some ask whether the rights of churches in this regard can be adequately protected under law. I sincerely believe that they can. Some have also raised the prospect of the European Court of Human Rights imposing same-sex marriages on churches. That has been contradicted by other legal opinion. Article 9 of the convention, which has been upheld on many occasions, is unambiguous in protecting the right to freedom of religion. That gives churches really strong protection in respect of the ability to determine practices within their premises in line with their own teaching.

I believe that this is an issue of equality and of freedom of religion, and, if we are a progressive society, we must respect diversity and provide equality and protection for all.

**Mr McKay:** Go raibh maith agat, a LeasCheann Comhairle. It is very much to be welcomed that we are discussing the issue. This is the first private Member's motion that has come forward on issues relating to the lesbian, gay, bisexual and transgender community, and it is to be welcomed.

Being gay is legal and has been since 1982, when Jeff Dudgeon took a case to the European Court of Human Rights. I read about some of his experiences at that time, which seem like a world away. For example, members of the gay community were pulled in by the police for questioning about their

activities. That was ludicrous, and, in this day and age, opposition to gay marriage, which does not affect any churches, is also ludicrous. Before I go on to my next point, I want to say that our responsibility as Members of the Assembly is to legislate not just for our particular part of the community but for everybody, regardless of their sexual orientation. Of course churches will have their own definition of marriage, which they are entitled to. However, if legislation came forward to facilitate marriage equality, it would not affect how each individual church defined marriage. That goes back to what Anna Lo said about divorce, which is facilitated in society even though the churches may not agree with it. We as legislators have to recognise that we represent everybody, and everybody's needs must be facilitated.

There is a much more serious issue here as well. What we say in the House today will go out on radio and television this evening. People sitting around their dinner table will watch this and see what the views of senior politicians are. People, particularly the young, will be informed by the opinions of politicians. As Bronwyn McGahan said, there is a lot of prejudice and discrimination on this issue in our community. We need to send out a clear message that people from the LGBT community are equal and are entitled to the same rights as everybody else. Prejudicial views lead to discrimination, and that discrimination has an ongoing devastating impact on young men and women who are gay. It leads to bullying, harassment and suicide. We have had debates about suicide in the Assembly, and all parties were agreed that we needed to do everything we can to ensure that the likelihood of that is reduced. Addressing this issue is one way we can affect the prevalence of suicide in our society. That is why we need to support the motion.

The fact that the House will not split down traditional, defined lines is to be welcomed. There is a variety of views across the Benches, and I hope that will continue to permeate our respective communities. Nobody should sit on the fence when voting on the motion. The party opposite has submitted a petition of concern, but there is an opportunity today for Members to secure a majority vote for equality and for standing up for the rights of gay people in our community. We need to grasp that opportunity and show political courage. We cannot always look over our shoulder and think, "My voters might not like this or that"; we need to do the right thing. There is a big opportunity here to send out a message that gay people in our community have a right to equality and to have

their needs facilitated and defended. The majority of Members in the House need to vote for the motion and send out a clear message that this will no longer be a taboo subject in this part of Ireland. People in the rest of Ireland are clearly going to move on, as are people in Britain, and we cannot be left behind. As I said at the start of my speech —

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

**Mr McKay:** — being gay has been legal since 1982. As with gender and race, when the breach is made —

**Mr Deputy Speaker:** Time is up.

**Mr McKay:** — it is just a matter of time before other rights come out of that. I urge Members to support the motion.

**Mr B McCrea:** I may be one of the few Members from the unionist Benches to speak in favour of the motion. I do so aware that many in my community are deeply uneasy about it, and I respect their position. However, I also know that there are Members of the House, some of whom are not present, who are unable to speak out on the motion despite their personal position and despite the situation that members of their family find themselves in. I find that really disappointing, and I am surprised that the DUP has felt the need to present a petition of concern on a matter that should really be a free vote. However, somebody needs to speak out. Somebody needs to speak for those who are carried away on urgent constituency business. All of us should be given the opportunity to speak freely.

I want to live in an open, tolerant and pluralist society that celebrates diversity, accommodates difference and protects individuals who happen to be different.

**Mrs D Kelly:** The Member, obviously, listened carefully to his party leader the other week when he talked about a unionist party that is progressive and for all. So, I commend the Member on speaking out. Does he not believe that a major feature in the rise in young suicides over the years has sometimes been prejudices around sexual identity?

**Mr B McCrea:** I thank the Member for her intervention. I will, if she does not mind, deal with that point a little later.

You do not have to be black to oppose racism or female to speak out against domestic

violence, and I do not have to be gay to reject prejudice, misinformation and bullying. These are issues that we should all stand against. Nor do I limit my support to specific minorities. Churches, practising Christians and other religious faiths also have rights. The Church, whatever denomination it may be, is an important institution in society. Churches must have the right to determine what they permit within their bodies. That is the core of religious freedom. They do not have the sole right to determine what is permissible outside their bodies. The motion makes it clear that churches would have legal protection to ensure that they will not be compelled to engage in activity that they consider incompatible with their religious beliefs. Like Ms Lo, I believe that that right is fully protected under article 9 and, despite the scaremongering of some earlier speakers.

The central tenet of those opposed to the motion is that marriage is a religious institution and is, therefore, sacrosanct. It may come as a shock to some here to know that in the past Presbyterian marriages were not recognised, and the offspring of such unions were considered illegitimate. At other times, neither a minister nor a church was required; the only essentials were a declaration in front of witnesses and the absence of compulsion. Many marriages were not even registered unless property was involved. The point is that marriage can change to accommodate society.

There is something of a crisis in marriage. In the swinging 60s, only one person in 50 lived together. Marriage was the only option, and divorce was unheard of. Today, fewer than half the population are married. Almost one in five over the age of 50 is divorced, and 30% of children are born to parents who cohabit. What is, perhaps, most surprising about those figures is that the most ardent opponents of the motion are strangely silent about them. Where is the motion condemning people who live in sin, or cohabiting as we now call it? One in six of the population. If this is an issue about marriage, then there are other issues you have to tackle.

We are talking about a relatively small number. In 2010, there were 8,200 marriages in Northern Ireland and just 116 civil partnerships. Why is the focus on those small numbers?

Marriage is not an exclusively Christian concept. It is practised in many ways in many parts of the world. At different times in our history it has been looked at in different ways. The important thing to understand about the word "marriage" is that it is just a word. It is the meanings and actions behind the word and the

associated values that are important. I have to say to society in general that actions speak louder than words. All the fine words here mean nothing; it is what people do.

An important thing in a way forward and a shared future is to accept that we are all different, yet we depend on each other.

Allowing one group to use a word does not diminish its use by another, and the context will be understood by all. Society accepting equal marriage does not mean that everyone has to agree with the practice. Many Christians and followers of other religions already do not agree with every single marriage that takes place. That is their choice, but our job is to provide some form of society in which we can all work together.

#### 1.45 pm

The Assembly has an opportunity: by passing the motion, we will send out a powerful message that we can tackle hard subjects and take tough decisions, and, contrary to popular opinion, it will make a positive contribution to our society. I stand alone, if necessary, for all of the individuals in our society, and I urge people to remember that every single one of them is somebody's child.

**Mr D Bradley:** Go raibh míle maith agat, a LeasCheann Comhairle. Gabhaim míle buíochas leat as ucht an deis cainte a fháil ar an ábhar tábhachtach seo. Tá an rún seo thar a bheith tábhachtach. Chan amháin sin, sílim go bhfuil sé curtha le chéile ar bhonn cothromais, agus tugann sé aitheantas do chearta gach aon duine atá i gceist anseo: do lucht creidimh agus dóibh sin atá ag iarraidh a gceart chomh maith. Thank you very much, Mr Deputy Speaker, for the opportunity to participate in this important debate. I praise those who brought this extremely well constructed, balanced and fair motion to the House. I think that it seeks to uphold the rights of all concerned.

This is a debate about equal rights. It is about freedom from discrimination and stigmatisation. It is about legal protections and responsibilities, and the rights, obligations and benefits afforded by the legal institution of marriage. It is also about real people: sons, daughters, brothers, sisters, uncles and aunts. It is about parents who want to see their children in loving, secure, stable and permanent relationships that are protected by the legal institution of marriage and who do not want to see their children marginalised, stigmatised or wondering what

the future may hold for them. Their love for each other and their commitment to their relationship should be afforded the very same protections and benefits that the rest of us derive from marriage and, in this case, civil marriage.

The LGBT community is not asking for more; it is simply asking for the same. Extending rights to those who are denied them should not be seen as a threat to those who already have those rights, or to their faith, belief or right to hold a different view. The motion makes a clear distinction between the civil and religious aspects of the issue. It states:

*"that all couples, including those of the same sex, should have the right to marry in the eyes of the state".*

It also states that religious institutions ought to continue to have the right to "define, observe and practise marriage" within the bounds of their institutions. There is no desire, therefore, for any religious denomination or celebrant to be compelled to perform same-sex marriage ceremonies against their beliefs or faith. I strongly believe that that should be the case, as it is in this motion. The equal marriage campaign in Northern Ireland is also committed to protecting the rights of those religious denominations and celebrants who do not wish to conduct same-sex weddings. The motion recognises that the state does not have any role in dictating to religious groups which ceremonies they can and cannot conduct.

Articles 2, 16 and 18 of the Universal Declaration of Human Rights underpin the right of all to marry and to have freedom of thought and religion. Article 18 upholds religious freedoms. I believe that the motion reflects those views. As Mr McCrea pointed out, equal marriage is an evolution of the principles set forth in the Universal Declaration of Human Rights and the European Convention on Human Rights. Those are that all human rights are indivisible and interdependent and must be secured and protected, without discrimination on the grounds of religion, race, gender, class, ability, sexual orientation or, indeed, any other status. Therefore, I strongly believe that the motion upholds the right of all to marry, and protects —

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

**Mr D Bradley:** — the autonomy and rights of religious and faith groups. For that reason, I

support the motion and commend it to the House.

**Mr Kennedy:** I speak in the debate not as a minister in the Executive nor on behalf of the Ulster Unionist Party. Rather, I speak as a Member of the House to express my personal views on what I regard to be an important issue of conscience. Members will know that my party believes that issues of this nature should be subject to individual conscience and not party dictates. As someone with a clear personal faith, yet tolerant of the right of others to hold and express their views, I want to set out my personal position on the subject of same-sex marriage.

I do not and cannot support the principle of same-sex marriage. I am opposed to it not just on the basis of the teachings of my church, the Presbyterian Church — I should add that, outside the House, I have responsibilities as clerk of session and Sunday school superintendent at Bessbrook Presbyterian Church — but also, most importantly, on the basis of the teaching of holy scripture. I do not see it as an issue of equality, because, in my view, civil partnerships provide equality of treatment for those in same-sex relationships.

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

**Mr Kennedy:** Despite that fact of existing and fair and equal treatment, we find ourselves debating, I feel unnecessarily, this issue today. Many people at home who are watching the debate, following it or reading about it in tomorrow's newspapers will ask one question — Why? At a time of economic difficulty and job losses, when people are worried about bills, their job security, fuel prices as we approach winter and their shopping budgets, why are we setting aside time to debate same-sex marriage? The answer is, rather depressingly, because of Scotland. It seems that we are only debating the issue because the Scots consider it to be an issue.

We are not only discussing this issue, we are doing so with what I believe is a very confused motion. Like the other proposals in Great Britain, it is confused, because it calls for the right of same-sex couples to marry at the same time as calling for the right of religious institutions not to marry them. The net result could be a law that provides people with a right that they cannot exercise. It is sometimes said that you do not know your rights when you cannot enforce them. This motion could provide for people to acquire rights that they know about but cannot enforce. Therefore, it is

a motion that is as pointless as it is a worthless course on which to embark. When it comes to pension provision, child maintenance, inheritance, life assurance and immigration rights, civil partners are not disadvantaged. Civil partnerships offer the same legal treatment as marriage and, therefore, there is simply no need to further change the law and no need for a motion that calls for the same legal entitlements. I invite the proposer of the motion, who wants to respond to my remarks, to list the legal entitlements to which he refers that are to be denied to civil partners.

**Mr Agnew:** I thank the Member for giving me the opportunity to respond. Civil partnerships are not equal in law, and nor do they provide religious freedom. They are not equal in law in that a couple in a civil partnership in Northern Ireland does not have the right to adopt children as opposed to the rights of civil partners in England, Scotland and Wales. There is no evidence to suggest that it would be detrimental if they had that right. Equally, it does not provide couples, even if they are Christian, with religious equality because they are not even allowed to play religious music or have any adornment of religious overtone in a civil partnership whereas I, as someone who does not attend church, can have a religious wedding if I so choose.

**Mr Kennedy:** I am grateful to the extent that the Member took the opportunity offered. However, he has not convinced me with his argument. The whole point of devolution is to permit regional variations in law and in practice from other parts of the United Kingdom. Not only are we not obligated to follow blindly but we would be neglecting our role by doing so. In referring to the "eyes of the state", the motion fails to acknowledge that, under devolution, those eyes are different in Scotland to those in England and Wales, and different again to those in Northern Ireland.

We are debating an issue today that even the Scots do not plan to introduce until after 2015. This debate sends out a message to people at home that we are not a serious Assembly because, once again, we are doing nothing other than debating somebody else's idea. A serious Assembly should concentrate its efforts on finding Northern Ireland solutions to Northern Ireland problems with health, education and, most importantly, with the economy. I do not support the motion, and I urge others, irrespective of their views on same-sex marriage, to follow suit and reject it.

**Mr Allister:** I also reject the motion. This is not an issue of equality; it is an issue of the perversion of marriage. Historically, for a very good reason, marriage has long been defined as the union of one man and one woman. Any society should be slow to tinker with or alter a bedrock of society that has served it so well, none more so than respect for marriage. Some have said — indeed, I heard Mr McKay say so — that as legislators, we have to represent everyone. Without apology, I am here today to represent in this debate those who say that they stand by the traditional values, standards and definition of marriage. I do not and will not represent a contrary cause in the House.

*(Mr Speaker in the Chair)*

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

**Mr Allister:** Later, perhaps.

There is a question as to whether any legislator should properly have regard to societal and moral norms. Is that outside the ambit that we should be considering? I am quite clear that it is something that we should most assuredly be considering, because the society that loses hold of its norms and its morals is a society that just keeps spiralling downwards. Reference has already been made to some of the social consequences of a society losing sight of its moral attachments.

Some say it is a human rights issue. It is not a human rights issue. It has long been established in human rights jurisprudence that there is no right to same-sex marriage under the European Convention on Human Rights in any state that has our definition of marriage. However, it would become a human rights issue if we were so foolish as to change the definition of marriage, because those who qualify outside the traditional definition of marriage would then be able to claim discrimination and say that they were being discriminated against by religious institutions. It would quickly become a human rights issue, and the bulwark that Ms Lo described article 9 of the convention as being would very soon melt away. That is because, in those circumstances, it would be only a competing interest in a balancing exercise to be conducted by the court. So, it would not be the bulwark.

**2.00 pm**

Just as civil partnership was the slippery slope to this proposition of marriage, let us remember that the proponents of civil partnership told us all that they were not interested in moving to full

marriage. Those who were not deceived by that can see exactly where the intent was. Now, of course, the next step is into so-called gay adoption, and on and on it goes. Marriage is one of the institutions that holds society together, and I say to this House that we should be very slow indeed to loosen the grip of that binding moral.

I will give way to Mr McDevitt.

**Mr McDevitt:** I thank Mr Allister for giving way. I take him back to his earlier assertion that he has come here to defend "the traditional values" of marriage — not the conditions or the context of marriage, but the values. I presume that those are values such as love, interdependence and solidarity. Can Mr Allister tell this House how those values are not present in a same-sex relationship? How are those values absent, specifically, from a same-sex relationship?

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

**Mr Allister:** The Member mentioned some of those values, such as love and companionship. He did not mention providing a context for the rearing of children. Marriage, of course, was instituted for that very purpose. That is where there is no equality between the man and the woman who want to get married to raise a family and the man and the man who want to get married for whatever reason. There is no equality whatever between those two situations, and nor can there be.

The logic of the Member's position, if we are heading down the road of saying that we can tinker with or change the basic concept of —

**Ms Lo:** Will the Member give way?

**Mr Speaker:** Order. The Member has the Floor.

**Mr Allister:** If we change the basic concept of marriage from being the union between one man and one woman, as I put it to the Member, we are headed down the road where there is no justifiable reason, in your logic and in that of those who proposed the motion, to resist polygamy.

If a man says, "I am in love with a man", you say, therefore, that he must be entitled to marry. If a man says, "I am in love with two women", according to your equality charter, it is his right to say that he must be entitled to marry. Of course, this House would recoil from that. Why? That is because, in all this, there is

quite properly, even yet, a recognition that there is a moral standard that has to be upheld —

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

**Mr Allister:** The same moral standard prohibits loosening at all the grip on the fact that marriage is between one man and one woman —

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

**Mr Allister:** — and there it should stay.

**Mr Wilson (The Minister of Finance and Personnel):** I am very happy to respond to the debate. I listened with very great care and interest to the points that were made in the debate, which, I have to say, has been fairly measured. However, I believe that, for two reasons and as the Member for Newry and Armagh indicated, it is a debate that many people outside this Building will find very odd at this particular time. He gave the first reason, which is that there are many other important issues that this Assembly could be debating in the middle of an economic recession that is affecting almost every household. Secondly, there is no widespread demand —  
*[Interruption.]*

**Mr Speaker:** Order. The Minister has the Floor.

**Mr Wilson:** There is no widespread demand across society for the kinds of changes that the motion asks for.

At the outset, I will make clear my position as Minister of Finance and Personnel. I am opposed to gay marriage. I have no intention of bringing forward any legislation to this House to facilitate gay marriage. I believe that, in doing that, I am reflecting the general view in society in Northern Ireland.

A number of issues have been raised here today. The first is that people think that, once they raise the issue of rights, they have the trump card. When you talk about rights, nobody can possibly deny you whatever it is that you have asked for. However, the fact of the matter is that rights are not always compatible. One set of rights may not be compatible with another person's set of rights. The proposer of the motion spoke about the right to get married, the right to private family life, and so on. Equally, of course, Mr Beggs, Mr Kennedy, Miss McIlveen and Mr Allister talked about people's rights to religious freedom

and religious beliefs. In this case, the two are not compatible.

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

**Mr Wilson:** I will give way in a wee minute, but let me develop this point.

I have to say that there has been some shallow thinking in this debate. One of the shallowest comments was made by the Committee Chairman, Mr Daithí McKay. He said that we have to legislate for everybody and that everybody's needs must be facilitated. I have to say to the House that there are occasions when you cannot facilitate everybody's needs. There are occasions when, if you recognise and make a decision that, on balance, you want to go down one road, it means that you cannot facilitate people who want to go in a totally different direction. When it comes to the rights of religious freedom, as opposed to the kinds of things that the proposer of the motion talked about, there is a parting of the ways. It is shallow to think that you can facilitate that.

I do not want to criticise someone who was making her first speech, but to try to indicate that the sincere holding of these beliefs will somehow or other encourage people to attack those who have decided on a different lifestyle is just absolute nonsense. No one in this debate — no matter what side of the debate they have come from and regardless of how wrong they may think a certain lifestyle is or their view on that lifestyle — has indicated that that is a cause for physically attacking the people concerned. That is the first thing.

I will give way now.

**Mr Agnew:** The Minister made the point that there is a right to religious freedom. Equally, he said that I talked about the right of those in same-sex relationships to marry. He said that those are conflicting rights. Given that there is the right to divorce but the religious freedom of Churches does not allow divorce, can he tell me how these two rights — the potential right of same-sex couples to marry and the right to religious freedoms — would come into conflict?

**Mr Wilson:** I will. In fact, the Member has led me on to the next point that I want to make. When we come to look at the kinds of issues that he has raised today, a conflict will — it is not that it could or might; it will — arise that will impact on people's religious freedom.

Let me give you one example. In fact, Mr McCrea raised this point when he said that it is

one thing to say that the law should not impinge on what people believe and how they conduct affairs in their Churches but it is another to say that we should not consider the effects that it has outside that. As Mr Allister pointed out, once we change the definition of marriage, we change the context in which a whole range of rights, responsibilities and obligations is made.

Let me give some examples. We will look at it first for individuals and secondly for Churches. If you change the definition of marriage in law, when it comes to teaching about marriage in school, the definition that has to be abided by, and the type of marriage that has to be taught, will be as defined in law. What happens if a teacher decides that it is against his or her moral and religious beliefs to —

**Mr McDevitt:** Will the Minister give way?

**Mr Wilson:** Let me finish the point. What if he or she decides that it is against their religious and moral beliefs to teach that definition of marriage? Immediately, that teacher will be brought into conflict with the education authorities and with those who decide to challenge him or her. The same will happen with schools.

**Mr O'Dowd:** Will the Minister give way?

**Mr Wilson:** Let me finish the point, first. Someone else has asked me to give way, which I will do in a moment or two.

The same will happen with churches that refuse to accept that definition of marriage. Will their youth groups get excluded from council facilities because they will not abide by the new legal definition of marriage and are therefore seen as being discriminatory? Once you move the goalposts, the idea that somehow or other this will not impinge on people's rights is wrong. I will give way, and then I want to develop the point a bit further.

**Mr McDevitt:** We are used to the Minister's eccentric views on climate change, but the past few minutes have taken us into a whole new realm. Does he not accept the basic premise that in this jurisdiction there is a separation between the churches and the state? I take it that that separation is something that the entire House feels very strongly about?

Secondly, does he not accept that the logic that he is trying to project for what might or might not happen in a classroom is basically flawed? Is he seriously suggesting to me that Catholic schools today are teaching kids about divorce?

Is he really? Is he saying that Catholic teachers who do not deal with the issue of divorce in the classroom because it is against Catholic teaching should be arraigned?

**Mr Speaker:** Interventions from Members should not be statements.

**Mr Wilson:** Of course, the Member loves the sound of his own voice and has tried to get in on quite a number of occasions. He talks about the separation between church and state, but faith groups are already excluded from making applications for, for example, government funding, because of what they believe and the stance that they take. That is the point that I am making: once we change the definition, we impact upon those various groups.

I have heard all of the talk about protections being brought into the law. I can remember sitting through debates in the House of Commons about the then Racial and Religious Hatred Bill, where it was said that people would still be permitted to preach whatever they wanted to preach according to their beliefs. Yet, that law has been used against street preachers and everything else, despite the fact that in the House of Commons it was explicitly said that people would be protected. Hoteliers and bed-and-breakfast owners have been brought before the courts despite the fact that protections were promised.

I listened to what Ms Lo said on the issue. She said she sincerely believed that the rights of churches could be protected. That is not a very good guarantee. If we were to legislate for this, the sincere belief of the Member for South Belfast would not be much of a safeguard for those people who hold a different view.

The first issue is that of rights. Rights are not always compatible, and we have to take a balanced view as to which rights are going to be pursued and which rights should be given protection.

Let me come to the second issue raised: equality. It was said that, somehow or other, this is about getting equality between the people who believe in same-sex marriage and those who believe in heterosexual marriage. I do not agree with the Civil Partnership Act 2004. As Mr Allister pointed out, that was the toe in the door and the means for pushing the boundaries even further in a direction that I, and the vast majority of people in Northern Ireland, do not wish them to be pushed as far as changes in society are concerned.

Whether you accept it or believe that it was a correct piece of legislation or not, it encapsulates a range of protections for people who believe that they want to have same-sex relationships. There has been a lot of talk about this in the debate.

**2.15 pm**

**Mr B McCrea:** Will the Minister give way?

**Mr Wilson:** Yes, I will give way.

**Mr B McCrea:** I am interested in this point. Is the Minister saying that he is anti-homosexuality or pro-marriage? I really want to find out about this. This is not about legislation and scare tactics. You have said that all of these human rights, including article 9, are rubbish. What is your personal position on marriage, and what is your personal position on homosexuality?

**Mr Wilson:** Since I am not an expert on human rights law, maybe I am not the best person to ask. Let us look at what the experts on human rights law say. It is not often that I quote the Northern Ireland Human Rights Commission, but I will tell you what it says about the equality issue. This is not Sammy Wilson's view as an amateur; this is the view of those who steep themselves in human rights legislation. It says:

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

That is the answer to the Member's question. I do not think — *[Interruption.]*

**Mr Speaker:** Order. The Minister has the Floor.

**Mr Wilson:** I do not think that, even in his arrogance, the Member would dare to contradict the Northern Ireland Human Rights Commission on an interpretation about whether or not there is equality.

**Mr B McCrea:** Will the Minister give way?

**Mr Wilson:** No. *[Interruption.]*

**Mr Speaker:** Order.

**Mr Wilson:** I will not give way, because I do not want him to make a fool of himself.  
*[Interruption.]*

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

**Mr Wilson:** I do not want him to make a fool of himself again. He asked for a view: I have given him the most definitive view on the issue. That should be enough for him. It is not an equality issue. Even those who have been set up in Northern Ireland to make judgements on equality have given the view that the legislation that is currently in place is sufficient and there is no need to legislate for same-sex marriages. In conclusion — *[Interruption.]*

**Mr Speaker:** Order.

**Mr Wilson:** I can think of many more priorities for changes in the law that fall under my Department than the issue that the Member has brought forward. For the reasons that I have given the House —

**Mr Speaker:** The Minister's time is gone.

**Mr Wilson:** — I hope that Members will vote against the motion.

**Ms Ruane:** Go raibh maith agat, a Cheann Comhairle. Sinn Féin, along with the Green Party, tabled the motion calling for the provision of legislation to ensure marriage equality for the LGBT community. I welcome the tone of the debate, and I welcome the contributions from all the parties, although I have some concerns about some of the contributions, which I will outline in a few minutes.

First, every citizen should enjoy the same rights and entitlements under state law, and that includes those relating to marriage.  
*[Interruption.]*

**Mr Speaker:** Order.

**Ms Ruane:** This is an equality issue. Those who pretend that it is not should read the equality laws. Sexual orientation is one of the nine grounds listed in section 75. Nobody in our society is allowed to be discriminated against. The Assembly has enormous responsibility, and it needs to show political leadership.

The LGBT community is a proud one, but it is also hurting and suffering. Although there have been enormous advances in how our society

includes our LGBT communities, they are still treated as second-class citizens throughout Ireland, north, south, east and west. Some people across the way can pretend that civil partnership is the same as marriage; it is not. Steven Agnew answered those who tried to use that as a fig leaf. Our LGBT communities are still subjected to a campaign of hate and homophobic behaviour, and every one of us in the House, as political leaders, needs to show leadership. To say that our words do not hurt young and old is an absolute pretence. Taking responsibility for our words is what we have to do.

On Saturday, I, along with my colleagues Megan Fearon, Mickey Brady, Jennifer McCann, Conor Murphy and our councillors and activists, walked proudly behind the Sinn Féin banner to support Pride. It was the first Pride parade ever in Newry. It was a beautiful day, the sun was shining, the floats were very colourful and there was great music playing. Thousands of people — I note that the Minister of Finance is not listening, so I will say it again — *[Interruption.]*

**Mr Speaker:** Order, Members.

**Ms Ruane:** Thousands of people were there on the streets. The Minister is still muttering away, but thousands of people were out supporting the rights of people — *[Interruption.]*

**Mr Speaker:** Order.

**Ms Ruane:** — their sons, their daughters — *[Interruption.]*

**Mr Speaker:** Order. The Member has the Floor.

**Ms Ruane:** — their brothers, their sisters, their aunts and their uncles. So, let us not pretend that this is not a serious issue in our society.

I know that he was not speaking as Minister, but a Minister of our Executive claimed that we are not a serious Assembly because we are discussing this issue. I will tell you this: I take my role in this Assembly extremely seriously — *[Interruption.]*

**Mr Speaker:** Order.

**Ms Ruane:** This is one of the most important issues — *[Interruption.]*

**Mr Speaker:** Order.

**Ms Ruane:** — and we should be discussing it. I do not want anyone to be discriminated against, and I will not play my part in facilitating people to sit on the fence —

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

**Ms Ruane:** I will give way.

**Mr Kennedy:** I am grateful to the Member for giving way. It is interesting that the Member referred to her participation and that of her party in the Gay Pride parade in Newry on Saturday. It seemed to strike a different chord when it approached the right of others to assemble peacefully to celebrate the Ulster covenant in Belfast. *[Interruption.]*

**Mr Speaker:** Order.

**Ms Ruane:** First of all, I will not allow the Member to hide behind other issues. Let us have a debate — *[Interruption.]*

**Mr Speaker:** Order.

**Ms Ruane:** Let us have a debate on those other issues, and I will be the first to do it, but — *[Interruption.]*

**Mr Speaker:** Order. Let us not have a debate across the Chamber.

**Ms Ruane:** — today is about the rights of our LGBT communities. You can hide and try to divert the debate, but it will not work with me.

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

**Ms Ruane:** No, I want to develop my point. I have already given way.

That day will be remembered by many people as a day when Newry came of age. Young and old were there; that is the important issue. Some Members opposite seem to think that this issue just affects our LGBT community, but it affects our grandmothers and grandfathers, our mothers and our fathers, our brothers and our sisters and our aunts and our uncles. Do you know where the leadership is coming from? Our young people. I saw them in Newry, and they had done very profound and beautiful banners that said, "I love my gay uncle" and "Cool to have a gay auntie". Fair play to them. They are not taking the 1866 laws that were quoted at us. We could also find laws that were quoted on why women should not vote. Ms McIlveen told us to look forward. I am looking forward, and I ask her to join the rest of us in looking

forward. The 1866 laws are obviously wrong; get rid of them. The best way to get rid of them is by legislating so that people are not discriminated against.

There is a challenge here for our Assembly. We have an opportunity to send out an unambiguous, clear message to the LGBT community, their families and society to say, "We respect you and your rights, and we are going to work alongside all sections of civic society to ensure that you as citizens, your children and your families are entitled to live free from harassment and from hate crime". Bronwyn McGahan mentioned a young man in her community, and, if Sammy Wilson is under the illusion that words cannot create dangerous situations, he should study that case. Words can create dangerous situations for people. It is called incitement to hatred, and we all know about that. Our gay and straight communities — *[Interruption.]*

**Mr Speaker:** Order.

**Ms Ruane:** The gentlemen across the way should just listen. *[Interruption.]*

**Mr Speaker:** Order. The Member must be heard.

**Ms Ruane:** Our gay and straight communities need to stand together against the scourges of homophobic behaviour and outdated thinking.

I understand that people may have issues of conscience, but we are politicians, not church leaders. The Church legislates for the Church. It is worrying that a Minister in the Executive does not know the difference between the Church and the state. Two Ministers have said that they are opposed to equal marriage. They need to clarify their position. The question that the House asks them is this: in light of our equality duties, are they saying —

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

**Ms Ruane:** No. I will not. I have already given way to you. You had your chance. *[Interruption.]*

**Mr Speaker:** Order.

**Ms Ruane:** At the end of the day, the Ministers are in the Executive, equality is part of the Executive, and people from the LGBT community deserve equality. I welcome —

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

**Ms Ruane:** I will. *[Interruption.]*

**Mr Speaker:** Order.

**Mr McKay:** I thank the Member for giving way. She referred to how the words of politicians can stir up hatred. Recently, a DUP representative in Mid Ulster said that homosexuality should be made illegal again. Does she agree that that will only stir up hatred and put a lot of unnecessary pressure on the LGB community in that area?

**Ms Ruane:** First, I agree with the Member. I think that we will all take that comment with a pinch of salt. What we need to do is legislate to protect rights. The comments referred to by my colleague Daithí, which were made by a member of the party on the Benches opposite, are not acceptable. Of course, homosexuality should never have been illegal in the first place.

Leadership is not sitting on the fence. It is not quoting literally or selectively from the Bible to justify actions. It is not abstaining in votes on a council so that motions are lost. *[Interruption.]*

**Mr Speaker:** Order.

**Ms Ruane:** Leadership is about standing up and being counted. It is about legislating for equality. We have a chance now to do something, and it is important that we do it.

I welcome the fact that councils throughout Ireland have passed motions, and, today, I ask that all parties support our joint motion. I call on those on the unionist Benches who have set their heart against it, even at this stage, to support the motion. There is no partial equality; there is no selective equality. I welcome the leadership shown by Mr Basil McCrea here today.

**Mr Speaker:** As Question Time begins at 2.30 pm, I suggest that the House take its ease until that time. The debate will continue after Question Time, when the Question will be put on the motion.

*The debate stood suspended.*

2.30 pm

## Oral Answers to Questions

### Environment

**Mr Speaker:** Questions 4 and 5 have been withdrawn and require written answers.

### Road Safety

1. **Mr Boylan** asked the Minister of the Environment following the release of the latest road safety promotional video, what other new initiatives his Department is progressing to improve road safety. (AQO 2530/11-15)

**Mr Attwood (The Minister of the Environment):** I thank the Member for his question. The intention is that the Road Traffic (Amendment) Bill will be before the Assembly before Christmas. That will start the legislative process to put in place reduced alcohol limits for novice and other drivers and deploy proposals in respect of driver training. I am pleased to say that the proposals got very strong endorsement from a wide range of Executive Ministers during the first week of July. Beyond that, it is my ambition that, in the 2013-14 session, legislation that will recognise penalty points for five categories on the island of Ireland will also be tabled. All that legislation should be passed in good time for the end of the mandate.

**Mr Boylan:** I thank the Minister for his answer. I am sure that everybody shares our view and sends their condolences to the family of the young child who was killed last week. Given that that happened, what more can be done? What discussions has the Minister had with the Department for Regional Development and engineering firms to see what new engineering practices can be brought forward to enhance road safety?

**Mr Attwood:** I also convey my sympathy to all the families who lost a loved one. This time last week, three people died in the course of 24 hours. Nothing can recover the loss of life and the pain that arises from that. We need to recognise that, so far this year, there have been 31 deaths on our roads, compared to 41 deaths at this time last year. I would not draw any conclusions from that about what the figures will be for the end of the year, given that we are entering the winter months. However, it suggests that, through a range of measures, we are bearing down on the issue of road deaths

and serious injuries, be that through the advertising campaign, the new laws that I have just outlined, better driver training or what I had this morning, which was a meeting with Assistant Chief Constable Alistair Finlay about a cross-departmental, cross-agency initiative to build a real-life learning experience here in Belfast, where people up to the age of 25 would learn safety across all of the sectors, not just roads. If that includes having conversations with the Minister with responsibility for roads with regard to road design and engineering, that is what I am doing. Every six months, I have a ministerial meeting with Minister Kennedy and Minister Ford, where we look at cross-departmental issues, including speed limits and safety measures on our roads, taking into account areas around schools, in respect of which Mr McDevitt may introduce a private Member's Bill in the near future. By working with all the relevant Departments, including Roads Service engineers, we can make roads safer and improve driving.

**Mr Campbell:** The Department regularly puts promotional videos to air on commercial television, for which, obviously, there is a cost and, hopefully, a significant benefit. If he were to consider, in his own Department or an Executive colleague's Department, an advertising programme in respect of which the legal advice was that it might contravene the Communications Act 2003, would he give serious consideration to not proceeding with that video campaign?

**Mr Attwood:** I thank the Member for his question. In a review of campaign advertising across government last autumn, the only campaign advertising budget that was ring-fenced was that for road traffic campaigns in all the media outlets. The Executive recognised that, although the advertisements can, on occasion, be distressing — I do not want to diminish that — they are part of the narrative that is leading to fewer injuries and deaths. The Member's point that there may be a conflict with the Communications Act has not been brought to my attention previously, but I will certainly look at it. Regardless of whether it is in respect of the cost of the campaigns, which will be retendered in the near future, or their quality and character, my Department and I keep a close watch on all the issues. That is why I am a bit surprised that I have not heard previously that there may be an issue with the London legislation.

**Ms Lo:** I certainly welcome all the Department's initiatives on improving our road safety. Does the Minister intend to go ahead with the new

proposal that he is thinking of to restrict young drivers in their first six months of being qualified so that they cannot carry other young passengers? How will he enforce that?

**Mr Attwood:** I thank the Member for her question. Not only do I intend to go forward with that proposal but the Executive intend to go forward with it. In the first week of July, I put proposals to the Executive, in principle, on graduated penalties and changes to the driver training regime that received virtually unanimous approval and a strong endorsement. One of the proposals, which is borrowed from international best practice, will see in this part of Ireland the most radical driver training regime certainly in these islands if not beyond. It will place restrictions on newly qualified drivers about whom they may carry for six months after their qualification. We will work that proposal through closely with, among others, driver trainers to establish how it should be shaped.

We are shaping the proposal in that way because 44% of deaths in the past four or five years have involved young drivers, as have 35% of serious injuries. Too often, that is because young drivers are under peer pressure. They are driving their peers or are being encouraged to drive more quickly. The evidence is that, if the driving experience is controlled and drivers are restricted in whom they may carry — with some exceptions, as there will be legitimate reasons why people may want to carry family, friends or others — opportunities are created to reduce the risks in the early days after someone has qualified.

**Mr P Ramsey:** I welcome the Minister's reference to a reduction in deaths on the roads. However, I am sure that he will agree that one death on the roads of Northern Ireland is one death too many. What are the current trends in road safety in Northern Ireland? How do the figures or stats compare with other jurisdictions?

**Mr Attwood:** As I said, there have been 31 tragic road traffic deaths this year to date. There were close to 60 over the course of last year. Although that was a slight increase on the previous year, the pattern is very much downward. The proof of that is that, in 2003, the ratio for deaths in the North, compared with other parts of these islands, demonstrated that we had the worst record. Since 2011, however, because of a family of interventions to improve road safety and road performance, we are now below the average per capita in the Republic and close to the average per capita in Britain. That indicates that all the interventions,

including those that I spoke about and those heretofore, are having a material impact on this critical issue.

## Flooding: Emergency Payments

2. **Mr Douglas** asked the Minister of the Environment what plans he has to increase the level of emergency payments made to people affected by flooding. (AQO 2531/11-15)

**Mr Attwood:** I thank the Member for his question. I confirm that the Department has, over the past number of months, been preparing a business case that will go to DFP. Its core proposal is that the payment under the existing emergency scheme would be increased from £1,000 to £1,500 per household and that the scheme would extend to voluntary groups, charities and businesses. It is a good scheme, it has worked well, and it has been borrowed in other parts of these islands. However, the scheme could be broadened to help people in critical incidents.

**Mr Douglas:** I thank the Minister for that very welcome statement. I also personally thank him for his recent intervention in an issue affecting one of my constituents, an 80-year-old woman in East Belfast. The Minister intervened while he was on holiday.

Given the good news today, can I ask whether, until we have the legislation in place, the Minister's Department will continue to show the same sort of flexibility and common sense that he has shown over the past couple of months?

**Mr Attwood:** I thank the Member for his acknowledgement that the Department tried to intervene in an acute incident to assist an elderly person. That happened because I sought legal advice, which I interrogated, and, in my view, the interpretation of the policy in that particular circumstance was that the spirit and substance of the scheme captured that type of incident. In that circumstance, water damage arose from a pre-existing position that may not have been known to the occupant, or the scale of the damage may not reasonably have been known to the occupant.

I will certainly press DFP, be it on that example or others, to show proper flexibility in the interpretation of the scheme to defeat the mischief, which is that somebody who quite patently should be covered by the scheme might be disqualified from it under a strict interpretation of it. So, you have my reassurance on that. On the other hand, I encourage DFP to show that flexibility, and I

have examples of when it has been flexible and examples of when it has not. Given the scale of our weather problems, I think that we should interpret the spirit and substance of the scheme flexibly to defeat the mischief of bad weather.

**Mrs Dobson:** Will the Minister give an assurance that rural and urban dwellers will be treated equally in the compensation proposals? He will be aware that, over the past year, his colleague in the Department for Regional Development has made numerous bids in monitoring rounds for flood prevention and alleviation projects. Does the Minister believe that, if such proposals were supported around the Executive table, not only would it be the morally right thing to do but it would make economic sense?

**Mr Attwood:** I reassure the Member that, certainly when it comes to the scheme's operation, no evidence has been brought to my attention by any of the councils that manage it of any difference between the treatment of rural dwellers and urban dwellers. Indeed, the vast majority of claims are accepted, and payments are made very quickly. I think that the scheme has worked very well.

I also confirm that, following the severe weather on the last Wednesday in June, the Executive are conducting a review of flood issues and the emergency response to see where policy, practice and, indeed, resources might be upgraded in an effort to mitigate the risks. Other Ministers will comment on that in due course. I acknowledge, though, that the emergency response network in the North that exists through the councils, which have a role in co-ordinating the emergency services, worked very well in many places during the acute weather that we had last June, especially in Belfast. However, we need to have certainty in law about where the lead co-ordination responsibility should reside. In my view, given the good practice that is now deployed in councils and council clusters, councils should have the legal responsibility to lead the co-ordination. They should not do all the work in the implementation of the emergency response but should take the lead in co-ordinating the response, just as Belfast City Council did in the very acute weather conditions, substantially to the benefit of the citizens of the borough.

**Mr Hazzard:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagraí go dtí seo. Following recent flooding at Shane's Road, Killyleagh, can the Minister indicate whether emergency payments

will be extended to include those whose property was affected?

**Mr Attwood:** I will certainly look at the situation in Killyleagh. The council has not yet raised it with me. The scheme has been extended, even in recent days and weeks, to capture further flooding events, wherever they might be. So, the scheme has been activated for the most recent events in the past week. No issue has been raised with me about the victims in Killyleagh. However, rest assured that, if, as with so many instances around the North — so far, £1.5 million has been deployed to deal with the June flood incident alone — the evidence is that, subject to the experience of the East Belfast resident, the scheme captures virtually all that it should, the issue will be whether we can capture more.

**2.45 pm**

## Waste Management: Arc21

3. **Mr Hilditch** asked the Minister of the Environment for his assessment of Arc21. (AQO 2532/11-15)

**Mr Attwood:** I thank the Member for his question. As Members know, there is an ongoing waste procurement strategy for Northern Ireland. The outworking of that sees three groups of councils, through procurement groups — the Southern Waste Management Partnership, the North West Region Waste Management Group and Arc21 — taking forward the procurement of waste need in future. I have to be careful about what I say in this regard because we are at a critical phase of the management of those procurement strategies. I have made it clear, in the Department, to the three groups of councils and to the procurement managers, that I want to create certainty and to do so quickly over how the procurement strategy will be deployed over the next period. Consequently, I said clearly to all three that now is the time and soon is the time for certainty around the deliverability and affordability of each of or all the schemes, given the scale of commitments that councils may be asked to enter into and the financial consequences that flow from that. That is as true for Arc21 as it is for the others.

**Mr Hilditch:** I thank the Minister for his answer. Given the number of organisations now involved in waste management, does he consider that the time is now approaching for the challenges to be faced collectively through the delivery of a new waste infrastructure facility by one group?

**Mr Attwood:** I confirm that I said to the waste management board, the Department and the three procurement groups that we should, as the Member said, move towards having a single waste authority. However, historically, we came to the situation in which we had three waste authorities. It is my view that, on the far side of this procurement exercise, we should have a single waste authority. I cannot derail the ongoing exercise, because people would say that I had changed the rules of the game, created uncertainty and that they may make a legal challenge. Therefore, I have to exhaust the current process. However, on the far side of that process and once the matter is settled, whatever way it is settled, a single waste procurement authority is the right way to go.

We will see over the next short while whether all three, two or one of the groups get over the deliverability and affordability line. However, I am determined that that should happen, whatever the outcome might be, so that the picture of waste procurement over the next 20 or 25 years is clear for all to see.

**Mr Elliott:** The Minister referred on a number of occasions to a single waste authority. Does the Minister see the building of an incinerator in Northern Ireland as an answer from a single waste authority?

**Mr Attwood:** You are not going to draw me in. All article 31 applications will be properly considered. Hopefully, decisions will be made quickly, and, on the far side of that, the Member might have an answer.

**Mr Molloy:** I thank the Minister for his answers so far. I think that the only thing that a single waste authority could deliver is an incinerator. There is not plenty of scope for otherwise.

Has the Minister made up his mind whether the 25-year contracts are good value for the future? Is it not time to look at alternative sources for dealing with waste?

**Mr Attwood:** First, I have very much interrogated the whole issue. It is going to be one of the single biggest long-term financial commitments made on behalf of the people of the North of Ireland, whatever way it shapes up. I have looked closely at it. Although we are making significant strides with, for example, recycling targets, I have now challenged the councils to recycle 60% of domestic waste. Although we have made significant progress, and we need to upgrade and escalate all that, especially around recycling waste for other purposes, there is going to be a strategic gap.

Over the next number of years, especially beyond 2020, the volume that might go to landfill will increase even as we increase the volume that is recycled. There will be a strategic gap, and we need to deal with that gap by looking at what can be used in another, more environmentally friendly, way and that which has to be diverted from landfill. I am satisfied that we will need a mechanism — and the more environmentally friendly and green the mechanism, the better we will be — because it will advertise the green and clean credentials of the North of Ireland and, as I think we will have more and more opportunity to do so, show that renewables are Ireland's single biggest economic opportunity.

**Mr Dallat:** Does the Minister agree that the huge drop in the amount of waste going to landfill means that there has to be a significant change? Will he assure me that the awful word "superdump" can now be removed from our vocabulary and that much of the process will be done locally?

**Mr Attwood:** A lot of it can be done locally, but a lot of it is not done locally. As I have said to the House before, on the island of Ireland, 30% of plastics are recycled. Of that percentage, only 30% are recycled on the island of Ireland. Therefore, the vast majority of plastics go to landfill, and much of what is recycled is taken out of the country for other purposes. We have a strategic, economic and environmental opportunity if we manage the recycling business in a much more efficient and effective manner. Again, that will advertise the renewables opportunities on the island of Ireland. I want to see that we move to a landfill ban — I will be talking about that over the next period of time — to demonstrate that we push ourselves when it comes to the green and clean agenda.

## Marine Conservation Zones

6. **Mr Hamilton** asked the Minister of the Environment how displacement caused by the designation of a marine conservation zone will be handled. (AQO 2535/11-15)

**Mr Attwood:** I thank the Member for his question, which I know has detained the Committee and will, no doubt, detain the House when the Marine Bill returns to the Floor.

I make three points in reply to the question. First, in some marine conservation zones (MCZs) there will not be displacement. For example, on the far side of designation, fishing

will continue in MCZs. In that instance, displacement will not arise.

Secondly, some MCZs will confirm and deepen the environmental status of certain special areas of conservation. Therefore, what has been restricted in those areas to date will be restricted on the far side of MCZ designation.

Thirdly, if there are, and there will be, further areas designated as MCZs, there will be an exhaustive process involving all stakeholders, including the fishing community, to work through the ecology in the proposed MCZ and what the economic consequences of designation would be. It is only on the far side of that process that a judgement will be made about MCZs, and only on the far side of that will we know the potential displacement that might arise.

**Mr Hamilton:** I thank the Minister for his reply and some assurances that he has given in it. The Minister will be aware that the fishing industry is supportive of the Marine Bill but concerned about some aspects of its implementation, including displacement. Given that both the fishing industry and environmentalists agree that displacement is an important issue, will the Minister resolve to ensure that the process he spoke about thoroughly examines the issue to ensure that there are no unforeseen or negative consequences as a result of designating an MCZ?

**Mr Attwood:** I am pleased to give that reassurance. The process will be that, if there is an area that might be designated an MCZ, there will be in-depth discussion in that regard. Part of that will be to get a good understanding of the geology, wildlife, habitats and ecology of the area. After that, there will be an intense conversation with all the stakeholders, which will include making an assessment of the economic impact and ensuring that there is coherence with other MCZs, given that they are being designated by other jurisdictions in Britain. On the far side of that, I would like to think that we would get to a point of agreement. However, we have to recognise that, because we have not had the fullest agreement possible around the management of marine assets, we got on the wrong side of Europe when it came to Strangford lough. We came very close to an £8 million infraction, with more beyond that on a daily basis. Therefore, in taking this forward, let us learn from the experience of the *Modiolus modiolus* issue in Strangford lough. Let us have the processes that will get everybody in the room to reach the right outcome. When it comes to MCZ designation, we cannot afford to

reach the wrong outcome, with all the risks that would carry.

**Mr McMullan:** Go raibh maith agat, a Cheann Comhairle. Minister, you mentioned MCZ designation but, so far, we have not heard the full number of MCZs that you intend to create. When will you be able to tell us how many you will create, and how much that will cost?

**Mr Attwood:** I believe in jumping hurdles quickly, but we have not yet got the Bill to the Floor of the Chamber. I will try to prevail upon my Executive colleagues to support further amendments to the Bill that come out of Committee Stage. That will include, among other things, an MMO — a marine management organisation. At the same time, in order to try to jump our fences in good time to move the legislation and the process on, the Department has begun to scope out what marine planning will look like in real-time, real-life operational circumstances. That work will be defined in terms of potential areas, cost and all the management, but it will be done in consultation with all relevant stakeholders. However, it is likely that the first area that might become an MCZ is Strangford lough.

**Mr Rogers:** The Minister partly touched on this, but will he meet representatives of the relevant fishing interests so that the adverse impact of meeting our EU obligations can be minimised?

**Mr Attwood:** I believe not only in consultation but in participation. We have an extravagance of consultation in the North, and rightly so, in order to garner ownership of issues in the wider community. However, we need to have participation, which is a qualitative leap from consultation. We do not have an extravagance of participation. That will apply to this issue, as it does to other issues. I recognise that good ambitions and good policy and law that might be passed by the Assembly can create the worst fears, and there have been examples of that in recent times. Mr Rogers might have been one of the people who was whispering in my ear, if not shouting in my ear, in that regard. Therefore, when it comes to management of marine areas, just as with management of the land, we need to have participation at its core.

## Taxis

7. **Mr Kinahan** asked the Minister of the Environment how he will ensure that individual taxi owners and small taxi companies are not disproportionately affected by changes to taxi legislation. (AQO 2536/11-15)

**Mr Attwood:** I thank the Member for his question, which is important and timely because the processing of the issuing of licences is ongoing. The purpose of this is, first, to ensure that we have a regulated taxi industry that sees illegal operators closed down. If illegal operators close down, legal operators, including the small operators, will have more chance to prosper.

Secondly, on the far side of 2012, we will have single-tier taxi licensing, save for taxis for disabled people and other specialist carriers. That will allow small and big licence holders to pre-book or be hailed on the street. In my view, that will create a much more sustainable environment for the taxi industry, including the small operators, to prosper. We will have maximum fares, although it will be up to taxi drivers to decide whether they want to charge the maximum or less. We will also have taximeters. All of that will improve the taxi experience for drivers and customers, and will ensure better enforcement.

To enable all that to happen, now that the licensing regime is about to be put in place, we have reduced the price for a first-year taxi licence from £195 to £95 to recognise, in these times of economic stress, that helping small businesses is important. That is one way to help them.

3.00 pm

## Enterprise, Trade and Investment

**Mr Speaker:** Question 2 has been withdrawn.

### Tourism: Gaeltacht Quarter, Belfast

1. **Ms McCorley** asked the Minister of Enterprise, Trade and Investment for an update on the work of the Tourist Board to promote the potential of an Cheathru Gaeltachta/the Gaeltacht Quarter in Belfast as a destination for tourists. (AQO 2544/11-15)

**Mrs Foster:** The Northern Ireland Tourist Board (NITB) supports the development and promotion of Belfast as a tourism destination. Belfast City Council's 'An Integrated Strategic Framework for Belfast Tourism 2010-2014' was developed in partnership with the Northern Ireland Tourist Board. Through the framework, NITB has been supporting Belfast City Council in the development of the city centre and 10 local tourism destinations identified within the framework, including the Gaeltacht Quarter.

Our tourism bodies support and promote the full range of our cultural tourism offering in Northern Ireland. We have a rich culture and heritage, which we should celebrate, and I look forward to the UK City of Culture in 2013, when we can showcase the many aspects of our culture.

**Ms McCorley:** Go raibh maith agat. Gabhaim buíochas leis an Aire as a freagra. I thank the Minister for her answer. Does she believe that the siting of a hotel in west Belfast would be a positive move for local employment and in attracting more tourists?

**Mrs Foster:** Of course we always welcome more accommodation, particularly given that the World Police and Fire Games are coming to the city and to wider Northern Ireland next year. As the Member will probably be aware, there is, if you like, a 10-mile moratorium in relation to Invest Northern Ireland assisting hotels in Belfast. However, if private individuals want to come forward with any applications, we can certainly look at those. We would welcome more accommodation in the city given that we have big events coming up, not just next year but in the years to come.

**Mr Dunne:** Following on from the success of the covenant celebrations at the weekend, when thousands of tourists came to Northern Ireland, can the Minister advise what she is doing to promote orange and unionist culture as a tourism product in Northern Ireland?

**Mr Speaker:** Order. I am warning Members that the question must, as far as possible, relate to the original question. I will leave it to the Minister to decide. *[Interruption.]*

**Mr Speaker:** Order.

**Mrs Foster:** I will take it because it is on cultural tourism. *[Interruption.]*

**Mr Speaker:** Order.

**Mrs Foster:** The Ulster covenant celebrations at the weekend were, of course, a huge success, and I commend the Unionist Centenary Committee and the Grand Orange Lodge of Ireland for bringing together all elements of unionism to commemorate what was a hugely significant anniversary in our history.

As the years go on, there will be many events that will mean more to some people than to others, but we — all of us — must respect the

right of everyone to remember the significant events of the past. In one way or another, we must recognise that all those events have contributed to making us the people we are today and, indeed, Northern Ireland the place it is today. This is the start of the decade of centenaries. As Members are aware, the Minister of Culture, Arts and Leisure and I are doing work on the decade of centenaries, and it is my hope that we will have as good a day for the rest of the celebrations over the next 10 years as we had on Saturday.

**Mr D Bradley:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a freagra. Ba mhaith liom a fhiafraí den Aire an aontaíonn sí liom gur chóir do Bhord Turasóireachta an Tuaiscirt úsáid a bhaint as an teanga Ghaeilge leis an turasóireacht a chur chun tosaigh, go háirithe ó thaobh na Ceathrú Gaeltachta de.

Thank you, Mr Speaker. Does the Minister agree with me that the Northern Ireland Tourist Board should use the Irish language while promoting tourism here, especially from the point of view of the An Cheathrú Gaeltachta, the Gaeltacht Quarter, in west Belfast?

**Mrs Foster:** The Northern Ireland Tourist Board is working very closely with the Gaeltacht Quarter, as I indicated in my first answer. Indeed, the Gaeltacht Quarter has received funding from the events fund and, indeed, from the tourism development scheme. If the question is, "Should the Northern Ireland Tourist Board continue to work with the Gaeltacht Quarter?", the answer is yes, of course, and that is the case.

**Mr Speaker:** Question 2 has been withdrawn.

## Unemployment: Engineering and Manufacturing

3. **Mr Dickson** asked the Minister of Enterprise, Trade and Investment, given the recent job losses in the manufacturing and engineering sector, to outline the steps taken by her Department to ensure that this has as little impact as possible on other companies involved in the wider supply chain. (AQO 2546/11-15)

**Mrs Foster:** Recent announcements of job losses were a major blow to the Northern Ireland economy, in particular to those who will be directly affected by the decision.

I assure the Member that Invest NI is working with local management in Caterpillar to

determine the potential impact of FG Wilson's recent announcement on local suppliers. Invest NI is ready to work with each company affected to assess the impact on their business of the decision and to identify how to help them to replace any work likely to be lost.

As I said in my statement to the Assembly on 17 September, recent manufacturing job losses help only to confirm that the Executive's strategy to rebalance, rebuild and grow our economy is the right one. Helping our manufacturers to move to higher value-added activities by supporting them to invest in research and development, enhance the skills of their workforce, apply new processes and technologies and break into new markets is fundamental to that. We have seen clear evidence of the benefits of that approach, with manufacturers such as Bombardier, Moyola Precision Engineering, Wrightbus, Andor Technology, Schrader and many other companies increasingly being recognised as best in class on the global stage. It is by embedding innovation, growing our local companies to scale and helping them to increase their export base that we can best support our manufacturers and help them to survive and thrive.

**Mr Dickson:** I thank the Minister for her answer. Will you give us a little more detail about your meeting with senior executives of FG Wilson? Did you touch on the cascading effect that the loss of those jobs will have on the local economy?

**Mrs Foster:** I thank the Member for his supplementary. Last week, Alastair Hamilton, Alastair Ross and I met Bill Rohner, vice-president of Caterpillar's electric power division, in Chicago to discuss the implications and ramifications of the announcement by Caterpillar some weeks ago. We explored potential opportunities to try to mitigate the job losses. Those are being pursued by Invest NI. Alastair and I outlined the support that may be available, including support for research and development and training. The possibility of securing additional functions in Northern Ireland from Caterpillar was also discussed. So I am looking not just at manufacturing jobs but at whether there are additional functions that we can deliver in Northern Ireland. We are pursuing a number of such opportunities.

Invest NI has already met the company to follow up on the opportunities discussed at the meeting in Chicago. Discussions have also taken place to identify local companies that may be impacted on by the announcement, and we are following up with those businesses. That is

a hugely important point because the announcement impacts across the Province.

**Mr Hilditch:** I understand that the Minister may already have answered my question, but what are Caterpillar's products?

**Mrs Foster:** Caterpillar still sees Northern Ireland as an integral part of its business. We remain an important part of its electric power division. As we know, the company said that the redundancies were made to make it more competitive in the world market. However, the company retains an excellent pool of skilled workers in Larne, Belfast and Monkstown, and it very much wants to build on that. I was encouraged by Mr Rohner's attitude to look for other opportunities, and we will pursue that vigorously.

**Mr McElduff:** What work is the Department undertaking in partnership with the Department for Employment and Learning as part of the advanced manufacturing and engineering services working group? Secondly, there was another huge cultural tourism event at the weekend — it was called the all-Ireland hurling final.

**Mrs Foster:** I am sure that the Member enjoyed it greatly.

We have been working with the Department for Employment and Learning on the advanced manufacturing and engineering services working group. I very much welcome the setting up of that body because it allows us to talk to employers in the field. They can identify the particular skills that they need college leavers to have and those who need to be retrained. We had been talking about that for some time. The Member may be aware that we set up a similar group for software technology, and it worked very well with the software testers' academy that was set up. I very much welcome the setting up of the group. It will help us to identify whether there are skills gaps and what we need to do about them.

**Mr Beggs:** I thank the Minister for her efforts and those of Alastair Hamilton in encouraging Caterpillar to move additional jobs to Larne, in particular, and the Monkstown plant. Will she accept that, if additional industrial development sites were developed, there would be an increased likelihood of some of the new jobs that are expected to come into Northern Ireland within the next number of months locating in Larne and that fresh opportunities would be developed for the subcontractors and the existing service sector that have suffered?

**Mrs Foster:** First, I very much welcome the work that Larne Borough Council is heading up to deal with the impact of the FG Wilson redundancies. As I said, I think, in relation to questions to the statement on 17 September, I very much believe that people will invest in the east Antrim area because of the pool of skills that is now available. That will be the beacon to draw in companies. East Antrim is quite well catered for in industrial land when you look at the figures for it in comparison with other parts of Northern Ireland. The key issue is skills, and we have an abundance of those in east Antrim. We will work there to make sure that we have the appropriate skills under the assured skills scheme when the employers come.

**Mr A Maginness:** The Minister has had contact with Caterpillar, and, clearly, there is a reasonably good relationship between the Minister and Caterpillar. Will she assure the House that the Executive will do everything in their power to entice further investment by Caterpillar into areas that will see growth here in Northern Ireland?

**Mrs Foster:** The message that we wanted to give to Bill Rohner and his team in Caterpillar — as I said, this has already been followed up by Invest NI officials — was that we wanted him to be as open with us as he could, so that we could try to search out other areas of Caterpillar that we could bring to Northern Ireland. The electric power division is based here in Northern Ireland. As the Member will know, Caterpillar is very much a global brand, so there may be other parts of Caterpillar that we can access as well and make competitive for the company. That is the key element of sustainable jobs.

We have certainly delivered the message. Now it is a question of working with Caterpillar to try to deliver some jobs to mitigate the job losses that have been announced.

## Economy: Tourism

4. **Mr D McIlveen** asked the Minister of Enterprise, Trade and Investment to outline the work her Department is doing to bring the overall contribution of tourism to the economy in line with the 3·2% rate elsewhere in the UK. (AQO 2547/11-15)

**Mrs Foster:** Tourism will make an important contribution to a number of the rebalancing themes in the Northern Ireland economic strategy through increased visitor numbers and revenue, the development of tourism product

and the delivery of key tourism events. Challenging tourism targets to 2014 have already been set in the Programme for Government, and they take account of the tremendous opportunities that the next few years will bring for local tourism. Key targets are to increase visitor numbers to 4·2 million and tourist revenue to £676 million by December 2014.

To achieve those targets, £300 million has been invested in tourism capital infrastructure in the past few years, including the Giant's Causeway visitor centre that opened in July. Our tourism bodies at home and abroad continue to promote to key audiences the great tourism product that we have to offer, and we are looking at options to increase access for visitors to come to Northern Ireland. Following the success of 2012, 2013 will provide a further platform to promote Northern Ireland, with Belfast hosting the World Police and Fire Games and Londonderry being UK City of Culture.

**Mr D McIlveen:** I thank the Minister for her answer. Does she agree that it is disappointing that the figures for tourists coming from mainland UK have been consistently in decline over recent years? Given that it is the remit of Tourism Ireland to deliver on that, does she agree that perhaps we need to have a conversation very soon about whether Tourism Ireland is capable of delivering in that market? Perhaps that remit should be devolved to a local body such as the Northern Ireland Tourist Board.

## 3.15 pm

**Mrs Foster:** I thank the Member for his question. I recently wrote to the chair of Tourism Ireland about its recent performance. I have asked him to show how Tourism Ireland will change the situation in relation to the Great Britain figures. I have to say that I am disappointed. I want standout for Northern Ireland in respect of the rest of the UK. We are a different region from Cork, Kerry or Dublin, and, to be fair, I think that there are regions in the Republic of Ireland that have expressed the same indications. There is a need to sell those areas separately, maybe, rather than as one whole-Ireland experience, given that Great Britain is very much aware of the differences between Northern Ireland and some of the regions in the Republic of Ireland. It is an ongoing issue, and I assure the Member that I have my eye on it.

**Mrs Overend:** As we look forward to the next announcement of tourism figures, some time this month, I believe, I expect them to be more positive than those for the first quarter of this year. As we come closer to the end of 2012: Our Time Our Place, will the Minister provide additional information about her tourism campaign for 2013? Does she feel that 2013 will be an improvement on 2012? Furthermore, does the Minister have any plans to publish the much-needed tourism strategy?

**Mrs Foster:** There were a number of questions in there, and I will try to answer as many as I can recall. I do not think that there is any doubt that 2012 has been a huge success. Obviously, we will not have the final official year-end tourism statistics until, probably, the second quarter of 2013. However, I was encouraged that, between January and June this year, Northern Ireland residents took 813,000 overnight trips within Northern Ireland, with an associated spend of £76 million. That is an increase of 6% on visits and 31% on expenditure against the comparable period in 2011. So, even in the domestic market, we have seen a significant increase. Also between January and June, an estimated one million hotel, guesthouse and bed-and-breakfast rooms were sold, which is an increase of 10% on the same period in 2011.

Of course, we have also heard that Titanic Belfast has welcomed its 500,000th visitor. That was a tremendous feat when you think about what some organisations had to say about Titanic Belfast before it opened its doors. We all remember what the Audit Office had to say about Titanic Belfast. It queried whether we would reach 400,000 visitors in a year, yet Titanic Belfast has already welcomed 500,000 visitors despite being open only since 30 March. The Giant's Causeway has achieved 250,000 visitors since the new centre opened in July, and those visitors came from over 90 countries. That is significant when you consider that we are trying to attract out-of-state visitors, as well as trying to accommodate our own visitors.

The tourism strategy has informed the new action plan that we are taking forward. I know that the Member will be happy about that because her party leader said at his conference that he is opposed to strategies and wants to see delivery.

**Mr Speaker:** The Minister's time is almost gone.

**Mrs Foster:** We are pleased that the Ulster Unionist Party is with us on action plans.

**Mr Speaker:** I remind Members to ask only one supplementary question.

**Ms Maeve McLaughlin:** Go raibh maith agat, a Cheann Comhairle. Will the Minister update us directly on discussions with the tourism Minister in the South on greater working together as part of "The Gathering" 2013 and specifically on Fleadh Cheoil na hÉireann and the City of Culture, both of which will take place in Derry this year. *[Interruption.]*

**Mr Speaker:** Order.

**Mrs Foster:** The Fleadh Cheoil is, of course, next year and is part of the UK City of Culture. We are looking forward to hosting that and all the cultural expressions that we will see in that great city during that time.

The last time I had a discussion with Mr Varadkar was during the 12 July celebrations in Enniskillen, when he came as my guest to watch the festivities there. We had a good discussion about tourism on that occasion.

## Invest NI: Working Capital

5. **Mr Weir** asked the Minister of Enterprise, Trade and Investment for an update on how Invest NI can provide working capital for companies which wish to expand. (AQO 2548/11-15)

**Mrs Foster:** Invest NI is developing a range of SME funding initiatives, both equity and debt, that will offer over £100 million of working capital to SMEs that are or have the potential to be scalable, innovative, entrepreneurial and export-focused. Funding will be from £1,000 up to £2 million in any 12-month period. The NISPO funds, Co-Fund NI and the NI growth loan fund are operational, and the small business loan fund will follow as soon as all regulatory matters, including FSA approvals, are in place. A procurement process will shortly commence to acquire two fund managers to operate two separate £30 million development funds. All funds will be commercially managed by fund managers who will make all investment decisions. Selective financial assistance, which may take the form of capital grant, employment grant or milestone-based revenue grant, can also indirectly contribute to working capital requirements.

**Mr Weir:** Will the Minister provide an update on some of the Invest schemes that have been put in place?

**Mrs Foster:** As I indicated, we have £100 million in Invest schemes. Some of those funds have been in place for a while now. The NISPO fund has been operational since 2009, and the co-investment fund has been operational since July 2011. The development funds are not yet operational, but we are hopeful that they will be. Those are two equity funds of £30 million each, and we anticipate going to tender for a fund manager during October 2012. The growth loan fund has been operational only since, I think, August, and already we have approved a loan. Companies that want to grow but cannot get the finance from their local banks have shown a great interest in the growth loan fund. Regrettably, I foresee that this is something that we, as government, will have to continue to do, because the banks do not seem to be making the finance available to firms that want to grow.

Lastly, but importantly, the small business loan fund is a very important fund. It allows small businesses to draw down sums from £1,000 to £50,000. I know that £1,000 is a small amount, but sometimes it is about a small amount of money. That fund has been awarded to UCIT, and ENI will be the subcontractors. It will be opened to applications as soon as the FSA approval is in place.

**Mr Mitchel McLaughlin:** I thank the Minister for her answers. I know that she shares the concerns about the performance of the banks in responding to applications for financial support. She referred to that in some of her answers. Will she indicate whether she believes that that approach is about to change as a result of the additional support for enterprise growth that the British Government have provided to the banks?

**Mrs Foster:** I noticed over the weekend that one of our larger agrifood firms, United Dairy Farmers, had been successful in drawing down finance through the funding for lending scheme. I am pleased to see that, because it is the first of that type that I have seen. I know that the Finance Minister has been concerned that previous national initiatives that were taken to improve liquidity have not been effective in Northern Ireland. That scheme goes through the Ulster Bank, and we may want to follow that up to see whether we can identify any other opportunities there. Frankly, we are stepping into the banks' shoes with our growth loan and small loan funds. The banks should be doing

that, but I am pleased that at least one company has been able to avail itself of the scheme.

**Mr Cree:** Given that the construction industry is a very important part of our economy, are you satisfied that the small and medium-sized enterprises in that industry receive an adequate proportion of Invest Northern Ireland funding?

**Mrs Foster:** I am. The Member will know that one way that we try to assist in that regard is through the Boosting Business scheme. We look at such enterprises' capability to see whether there is anything we can do, perhaps through consultancy or identifying whether the jobs fund can assist if they want to bring jobs on stream. However, for a lot of construction companies, it will again be about access to working capital, and I am hopeful that some of the capital and equity and debt funds that we have made available will be accessed by those companies.

**Mr Speaker:** I call Colum Eastwood. Once again, I remind Members that they need to continue to rise in their place. It is very hard from here to guess whether a Member wishes to ask a supplementary question.

**Mr Eastwood:** Thank you, Mr Speaker. Perhaps I need to grow a couple of inches so that you can see me next time.

I thank the Minister for her answers thus far. I welcome the fact that there has been quite a lot of interest in the growth loan fund. Will she quantify how many applications there have been?

**Mrs Foster:** I know that in excess of 100 applications have been received. My most recent update last week indicated that 28 business plans have been submitted, so that number may have increased. I was very pleased to see the first loan go out the door last week. I am happy to bring a report to the House next month, by which time the fund will have certainly bedded in. I foresee us perhaps even having to look for an increased amount of money in that fund, because we are providing the service that the bank really should provide.

## Tourism: Brown Signs

6. **Mr Storey** asked the Minister of Enterprise, Trade and Investment what steps are being taken to review the criteria for the erection of brown signs. (AQO 2549/11-15)

**Mrs Foster:** The Department for Regional Development's Roads Service operates the Northern Ireland tourism signage policy with support from local councils and the Northern Ireland Tourist Board. Although I recognise that road safety issues must remain at the core of that policy, research and consultation undertaken with the tourism industry has indicated that it needs to be updated to reflect developments in tourism and to be more flexible in its implementation, given the evolving nature of tourism product and experiences. I met the roads Minister earlier this year to raise my concerns and have since presented recommendations for the amendment of the current policy following the review undertaken by my Department.

**Mr Storey:** I thank the Minister for her answer, in particular for confirming that she has met the roads Minister and that there will be some changes to the legislation that governs brown signs. Will she encourage the roads Minister, along with her Department, to ensure that the Dark Hedges, in my constituency, will benefit from having a brown sign from the A26? As the Minister knows, the Dark Hedges is one of Northern Ireland's other idyllic tourist attractions.

**Mrs Foster:** I am glad that the Member said "other idyllic" attractions. He was clearly thinking of Fermanagh.

I am very much aware of the appeal of the Dark Hedges to local residents and visitors. That is recognised, because the area has been actively promoted since spring 2009 in Northern Ireland Tourist Board campaigns across various formats, including outdoor, print and digital. I understand that the preservation group has secured some funding and is in the process of making improvements to the site, which I welcome. I am also advised by officials that, once the interpretation is in place and issues of ownership and signage maintenance responsibility have been formalised, the group will put in a new application for a tourist sign. I welcome that, because I recognise that tourism signage is not there to act as advertising or as a promotional tool. When one is travelling on the Continent, for example, the proliferation of signs can be very confusing and raises road safety issues. However, there is a need to be more flexible on brown signage, and I hope that Roads Service will reflect on that when we review the policy.

**Mr B McCrea:** Can the Minister give us some indication of the timeline involved and of when

she and the Minister for Regional Development will get a resolution of the matter?

**Mrs Foster:** I am not able to comment on how long it will take, because I am obviously not responsible for someone else's Department. However, I very much hope that it will happen as quickly as possible and that a more enabling approach is adopted on brown signs.

**Mr Dallat:** I thank the Minister for her answer, which was very positive. As a representative of a rural area, she will be aware that hotels are restricted to two brown directional signs. Does she support increasing that number?

**Mrs Foster:** I suppose that that depends on the hotel's location. If there is a need for more than two signs, I wonder why a hotel would be restricted to that number, especially if it is in a remote area and needs more directional signage. I would not be prescriptive about that, but it is a matter for discussion between me and the roads Minister, and I hope that that happens pretty soon.

3.30 pm

## Private Members' Business

### Marriage Equality

*Debate resumed on motion:*

*That this Assembly believes that all couples, including those of the same sex, should have the right to marry in the eyes of the state and that, while the rights of religious institutions to define, observe and practise marriage within their beliefs should be given legal protection, all married couples, including those of the same sex, should have the same legal entitlement to the protections, responsibilities, rights, obligations and benefits afforded by the legal institution of marriage; calls on the Minister of Finance and Personnel to introduce legislation to guarantee that couples of any sex or gender identity receive equal benefit; and further calls on the First Minister and deputy First Minister to ensure that all legislation adheres to the Government's commitments to protect equality for all. — [Mr Agnew.]*

**Mr Speaker:** We now move to the marriage equality motion. I remind Members that the vote will be taken on a cross-community support basis.

*Question put.*

*The Assembly divided: Ayes 45; Noes 50.*

### AYES

#### NATIONALIST:

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

#### UNIONIST:

*Mr Copeland, Mr Kinahan, Mr B McCrea.*

#### OTHER:

*Mr Agnew, Mr Dickson, Dr Farry, Mr Ford, Ms Lo.*

*Tellers for the Ayes: Mr Agnew and Ms Ruane.*

#### NOES

#### UNIONIST:

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

#### OTHER:

*Mr Lunn.*

*Tellers for the Noes: Mr Givan and Mr D McIlveen.*

Total Votes	95	Total Ayes	45	[47.4%]
Nationalist Votes	37	Nationalist Ayes	37	[100.0%]
Unionist Votes	52	Unionist Ayes	3	[5.8%]
Other Votes	6	Other Ayes	5	[83.3%]

*The following Member voted in both Lobbies and is therefore not counted in the result: Mr A Maginness.*

*Question accordingly negatived (cross-community vote).*

## Education: GCSEs

**Mr Speaker:** As two amendments have been selected and published on the Marshalled List, the Business Committee has agreed to allow up to one hour and 45 minutes for the debate. The proposer of the motion will have 10 minutes to propose and a further 10 minutes to make a winding-up speech. The proposer of each amendment will have 10 minutes to propose and five minutes to make a winding-up speech. All other Members who wish to speak will have five minutes. *[Interruption.]* Order, Members. I ask Members to leave the Chamber in an orderly fashion.

**Miss M McIlveen:** I beg to move

*That this Assembly notes the decision by the Secretary of State for Education to replace the GCSE with the English baccalaureate certificate; is concerned about the possible implications of this for students in Northern Ireland; and calls on the Minister of Education to work with his English and Welsh counterparts to ensure that students from Northern Ireland are not disadvantaged by these changes.*

### 3.45 pm

At the outset, I would like to take the opportunity to congratulate students from Northern Ireland on another incredible set of GCSE results: 75.6% of those who sat the exams achieved an A\* to C grade. That fantastic achievement outstrips that of their counterparts in England and Wales, and nothing that I will say today is intended to detract from their achievement. The motion is about ensuring that no disadvantage is allowed to develop.

At the time of the recent GCSE results, the Education Minister quite rightly stated that we could not afford to be complacent. Despite these wonderful headline results, many thousands of our children leave school without five good GCSEs, including English and mathematics. The Assembly has, on numerous occasions, debated the issues and proposed solutions to address underachievement among school leavers. No opportunity should be missed in trying to deal with the matter, and, for that reason, I am more than happy to accept the Ulster Unionist amendment.

I welcome the Minister's announcement this afternoon of a review of GCSEs and A levels in Northern Ireland. It did not go unnoticed that his announcement was made on the afternoon of this debate. The Minister has quite rightly

acknowledged that, following Education Secretary Gove's recent announcement, he has a duty to undertake the review. I am pleased that, in response to questions today, we found out that the review will encompass all aspects of the examination system. However, his comments about it being a consultation and not a negotiation might give cause for concern that it has a predetermined view. I hope that that is not the case, as all such consultations are to be viewed through the lens of the Sedley requirements.

This summer has been one of turmoil for GCSEs, particularly in England, with concerns and controversy surrounding the moving of marking thresholds and the announcement by the Secretary of State for Education that he is to replace the GCSE with the English baccalaureate certificate. The reason offered by Secretary of State Gove for the change was that GCSEs belonged to a different time and a different world. The English baccalaureate certificate, he argues, will consist of truly rigorous exams that compete with the best in the world and make opportunity more equal for every child.

The Education Minister announced in March 2012 that schools in Northern Ireland would continue to be free to choose between unitised or linear GCSEs. He did so in response to the announcement by the Secretary of State that English schools will take the linear route. Interestingly, at that time, the Minister stated:

*"The standard of GCSEs here and in England is exactly the same and it is vitally important that we ensure this continues to be the case and that learners can avail of higher education and employment opportunities across these islands."*

The motion was tabled with that in mind.

Three of the four constituent parts of the United Kingdom offer GCSEs. Scotland has Scottish qualification certificates, which are not part of the national qualification framework of England, Northern Ireland and Wales. The Secretary of State for Education has announced changes that could have a major impact on children in Northern Ireland should we not keep pace with them. Secretary of State Gove's announcement came as a result of his repeatedly expressed concern about grade inflation: grades improving at a greater pace than the performance of those sitting the exams.

The final format of the new English baccalaureate certificate has not yet been

revealed, and we will probably not know that for quite some time. However, the Education Secretary has outlined some aspects of what he wants in a new exam, including the removal of continuous assessment and coursework from core subjects; the removal of the current two-tier division of exams between foundation and higher tiers; and a full baccalaureate to encompass English, mathematics, a humanities subject and a language.

A fundamental change announced by the Education Secretary was the removal of competition between examination boards, which he described as a "race to the bottom" and a means by which pass rates could be increased in schools. In place of such competition, only one board will offer the new exams in each subject area, and the exam regulator, Ofqual, will assess the exams put forward by the boards and select those that best meet certain criteria.

Secretary of State Gove states that he believes that such changes are necessary for a number of reasons. First, reform of the UK education system has not been keeping pace with the rest of the world according to the Organisation for Economic Co-operation and Development (OECD); secondly, there is a growing lack of confidence in the value of GCSE passes; and, thirdly, the education landscape has changed dramatically since GCSEs were first introduced over 20 years ago, and that model is no longer the right one.

Education professionals in Northern Ireland have expressed unease at this announcement. There is a feeling that the new English baccalaureate certificate, because it has an emphasis on rigour, will devalue the Northern Ireland GCSE and that will result in an uneven playing field for our students.

Following a summer of concern and distress for many pupils and teachers and criticism of GCSEs from the Education Secretary and observers, there is a pervading belief that the GCSE brand has already lost credibility. Although those problems have been centred largely in England, the Northern Ireland GCSEs cannot have escaped collateral damage. With that in mind, it is worth repeating what our own Education Minister said:

*"The standard of GCSEs here and in England is exactly the same and it is vitally important that we ensure this continues to be the case and that learners can avail of higher education and employment opportunities across these islands."*

If the standard is exactly the same at present, but there comes a time when English exams are perceived to be more rigorous, will that not put our pupils at a disadvantage?

The Minister has said that it is vital that our exams remain at the same standard as those in England. Why is it vital? So that our pupils can avail themselves of higher education and employment opportunities. We need to keep pace and ensure that our exams are robust and valued. We also need to ensure that we continue to be aligned with the rest of the United Kingdom, where a huge proportion of our students ultimately end up studying. There are deep concerns about GCSEs in Northern Ireland among education professionals. These are the people in the classroom. Their concerns are that it is a qualification made up of endless repeatable modules and questionable teacher-assessed coursework; controlled assessment tasks take up too much teaching time and can be open to tutor abuse; there are too many resit opportunities, which also eat into valuable teaching time; and the current system of modularisation, whereby the examination can be taken in manageable chunks at different times of the year and even in different years, devalues the whole qualification.

Even before the Education Secretary's announcement, there was already uncertainty in Northern Ireland, as students sitting GCSEs in England from 2014 would not be permitted to sit modules as a part of that assessment. Yet that option still remains in Northern Ireland. That creates difficulties for schools, as universities have yet to clarify whether the Council for the Curriculum, Examinations and Assessment (CCEA) GCSEs, which permit modular exams over the two years, will be viewed as equal to those set by English exam boards with no modular exams. That needs to be clarified, and I ask the Minister to obtain that clarification from universities as soon as possible. We already have year 11 pupils commencing those courses and faced with that uncertainty. It may well be that schools will ultimately be forced to consider using English examination boards to ensure that students are not disadvantaged by universities, particularly Russell Group universities, which often use GCSE grades as part of their entrance criteria.

The Minister has stated that he wants to continue with modular qualifications, but he has not addressed the issue of equivalence. That does not equate with his other comments about how vital it is that our GCSEs remain at the same standard as those in the rest of the United Kingdom.

It is ever more important that the Minister engages with his counterparts in England and Wales to ensure that pupils in Northern Ireland are not disadvantaged. I note that the Minister stated earlier that he is engaged in conversation with his Welsh counterpart and has sought discussions with Education Secretary Gove.

The Minister announced this morning that he has commissioned a review of GCSE and A-level qualifications, and I welcome the fact that he has recognised that a review should take place. I also welcome that he has confirmed that the review should take place in the context of maintaining the current tripartite system, which remains important to the prospects of our young people in terms of their opportunities for employment and further and higher education. There are areas of concern with the examination system, and it would be foolhardy to suggest that the system is perfect.

**Mr Speaker:** Will the Member bring her remarks to a close? The Member's time is almost up.

**Miss M McIlveen:** Thank you, Mr Speaker. I look forward to following the review's development and scrutinising its recommendations.

**Mr Hazzard:** I beg to move amendment No 1:

*Leave out "English and Welsh counterparts" and insert "counterparts across these isles".*

Go raibh maith agat, a Cheann Comhairle. Despite the fact that the Tory Education Minister, Michael Gove, recently announced a major overhaul of the examinations system in England, he has yet to put forward a coherent and convincing case for such change. Indeed, if it were not for the gaffe-prone media interviews and the leaks in various newspapers, we might never have known of his plan to overhaul the examinations system.

A series of unilateral statements and a continuous contempt for the devolved Administrations has come to characterise what some are referring to as his "Gove it alone" doctrine of educational reform. By introducing his English baccalaureate certificate, Minister Gove has decided to scrap the GCSE model of modular and continuous assessment in favour of a return to obsolete practices of year-end single exams. Despite Minister Gove's assertion that GCSEs belong to a different age and a different world, it is clear from the

widespread criticism of his proposals that it is, in fact, his EBaccs that belong to a bygone era. Indeed, they represent everything that is wrong with rigid traditionalism and are a foolhardy reliance on what becomes little more than three-hour-long memory tests.

We need to face the challenges of the modern world, with solutions designed for the 21st century, and the archaic EBacc proposals have nothing to do with educational standards or successful reform. Instead, it is becoming rather apparent that Minister Gove is acting without quantifiable evidence or educational justification. The Gove strategy for change may tug at the heart strings of the Tory grass roots, but the plans have yet to be supported by significant research or standards of international best practice. Moreover, internationally, there is no correlation between proficient education systems and reform of this nature. Indeed, Singapore's examination system, held up by Minister Gove as some form of educational Shangri-La, was achieved by an extensive consensus between parents and educationalists.

This summer's debacle has been copper fastened by Gove's cheap attempts to politicise the exams process, with various heads of examination boards pitching in to talk down the GCSE brand. It has been a shallow exercise in damaging the reputation of GCSEs, and the Tory political agenda has gone into overdrive in an effort to churn out sound bites in place of the absent informed debate. It is also now widely accepted that Gove refused to engage with educationalists in the lead-up to this announcement. There was no meaningful input from teachers, academics, parents or even the young people who will be presented with the upheaval. He simply does not care for informed discussions, nor is he interested in competent counsel.

Without doubt, Minister Gove has been on a solo run. It is obvious that Minister Gove cares little for those teachers and educationalists who have to deliver his change and that his indifference for pupils who will fall foul of his political agenda is obnoxious to say the least. Moreover, it is also certain that Minister Gove has demonstrated a complete lack of respect for his Scottish, Welsh and Irish counterparts and their vision for excellence in their respective education systems.

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

Unlike the narrow agenda of Minister Gove, our own Education Minister, John O'Dowd, has

consistently sought to deliver a fit-for-purpose education system with our pupils' needs first and foremost in everything that we do. As we continue to reform our education system within the parameters of international best practice, we correctly reject the 1950s do-or-die exam mentality, and we are subsequently continuing to raise attainment across the board. Indeed, despite Minister Gove's acceptance that a section of students will leave school without qualifications under his new process, Minister O'Dowd rightly argues that a fit-for-purpose education system should leave no child behind.

Recently, Pasi Sahlberg, the director of Finland's Education Department, which is lauded globally for implementing one of the top education systems in the world, called on the UK to move away from external standardised assessment and instead see the value of school-based, teacher-led continuous assessment. That is the vision that is continually espoused by Minister O'Dowd, and that is the vision that will create a modern fit-for-purpose education system here in the North.

In light of Minister Gove's unilateralism and the evolution of our own education system, I believe that the time is right to look at our examination process and consider whether change is necessary. Indeed, perhaps the coalition's attempts to modify GCSEs and A levels in England present a pertinent opportunity for us to build a consensus on how an examination system should best meet the needs of our young people as well as the needs of our economy.

#### 4.00 pm

It is reassuring to know that Minister O'Dowd has already held discussions with his counterparts in Scotland, Wales and Dublin, and I am encouraged to learn that they are all supportive of ensuring that our qualifications are rigorous, robust and recognisable across these islands. It is vital that we sustain an examinations system that empowers our young people and secures pathways to employment and a better life, irrespective of class or creed.

I have little doubt that this review of the examinations process will be one of the most important pieces of work undertaken in recent times, but parents and children, and, indeed, the entire education sector, rightly expect, and are entitled to, a dynamic and modern education system.

**Mr Kinahan:** I beg to move amendment No 2:

*At end insert*

*"; and further calls on the Minister to consider using this as an opportunity to fundamentally review the effectiveness of GCSEs in Northern Ireland and their ability to improve literacy and numeracy and tackle educational inequality."*

I thank those who proposed the motion, and I acknowledge the good, detailed speech on GCSEs. I am glad that those Members will accept our amendment. When I read the motion, my initial feeling was that, given that so many other important issues are linked in to it, it was essential that we expanded it and tabled our amendment, which includes having numeracy and literacy in the review.

I will now move back to the motion. We need to remember that Northern Ireland's education system is heavily influenced by those in England and Wales, or, as one person put it, three out of the four. We must ensure that the exams that we are taking are well respected by everyone, especially where our young and others are to be employed. At present, we know that there are few jobs. There are limited jobs, especially skilled ones, and we should always be preparing everyone not only for Northern Ireland but for the UK, Ireland, Europe and even the world. That is what we should always be doing for those whom we are teaching.

There is proof that GCSEs are not well thought of in Europe. On a scale of how good exams are, one study has GCSEs at twenty-third or twenty-fourth in Europe out of 27. If there is no other, better reason for reviewing our exams, that is it.

We also want to prepare our children for United Kingdom universities, which, at the moment, are relatively well harmonised with the present exams system. We must keep that in mind when we review the system. That harmonisation exists despite the unholy mess that there is in the fees structures between the countries.

If Northern Ireland is to regain its role as a leader in the world, which it had at the beginning of the previous century, we must all look outwards. We must all look outwards towards the world so that we can learn, fit in and find our place, whether that is taking on the Chinese, the Indians, the Brazilians or anyone else. In a previous speech that I made, I said that we know that 65,000 people a year qualify in engineering alone in China. Given that, we

really have to produce good education and a place in the world so that all our young can have jobs.

It is extremely sad that Mr Gove's announcement seems to have been made without any prior consultation. However, despite what the Minister said this morning, I wonder whether we put in enough effort for them to recognise that they need to talk to us, as there are times that it seems that we do not talk well enough among ourselves either.

Let us be positive. As the Member who moved the motion said, let us congratulate everyone in Northern Ireland for good exam results this year. This year, we bucked the trend. The proportion of A\* to C grades increased to 75.6%, while the UK trend went down to 68.4%. Equally, we must keep in mind that the top grades dropped across Wales, England and Northern Ireland.

It is healthy to be reviewing the exams systems, and it is the right thing to be doing. We should be doing it regularly so that we always fit in with the world and with the jobs and skills that are needed. When the review was announced, I gave it a cautious welcome. That does not necessarily mean that we agree with it all, but we must look at it as an opportunity to look for changes in the whole of our education system, especially in anything that affects our children. We should think of children, but instead of thinking of them from cradle to grave, let us move from cradle to GCSEs and beyond.

The whole system is a shambles. That is not the doing of the teachers, the governors or even the most important group, the children themselves. We have fantastic teachers who are slogging their heart out. They all need support, and we must listen to them. This morning, we heard the Minister say that this is not a negotiation, yet, in answer to my question on consultation, he said that it clogs up the system. That may just be because we do not do it well. We need to find a better way of consulting and of listening to teachers and parents, and we can then make our decisions after the final consultation.

I am sure that others will say the same, but this party will always put children first. We need an agreed long-term plan. Teachers need to know where everything is leading and how everything fits in, but no one has ever seen the plan. Has anyone seen it? All that we know is that some deal was done at St Andrews. We would like to know more. It was a deal that seems to establish a lowest common denominator as the benchmark of success. Instead of a deal that

sets out to create a level playing field, we have one that sets all our young people on a race to the bottom. Michelangelo said that the greatest danger in life was not that we would aim too high and miss but that we would aim too low and hit the mark.

We need to look at the early years strategy, get it back out, get it turned into actions and get those actions happening. We need all children to be assessed, whether that involves special needs or exams. There is a mass of work that needs to go on, and we need to do it all while talking to and listening to the teachers.

The purpose of our amendment is to highlight where we really fail — numeracy and literacy, or should I say "illiteracy"? We have statistics that show that, between 2006 and 2011, the percentage of school leavers achieving five or more GCSEs, including maths and English, increased by 6.9 percentage points, from 52.6% to 59.5%. Great news, wonderful news, but not for the 40% who do not achieve the five GCSEs or, even worse, sadly leave with none. We know that the Minister is always saying that we must concentrate on the disadvantaged and deprived areas, and he is quite right: we must. However, we do not. We have Book Buddies, Pawsitive, the Letterbox Club and many other stunningly good initiatives. Those are the initiatives that we should help and really concentrate on. We should increase their funding.

Last week, I went to Londonderry to see the work being done on the nurture project. It is right to thank Oakgrove Integrated Primary School for hosting it. It is an amazing project. Just £900 would help one child move away from a trauma family towards actual learning, rather than the £12,000 or more it would cost if a child were to go through the proper systems provided by the state. It works extremely well in Glasgow, and, because of its success, the number of nurture groups has increased from 10 to, I think, 38. What are we doing here? We are reducing the programme, giving it less funding and cutting it back.

We have many, many unemployed people and volunteers who could help. If you think about it, you can see that one-on-one provision is the greatest way of helping someone to learn to read or count or get their numbers right. We need to really concentrate. Look at what my party leader said the other day: we should have a target of zero illiteracy within five years. That is what we should do: set a figure and make sure that we get there.

There are many other areas that need to change. The fair employment legislation holds back many people, particularly Protestant working-class people. When you interview somebody today, you are not conducting an interview but looking at a bit of paper and seeing whether someone ticks the boxes. It is no longer about looking the candidate in the eye and seeing whether he has chutzpah or, to use a Spanish term, "más huevos", which means that he has more eggs. You want to be able to employ the person who will do the job best, and that is not necessarily the one who ticks all the boxes. We want to concentrate to give every child a chance to achieve their dream, to get a job, to shine and to find their star and follow it.

Amendment No 1 is an attempt to bring Ireland into the mix, which is not wrong. It includes Scotland, but I do not think that it helps the motion today or the call for a complete review. Today, the Ulster Unionist Party proposes that we use the GCSE change as a reason to review our whole education policy, especially on literacy and numeracy. We want to see an agreed long-term strategy for a single, shared education system.

**Mr Rogers:** I support the motion and acknowledge the Minister's statement this afternoon. Again, we have a Conservative Government telling us what is best for education. It is a change for change's sake, rather than what is best for our children. I believe that many of the deficits of our education system can be traced back to some of the crazy changes we had to endure in the past.

In the late 1980s, the dual system of O levels and CSEs was replaced by one exam system — GCSEs — a system that was socially inclusive. What is proposed today is, without doubt, a two-tier system. Students who do not obtain an EBacc will receive a record of achievement, which will be seen as inferior by employers. Mr Gove also suggests that less able pupils will be offered the chance to take the EBacc at 17 or 18. What a nightmare for schools. Instead of a student repeating a module, he will have to repeat a year to achieve the qualification. Will the Department fund the school for the students who are repeating? I hope so but I doubt it.

It baffles me how little government knows about our education system and, indeed, how little the Department knows about the pressures of school life. They try to reduce it to the mechanics of an assembly line that children join to begin their schooling and stay on until they

get off or fall off. Education is not made up of separate and distinct components. Key Stage 4, whether through the EBacc or GCSEs, is totally dependent on the foundation that has been built up in primary school and through Key Stage 3. GCSEs then become the basis for further study beyond 16. You cannot just unplug one component — GCSE — and plug in a new one — EBacc. Introducing EBacc would mean a complete curriculum review. I would not for one moment say that GCSEs are perfect, but there is a lack of evidence to suggest that change is necessary.

**Mr D Bradley:** I thank the Member for giving way. I know that, unfortunately, like me, he is old enough to have taught GCSEs and O levels. Does he agree that a return to the old O level examination-type system would, in fact, be a retrograde step, considering that the world has moved on and that the skill set required by an O level-type examination would not meet the needs of today's world of work? Would he further agree that reverting to a dual system such as that which, thankfully, we have left behind would be an injustice to many of our pupils?

**Mr Rogers:** I thank the Member for his intervention. I agree totally: we do not want to go back to a system that was really about rote learning.

Unlike in the 1980s, exams at 16 are really interim exams, as the majority of our young people stay in education or training until they are 18. What is wrong with different routes? Some tell us that, if we do not follow suit, it will jeopardise students' choice at 18. That is nonsense. English universities are glad to accept Scottish highers and the Republic's leaving cert. If we are to take area-based planning seriously, there must be scope for considering cross-border solutions, hence the need to consult our Dublin counterparts as they review their junior cert programme.

By following Gove's proposals, we will take our eye off the ball and fail to address the real challenge facing us: ensuring our children have a proper grounding in numeracy and literacy. The curriculum must also be flexible enough to motivate them to stay in education and allow them to develop a range of skills. The narrow focus of the EBacc will prejudice the entitlement framework, which will impact negatively on the arts and humanities. The EBacc's promotion of exam-only assessment is deeply flawed. Will students be expected to rote learn the periodic table rather than apply the information in a practical way? How could one ever understand Newton's laws without the scope for

experimentation? How can you assess a student's language capability through an exam?

Devolved Administrations should have been properly consulted. It is important that we do not rush blindly into changes that mirror the questionable proposals in England without finding a solution that is fit for purpose for Northern Ireland. It is important that there is real consultation, not just consultation with the Department, the CCEA or an online consultation but consultation with those who shape our education daily: our teachers in the classroom. In March 2012, the Minister agreed not to follow the English model, in which GCSEs were to be assessed only by linear route. I urge the Minister to adopt a similar stance now as an example of local, accountable government working in practice.

**4.15 pm**

**Mr McCarthy:** Go raibh maith agat, a LeasCheann Comhairle. The Secretary of State for Education in England has made his intention known on the changes he intends to make to the GCSE system by replacing it with the English baccalaureate certificate. It is now the job of the Assembly and our Education Minister, in particular, to mitigate any potential negative implications for students here in Northern Ireland and to ensure that our examination system is highly regarded across the whole of the UK, the Republic of Ireland and, indeed, further afield. Northern Ireland's examination record is the best of the three jurisdictions in the UK. We should be proud of that and want to protect the reputation of all our students. With that in mind, I take the opportunity to welcome the review of the GCSE and A level qualifications announced by the Minister this morning, whilst retaining a note of caution over how the review will be carried out and who it will be carried out by. I am not sure that the CCEA is the most appropriate body to carry out the review — my colleague Anna Lo mentioned that this morning, and I noted the Minister's response — given the potential conflict of interest with it being both a regulator and a provider of examinations here.

Whilst it is right that we should celebrate and point out our excellent academic achievements, as I have, I urge the Minister to ensure that any changes to GCSEs are made in the best interests of our whole student population. The proposals in England may do little to change the situation for students who would achieve excellent academic results regardless of the system under which they take the exams. However, it is essential that students who do not excel through traditional academic routes

are supported. The review announced by the Minister allows for a good opportunity to ensure that, and I hope that he will take it.

It is important to remember that a large percentage of those who complete GCSEs and A levels do so through further education colleges. I urge the Minister to ensure that that sector is strongly engaged in the process.

I hope the review will look at the issue of multiple examination providers operating in the same jurisdiction. The current system can give rise to a situation in which education providers can effectively choose which exam their students take on the basis of which is easier. That is having an impact on the perception of GCSEs and A levels, and it should not be allowed to happen. I hope that the review will address that.

If we do not take steps to maintain the reputation of our examination system, a number of issues may arise, including labour mobility. It may prove difficult for students from Northern Ireland to move across the UK, given the differing systems in place across the jurisdictions. It could also give rise to a system in which students from here have to reach a higher grade than in the equivalent system in England due to the lack of a fixed method of comparison, thus putting all Northern Irish students at a competitive disadvantage, for example for university places. I hope that the Minister will consider that carefully.

The changes represent a significant opportunity for the Minister to fundamentally review how efficiently our school system meets the needs of our future economy and develops our skills base. Therefore, it is vital that the business community is consulted as part of the review to ensure that our education system has the maximum resulting impact on our economy. I encourage the Minister to ensure that that is covered in his review and to consider it carefully as he decides on the best way to move forward.

**Mr Craig:** I was glad to hear the speeches from fellow former grammar school students across the way. They have all done very well.

The recent announcement by Michael Gove in the House of Commons should not really come as a surprise to some of us. What worries me is that we could end up with an unregulated system if we are not careful about what we do in these islands. I raised that with the Minister this morning when I questioned him about the role of the regulators and how we would fit in with the other jurisdictions. If we are not careful about how we handle the issue and if we do not

have uniformity and co-operation with regulation across the jurisdictions in England, Scotland and Wales, students from Northern Ireland could end up being discriminated against and treated as second-class citizens if they apply for university places in England and, for that matter, Wales or Scotland.

Members have previously been advised of the Minister's intention to leave it up to schools to decide whether they have a linear or continuous form of testing over the next few years. In light of the system in England, such a measure would cause problems in the co-ordination of grading and assessment across jurisdictions and might reduce the overall credibility of our exams. We need to watch that remit very closely.

At present, English students in Northern Ireland cannot sit CCEA board exams and are already directly sitting exams that fall under the English authorities. The system of comprehensive schooling in England may have been seen as an attractive form of secondary education. The failing and dumbing down that has been referred to in England cannot be fully recognised as a fault of GCSE examinations. We are fortunate that we have not gone down that same comprehensive route in Northern Ireland. Our performance in examinations is not as concerning as it is to elected representatives across the water in Westminster.

There is a wider issue associated with the rejection of a system of EBCs over the old, conventional GCSE qualifications. Many school pupils aspire to study in Oxford, Cambridge, Durham or the London School of Economics. I am surprised at that, but it is true. The use of two systems could cause confusion and reduce the recognition of examinations in Northern Ireland for those who wish to attend English institutions as part of their third-level education.

This morning, I met a principal from one of my local grammar schools, and I was shown correspondence from OCR, which is the exam board, relating to the recommendation of linear-only examinations at 16. The principal also demonstrated concerns about CCEA potentially becoming out of step. She does not want students to be disadvantaged by taking exams that are seen as less rigorous than others.

In a letter sent to schools in March, OCR expressed strong reservations that the presence of two systems could cause a lack of confidence in the system. This morning, the Minister highlighted the fact that his counterpart in England refused to meet him, but I call on

him to try to liaise with him, if he has not already done so. I know that he has already done so in Wales, but he could liaise with all of them, so that, no matter what comes out of the review that he announced this morning, at least we will have a system that is consistent across the jurisdictions in the United Kingdom, so that students can at least be recognised and attend whatever university they desire in the UK.

**Ms Boyle:** Go raibh maith agat, a LeasCheann Comhairle. I support the motion and ask Members to support my party's amendment.

I would like to start by congratulating all our students who sat their GCSEs and A levels. Some achieved the results they needed; others did not. I am sure that they, now that a few months have passed and with the support of family, friends and teachers, now realise that there are many opportunities for them to pursue their chosen career. I welcome and note the increase this year, as in other years, in grades A to C.

I would like to speak on Minister Gove's proposals to replace the current GCSE exams with the English baccalaureate certificate. The proposals have come under a lot of scrutiny, rightly so. Minister Gove has single-handedly decided to scrap the current GCSEs without consulting any education practitioners. The new proposals would result in significant changes to teaching for the new qualifications in English, maths and science, which would begin in 2015, with the first exams in 2017. The timetable for other subjects still needs to be determined. Currently, students taking GCSEs here can avail themselves of foundation and higher tiers. This may not be the case under the English baccalaureate, putting students who are less academic in a disadvantaged position.

There is an onus on the House and on Members to guarantee that there are jobs to reflect the level of young people leaving education with certain grades, as that is a worry for students. The review needs to focus on providing more choices for children who have more vocational skills than academic skills. It should also include the needs of those with special educational needs. I welcome the Minister's statement today on the review, which includes those pupils in its terms of reference. The Minister was asked whether there would be recognition across these isles and internationally if changes were made to our GCSEs and A levels, and he reassured the House that any review of exams will be comparable and that there will be no barriers. I welcome that. It is incumbent on the Minister to ensure that the House is confident that any

changes will be robust, compatible and recognisable.

Education is a devolved matter here. It is, therefore, important that we send out a message that we want the very best for our young people. It is important that we have a qualification system that puts our young people at the centre of education to assist them on their journey from education to employment. Very few of our young people here travel to universities in the South of Ireland. If that lack of convergence between qualifications is contributing to the brain drain, the review will provide an opportunity to remove some of those barriers. I support the Minister's call to work with other Administrations. He has already held discussions with his counterparts in Scotland, Wales and Dublin, all of whom are very supportive of ensuring that our qualifications are robust and recognisable across these islands. I, therefore, ask other Members of the House to support our amendment.

#### 4.30 pm

**Mrs Overend:** I welcome the opportunity to speak on this important motion today and in support of the Ulster Unionist Party amendment.

At the outset, I, too, would like to agree with the main emphasis of the debate. There is no denying the major implications that Michael Gove's recent announcement could have for students in Northern Ireland. Although education has been devolved to Administrations throughout the United Kingdom, it is no mean feat that our overall educational policy has remained relatively harmonised. I do not doubt for one moment the authority with which the Secretary of State for Education can speak. However, the fact that he was in a position to make such a radical announcement without engaging in even minimal consultation with his devolved counterparts shows that there was a failure in effective working relationships. That is regrettable. In all honesty, I expected more from Michael Gove, who was — still is, in my opinion — a Cabinet Minister who cares strongly about all the component nations of the UK working together for our mutual benefit. Nevertheless, he made his announcement, and, whether it was a simple political stunt in the knowledge that his party may not be in power long enough to see through his changes or a genuine decision based on sound reasoning and judgement, it is the belief of my party that we should use this time as an opportunity to review aspects of the exam in Northern Ireland.

Although the success of the GCSE as an academic qualification in Northern Ireland is commonly spoken of when things go well, such as most summers when our ever-improving results are published, the problems that the exam has are significant. In a debate tomorrow on school absenteeism, we will, no doubt, hear of the significant correlation between poor GCSE results and higher-than-average school absenteeism. There are also major issues with boys from working-class Protestant areas as well as, more generally, young people on free school meals achieving well below average GCSE results.

The Ulster Unionist amendment makes particular reference to poor literacy and numeracy in Northern Ireland. The latest PISA survey results in 2009 show that, in literacy and numeracy, Northern Ireland lags well behind the highest-performing systems and still has a persistent body of underachievement. Given the often bare minimum requirements of basic numeracy and literacy skills for the majority of jobs in Northern Ireland, a shortage of those skills is no longer a solely educational matter but one that could have a significant impact on our future economic prosperity. Mr Mike Rake, chairman of BT, recently said:

*"Poor numeracy is the hidden problem that blights the UK economy and ruins individuals' chances in life."*

The Department, in recent years, established a literacy and numeracy task force, which produced its final report just under a year ago. I ask the Minister to provide an update on the implementation of its proposals.

The case for change is clear. GCSEs have played an important role in the education of our young people and continue to do so to this day. However, in some ways the current system has become outdated and badly in need of reform. It may not need to be scrapped and replaced with a baccalaureate certificate, as proposed by the Secretary of State, but, if nothing else, he has at least opened up a discussion on this matter. All of us in the House, not least the Education Minister, should look on this discussion as an opportunity to put right the current failings rather than look towards it solely with opposition simply on the grounds of uncertainty of what change may or may not mean.

**Mr McDevitt:** I feel that I should declare an interest because I have a thing called a Spanish baccalaureate, which used to stand for something. In fact, there is a qualification called the International Baccalaureate, which is

pretty highly regarded around the world. Then this fella in England comes along and introduces his own special, unique take on a baccalaureate, which, frankly, devalues everything.

What is proposed, this so-called English baccalaureate, is no baccalaureate. It is nothing of the kind. It is just a repackaging for the kids who did best in GCSE. It is an exercise in political chicanery, it really is. It is a con job. Though he maybe has the numbers today in the House of Commons to get it through in England, as Mrs Overend rightly observed, it is something that we, to quote an old colleague of Mrs Overend, should not touch with a barge pole. It makes no academic sense. It is totally unjustified from the point of view of standing up to any level of benchmarking or scrutiny against any of its namesakes, namely real baccalaureates. If you were going to introduce a real baccalaureate, you would be talking about doing a job on A levels, not on GCSEs, because that is what baccalaureates are equivalent to. So, it is really quite strange that the poor people of England should be subjected to a man who, frankly, I think is a bit out of control. I hope that our Minister will resist the urge to apply the parity principle in this area of public policy. From the tone of the debate, I am sure that the House would be happy to support him in that regard.

It might be nice to put on record some of the observations of those who are much more in the know than I am in the English education system on the question of the introduction of the English baccalaureate. As always, we are grateful to the Research and Information Service for the information pack that it prepared for the debate. Chris Keates, who is the general secretary of the NASUWT, commenting on Westminster's Education Select Committee's damning indictment of the English baccalaureate proposals and the manner of their introduction, said:

*"It is a classic example of the relentlessly elitist approach of the Coalition to education. Important subjects such as music, art, RE and IT have not only been downgraded but those who teach them are facing redundancy."*

Philip Parkin, the general secretary of Voice, which is one of the leading teachers' unions in GB, said:

*"However, I would go further and say that the misnamed 'English Baccalaureate' is narrow and pointless. Whether as a*

*performance measure or an actual certificate of achievement, it has no point. The Government seems unsure about what the EBac is actually for. The promotion of a broad and balanced curriculum is a good thing but the EBac does not do that."*

When we come together to debate matters in post-primary education, the question for me is not whether we will reject Mr Gove's vision for education — I am quite confident that we will manage to do that — but what we can do about the alarming gaps that still exist in our region. This August, when the GCSE results came out, I was, I am sure, as depressed as every other Member to note that some 3,463 non-grammar-school students failed to achieve the benchmark of a grade C or higher in GCSE when only 237 grammar-school students failed to reach that benchmark. Standards in the grammar sector are up from 95.2% to 96.9% of pupils reaching the benchmark, but they are down in the non-grammar sector — very marginally, but still down — from 49.6% to 49.2% compared with 2011.

I hope that the House finds it in its heart to be able to focus again on the real inequalities in our regional education system, ignores the hare-brained ideas of certain Conservatives in England and coalesces around the need to build on what we have that is very good and fundamentally reduce the real inequalities that are still in our system. I am very happy to support the amendments from both parties and the motion.

**Mr O'Dowd (The Minister of Education):** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Fáiltim roimh an deis labhairt ar an rún seo. I welcome the opportunity to respond to the motion. The qualifications issue has been to the fore in recent weeks following proposals from the English Education Minister, Michael Gove, to scrap GCSEs and replace them with the English baccalaureate certificate.

Having listened carefully to the debate, I will respond to as many of the issues that were raised as possible. Members will be aware that GCSEs were introduced 26 years ago in 1986. They replaced O levels and GCEs and are offered mainly here, England and Wales. Although some private institutions in Scotland also offer them, Members will be aware that Scotland provides the Scottish national exam. They provide a statement of accumulated learning and are recognised as a passport to further learning. GCSEs are a well-known and well-respected brand that carry with them assurances about quality and standards. It is worth noting that non-selective and selective

schools in our society teach the same GCSEs; there is no difference. They teach the same curriculum, so they teach the same exams. We should not think that, somehow, there is a different GCSE in a grammar school and a non-grammar school; they are all the same and are taught the same.

The figures that were portrayed by Mr McDevitt are of concern. However, I would be wary of league table examples; you have to look much closer at results rather than simply looking at figures, but of course they are of concern. In 1986, approximately 5,500 pupils here left school with no O levels or GCSEs. Last year, just over 500 pupils left school with no GCSEs. However, that is 500 too many, so there is much more to do.

Members will be aware that I have voiced my concerns already at the negative way in which Michel Gove chose to present his proposals for change in England. However, it is Michael Gove's right to propose changes to GCSEs in England, even though the brand is owned by the three jurisdictions: England, Wales and here. I am disappointed at the manner in which he presented his proposals. However, he has the authority to do that, just as I, as the Minister of Education here, have the authority to bring forward proposals for our qualifications systems. It is on record that, over the past 18 months, he has chosen not to consult with me or my counterpart in Wales before making announcements on GCSEs and A levels, which are brands that all three jurisdictions own. Mr Gove is, perhaps, proposing change on the basis of his personal principles, and, again, he is perfectly entitled to do so.

Why would we want to return to O levels or to change to a type of baccalaureate as proposed by Mr Gove? Do we really want our children to be subject to a memory test that lasts for three hours at the end of a two-year course? We heard from Mr Rogers, and practitioners of the O-level system like him will know that that was the way that that system worked. O levels were replaced because they did not work then. They will not work now. There has to be some element of testing by doing, and that can be, and is, achieved through controlled assessment or the rigorous assessment of coursework. There is no evidence to suggest that GCSEs or A levels have provided anything other than excellent opportunities for learners.

Despite some Members' criticism of the GCSE system, my in tray is not strained with letters or correspondence from Members about them. I have been in office for 18 months, and I do not believe that any Member took an interest in

GCSEs before Michael Gove stood up in Westminster and said that they were not a good thing. I would like to think that Members would have interrogated the subject much more than relying on a statement by any individual on the quality of GCSEs or A levels.

Many educationalists and renowned individuals in the world of education in England have criticised Mr Gove for not basing the proposed changes to GCSEs on quantitative or qualitative research. I do not intend to make the same mistake here. I believe that his presentation of the qualification may have damaged the brand. Therefore, we have an opportunity to move forward and to allow our young people and learners to ensure that they can be proud of the qualifications that they achieve at the end of their learning. Tá níos fearr ná sin ag gabháil dóibh. We owe them more than that. I am confident that the steps that I am taking will provide the confidence that we need in qualifications and that they will be specific to our needs going forward.

I have heard much about relying on or sharing the UK qualifications system. There is no UK qualifications system. Michael Gove brought that to an end when he stood up in Westminster and announced that he was changing GCSEs. In a sense, Michael Gove produced his own education Home Rule Bill. He declared independence on education and qualifications and left the other jurisdictions to follow and do whatever they may.

Let us look at the exams systems that we have on the islands. Even before Michael Gove's announcement, Scotland was doing its own thing. It has an internationally recognised system in the form of the Scottish nationals, and the Scottish education body is highly regarded and well renowned. Yet and all, some Members from the opposite Benches are insistent that I follow England and England only. I think that that is a mistake. To use the analogy of the covenant, I am surprised that, after a weekend in which they celebrated the covenant, which was based on the Scottish Covenant, they do not still have an allegiance to Scotland in some way and do not think that we could, maybe, learn something yet from its examinations system.

Let us look at the Scottish system, which I have been doing, and let us see what Michel Gove produces in England. All that we have thus far is a statement that he is going to bring forward a "rigorous" examinations system. We need more meat on the bones of that one before we follow it. My Welsh counterpart is in the middle of a review, which, I think, will report back in

November. He will outline how he will move forward. He may or may not retain GCSEs, but he will decide on that, and we will continue to engage with our Welsh counterparts and learn from Wales. Let us also learn from our neighbours in the South and from their junior and senior leaving certs.

Those qualifications also travel. People have the ability to travel with junior and senior leaving certs from the South, so let us learn from that. Let us learn from our neighbours and move forward with a qualifications system that we can be proud of. Let us ensure that students from here will be able to travel to universities in England, Scotland, Wales, the South or further afield if they so wish; gain employment based on their qualifications at that stage; or move on to further or higher education. That is the system that we want to have in place.

**4.45 pm**

**Mr Byrne:** I thank the Minister for giving way. Does he agree that the biggest uncertainty now centres on the confusion felt by parents, students and teachers? What can the Minister say to reassure teachers in particular that the consultation process will be meaningful and short-timed and have a sense of direction and control?

**Mr O'Dowd:** Let me reassure parents and current pupils once again that the GCSE and A-level brand that they are studying is robust and recognisable and will transfer to England, whether a student sits a modular or linear exam. No universities have approached my Department to raise concerns over that matter. When I was in consultation over modular and linear exams, it was the schools that asked me to keep the modular system in place. They wanted it, and I kept it in place. None of the universities, whether those in the Russell Group or any other, has told me that it has serious concerns — indeed, any concerns — about that system. I want representatives of further and higher education to sit on the review body when I bring forward the consultation to which the Member referred. They will be consulted, as will business leaders.

I want to clarify once more that, when I say that a consultation is not a negotiation, there is a difference. When you enter a negotiation with another body, you try to form an agreed way forward based on mutual interests. A consultation is where one party listens with interest to another party to ensure that its views are taken on board. It may not agree, and those views may not be in the final document,

but those views should be listened to and taken on board. As I said earlier, if bodies are bringing forward suggestions that are not agreed with the CCEA, I will ask why the CCEA does not agree, and it will have to explain why. It is an active-listening exercise.

Education is a devolved matter. Whether Members like it or not, the Minister is responsible for bringing out education policy and will have to move forward on the basis of an informed process and informed consultation, and on the basis of quantitative and qualitative research that listens to and involves the further and higher education sectors, the business sector and the universities in moving forward with a qualification that we can recognise.

After spending several years in the education debate, I am delighted that the Ulster Unionist Party has recognised in its amendment that there is inequality in education. That in itself is a step forward. I am not criticising the party for that, because I have for many years sat through debates in which we have been told, "If it's broken, don't fix it." Well, it is broken, and it needs to be fixed, and collectively we want to do that. However, numeracy and literacy cannot be corrected simply through changing your exam system. You have to put in place policies from early years right through in order to improve numeracy and literacy.

Mrs Overend referred to the Literacy and Numeracy Task Force. Flowing from that, we introduced the Count, Read: Succeed policy, which puts numeracy and literacy at the heart of all subjects, from primary school right through. It is the responsibility of all teachers in the classroom to be involved in numeracy and literacy. Members will be aware that I recently launched an advertising campaign urging parents and community members to become involved in their children's numeracy and literacy education.

The entitlement framework is broad and inclusive enough for our education system, and Members must remember that Michael Gove has also announced a review of the English curriculum. The exams that he proposes will be based on the English curriculum, as our exams will be based on our curriculum. When you are testing young people, you have to test them against the curriculum that they have been taught in schools. There is no point in me simply buying in Michael Gove's proposals to test our young people against a different curriculum. That simply would not work as a straightforward transfer-across.

So, I can understand the nature of the debate in that, quite rightly, people want to be reassured that whatever qualifications system we end up with in this society is transferable, robust and recognisable, not only in these islands but beyond.

I agree with Members; I believe that the terms of reference published today allow for the body that has been set up to conduct a review that will bring us to that point. However, we should not simply look at England when considering our education system. We should learn from and co-operate with England.

I would like Michael Gove to co-operate with me as a fellow Minister. I am not taking that personally, as it appears that he is not co-operating with any other Minister, perhaps even in his own Cabinet, but that is a matter for another day. He is having difficulties in his relationships with Ministers in the Welsh Assembly Government over discussions about where they are going.

The plot has been laid, and GCSEs are coming to an end in England. We have to decide what we want to do and the Welsh will make their decisions, but I believe that, at the end of this process, we will have an exams system that is recognisable, robust and transferable and will satisfy the needs of individuals, society and the economy.

**Mrs Dobson:** The importance of this debate cannot be underestimated, as has already been highlighted by other Members. What Michael Gove has proposed, if implemented, would be the most radical overhaul of the exams system since the abolition of O levels and CSEs in 1988.

The GCSE has had a few rough years. For too long the exams have been criticised for being too easy and lacking in direction or strategic focus. Yet in all that time, its chief opponents never once considered that the ever-improving provision of education may have been partly responsible, with more young people simply doing better.

I want to pay a particular tribute to the thousands of teachers and support staff who are educating our young people even as we speak; or, perhaps, not as we speak, but earlier. I am sure that all Members — or most of them, at least — will have fond memories of their teachers. In my case, they had a profound effect on my life and my decisions once I left formal education. I particularly remember two of my teachers from Banbridge Academy, Lorna

McMullan and Valerie McKay, who left a long and lasting impact on my life.

I believe that we have a duty to make sure that the hard work of all our teachers is turned to maximum effect for pupils when they take their exams. It is for that reason that, I believe, a review of GCSEs was made inevitable following the Education Secretary's recent announcement at Westminster.

This summer saw GCSEs come in for a significant amount of criticism, not least for the debacle on the grading of the English exam. That, combined with the open knowledge that the current Secretary of State for Education has long had major concerns about the effectiveness of the exams, meant that it was not at all surprising when he announced that he wanted to see reform. As he said in the House of Commons:

*"the GCSE was conceived — and designed — for a different age and a different world."*

Nevertheless, the scale of his proposals are deeply concerning.

I will turn to the Ulster Unionist Party amendment and the contributions of certain Members. Michelle McIlveen said that the aim of the motion was to ensure that no disadvantage is allowed to develop. I agree. She also welcomed the Minister's statement this morning.

Chris Hazzard criticised Michael Gove's proposals and said that we need to face the challenges of the modern world. I hope that today's announced review will be run in such a way that our young people will be able to do just that, armed with a modern, and, in his words, fit for purpose qualification.

My party colleague, Danny Kinahan, urged the importance of including literacy and numeracy skills as part of the announced review, and highlighted that GCSEs are not well thought of in Europe, again, bolstering the need for a review.

Sean Rogers pointed to the "crazy changes" of the past. Although he acknowledged that GCSEs are not perfect, he said that we should not rush blindly into changes, clearly highlighting the need for the announced review to be thorough and structured. Kieran McCarthy welcomed the review but did so with a note of caution about how it will be conducted and by whom. He suggested that CCEA is not be the correct body to carry out the review and that

any resulting changes should be in the best interests of all our students.

It is clear from today's debate that everyone and every party in the Assembly has major reservations about what Michael Gove has announced. It may be too radical and too quick, and he certainly made a mistake by not consulting, but at least he has taken a decision. The GCSE system in Northern Ireland is failing too many of our young people. Inaction is no longer an option. The Ulster Unionist Party urges the Minister to use this time as an opportunity to fundamentally review the effectiveness of GCSEs in Northern Ireland.

**Mr Sheehan:** Go raibh maith agat, a LeasCheann Comhairle. My colleague the Member for South Belfast was slightly unkind when he described Michael Gove as a hare-brained Conservative who engages in political chicanery. I am sure that he is a man of the highest integrity, and very intelligent at that. However, just because he made a decision about exams in England, there is no reason why we should follow it here.

As everyone here agrees, education is a devolved matter. We should not follow decisions made in England as a matter of routine. I sometimes wonder whether, in the House, it is more a matter of who says what and where it comes from than the content and importance of what is said. Michael Gove has gone on a solo run. We do not have to follow him. Scotland is not going to follow him. It has its own exam system. It does not have GCSEs or A levels but Scottish nationals, which are highly regarded. In fact, some parts of China are going to buy in the Scottish model.

Danny Kinahan said that the GCSE system is not well regarded internationally, and that may be the case. There is one positive thing about Michael Gove's statement. It has helped all of us here to focus on what is important for us and what we can do to improve the system here. We are all in agreement that no system is perfect. I welcome the Minister's announcement this morning that he will review the system. Hopefully, we can make improvements to it.

As was pointed out by Sean Rogers and Dominic Bradley, the way to improve the system is not to go back to the old system. The old system of O levels, with a three-hour exam at the end of two years of study, is not the answer. Learning by rote is not the answer, although it may have a place as an educational tool. As a measurement that will indicate a young person's intellectual and personal

development, O levels or their equivalent are not the answer. As for the review and whether the system is to be modular or linear, the educationalists will tell us that modular exams are best for students. That is not to rule out linear exams completely, but the stakeholders support the modular exam system.

Surprisingly, Danny Kinahan suggested that fair employment legislation should be done away with. I am not sure how that comes into the debate at all. In fact, I was totally taken aback by that, as I was by his contribution in Spanish. I am not sure whether my colleague on my left was grunting or clearing his throat, but I am sure that he will have something to say to you afterwards.

Sandra Overend said that everyone agrees that Gove's decision should not have negative implications for our students. Everyone who contributed to the debate agreed with that. That is why, when it comes to the review of a new system, we need to have some guiding principles.

#### 5.00 pm

There should be no disadvantage to our students. Whatever exams they take must be transferable to other jurisdictions in Britain, in the South and internationally. They must be based on international best practice. That stands to reason. We have yet to see Michael Gove present the international best practice or the evidence that shows that his way forward is the best way.

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

**Mr Sheehan:** Most of all, whatever we do has to be done in the best interests of our children. Go raibh maith agat, a LeasCheann Comhairle.

**Mr Storey:** I thank all the Members who have taken part in the debate this evening. I want to, as best I can in the time available to me, try and give some overview of the comments that have been made.

First, I commend my colleague Michelle McIlveen, who set the context of the debate for us. Rightly, from the very start, she made reference to the success in our education system. If there is one thing that depresses me when I come to this House, it is how many times we are prepared to see the glass as being half empty as opposed to half full. Of course, that then gives the Members opposite the great excuse that things are so bad they

have to change them. That is classic Marxism: you create the problem and then come in and be seen to be the ones who solve the problem. So, let us be clear from the outset: our education system in Northern Ireland is not perfect, but it is still the envy of Scotland, Wales, England, the Republic of Ireland and other jurisdictions across Europe.

Miss McIlveen, in proposing the motion, tried to set the context of how we came to the place we are at in relation to this debate. Of course, it all centres around the statement made by Michael Gove. She went on, and rightly so, to list the concerns regarding the elements of the modular assessment process. That is in complete contradiction to the comments that were just made by Pat Sheehan — that, somehow, educationalists have bought into the modular process as being the best way to educate our children and young people. The Member has recently come onto the Education Committee, and had he been on it in the last mandate he would have seen the outcome of the consultation that was carried out by the Department on that issue. The educationalists will give you a different view. I think the concerns that —

**Mr Sheehan:** Just to correct that last point — and I thank the Member for giving way — what I said was that there is no reason why there cannot be a combination of linear and modular education.

**Mr Storey:** I thank the Member for that clarification. I accept that that is the case; we do need them. That is where we need to be very clear: it is not a case of one or the other. It is about ensuring that we have the right combination, because our children are different. Our young people are not all the same, and we need to have in place something that reflects that difference and is able to make the best inroads when it comes to their educational future.

Chris Hazzard, proposing his amendment, was more interested in having a go at the Tories and making a political point. It is all well and good for us to want to make political points against Michael Gove or whoever in the House of Commons, but he failed to recognise that Michael Gove based his presentation in the House of Commons on reports that had been done, such as the Wolf report. Not one Member opposite mentioned the Wolf report, which raised concerns about the exam process and the qualifications that young people in England were getting.

That raises a query. I noted that the question of why we did not want to follow the English was asked. Remember that the Department of Education has been following the English model for years to try to create a comprehensive system in Northern Ireland. When England went down the road of creating a comprehensive system, it created private schools. Is that why Michael Gove has had to change tack and look at what is going on? Therefore, I caution that we not be just as keen always to follow the model set out by our colleagues and counterparts in the United Kingdom.

Mr Hazzard also referred to an informed discussion. I really was amazed when the Minister came to the House this afternoon. I am glad that we spooked the Minister into making a statement to the House earlier today, and we will take credit for that, whether it is justified or not. He decided to make a statement because the motion was being debated later in the day. The Minister said that the foundation on which the review would be built was the Department's success to date. What success was that? Legislation was in place to introduce the entitlement framework by 2013. He did not tell you that, by 2013, some 24 and 27 subjects were to be offered at 16 and post-16 respectively, but that the Department, in its wisdom, has said that schools cannot achieve that so, in the interim, the numbers will be brought back to 18 and 21.

The Department has also said that, in 2013, it will take the money off schools to implement the entitlement framework. The problem is that that is not a sound foundation to build anything on. You need always to ask the question: what is the entitlement framework all about? You tell me of a school in Northern Ireland that can offer 27 subjects. Are we saying that that is the best framework? Choice would be a better way to deliver the education system in Northern Ireland, and it would allow the educationalists to decide, rather than setting these arbitrary parameters.

He also referred to new assessment arrangements at Key Stage 1 and Key Stage 3 that complement the key aims of the revised curriculum. The other day, I received nine pages of concerns from teachers about the revised assessment process, and we have forwarded those to the Department. It is a shambles. InCAS has been done away with, and we now have two bodies looking after the whole assessment process. Teachers are war weary about the way that they are treated when it comes to assessment. Remember, we all say that they are the most valuable part of the

school, but we are bringing so much pressure to bear on them with the bureaucratic process and systems, it is no wonder that, in some of our schools, we are having challenges and problems.

**Mr O'Dowd:** Will the Member give way?

**Mr Storey:** I will, certainly, Minister.

**Mr O'Dowd:** Is the Member suggesting that we not assess? How does the Member suggest that we measure how a young person is progressing through school? It is quite easy to criticise what we should not be doing, but I want to hear from the opposite Benches what they believe that we should be doing.

**Mr Storey:** I thank the Minister for that. If he reads the nine pages that were given to him by teachers —

**Mr O'Dowd:** Is that your manifesto?

**Mr Storey:** No, it is not my manifesto, but I am quite happy to give you a copy of our manifesto if you wish. It is a very successful manifesto given the electoral success of the DUP in the past two elections. Let us keep to the issue. The Minister should listen to what teachers, who are the professionals, are saying about assessment. There are major problems, and it plays a key role when it comes to what we can do.

Let me move on to Mr McCarthy. I am disappointed that the education spokesperson for the Alliance Party, Trevor Lunn, was not able to make a contribution, and I pay tribute to him, as he makes an invaluable contribution to the debate on education. I suspect that there are internal issues to explain why Mr McCarthy had to speak on behalf of the party in this debate on education. He raised the issue of a conflict of interest in CCEA, and I agree with him. We have to ask the questions about whether CCEA is fit for purpose, given that the minutes of its recent meeting show that it has now decided not to go into the market in England to sell GCSE exams. As I said to the Minister earlier, we have been waiting for three or four weeks to get papers from CCEA on that issue, and I concur with the Member that there is an issue with CCEA's independence. I do not believe that it is the best body to conduct the review, and we will pursue that matter in the days ahead.

I would love to have taken time to go through many other issues. However, I support our

motion and the Ulster Unionist amendment. We will not accept Sinn Féin's amendment.

**Mr Principal Deputy Speaker:** Before I put the Question on the first amendment, Members should note that both amendments may be made.

*Question put, That amendment No 1 be made.*

*The Assembly divided:*

*Ayes 45; Noes 47.*

## **AYES**

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

*Tellers for the Ayes: Mr Hazzard and Ms Ruane*

## **NOES**

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

*Tellers for the Noes: Mr Kinahan and Mr G Robnison*

*Question accordingly negatived.*

*Question, That amendment No 2 be made, put and agreed to.*

*Main Question, as amended, put and agreed to.*

*Resolved:*

*That this Assembly notes the decision by the Secretary of State for Education to replace the GCSE with the English baccalaureate certificate; is concerned about the possible implications of this for students in Northern Ireland; and calls on the Minister of Education to work with his English and Welsh counterparts to ensure that students from Northern Ireland are not disadvantaged by these changes; and further calls on the Minister to consider using this as an opportunity to fundamentally review the effectiveness of GCSEs in Northern Ireland and their ability to improve literacy and numeracy and tackle educational inequality.*

*Adjourned at 5.24 pm.*







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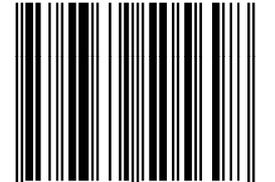
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