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Northern Ireland Assembly

Tuesday 4 June 2013

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

Members observed two minutes' silence.

Assembly Business

Mr P Ramsey: On a point of order, Mr Speaker. Given the serious heat in the Chamber today, would you be minded to relax the guidance on wearing jackets?

Mr Speaker: Yes. If Members are feeling the heat of the moment and they want to take their jackets off, that is OK.

Speaker's Business

Mr Speaker: Before we move to the next item of business, I wish to notify the House that I will not be in the Chair for Assembly sittings next week or the following week. However, I will deal with any necessary business during that time.

Ministerial Statement

Employment, Learning and Skills: Gender Issues

Dr Farry (The Minister for Employment and Learning): I am grateful for this opportunity to make a statement on a number of gender issues that relate to the responsibilities of my Department. It may be a somewhat unusual statement in that I am not making a major announcement. Instead, I wish to draw particular attention to a cross-cutting theme that I believe should be of concern to us all, and to set out some of the actions that are being taken and could be taken to address those issues.

I am sure that we all share a deep commitment to equality of opportunity. There is a clear moral and ethical human framework for enabling everyone to develop to their full potential and apply their skills. That should not require any elaboration. However, there is also a very strong economic rationale for that. We need an economy that operates as efficiently as possible. Virtually everything that we do in my Department is directed towards improving efficiency, whether that be the promotion of higher level skills across the economy; the drive for a greater presence in science, technology, engineering and mathematics (STEM) subjects; developing a critical mass in world-class research; better matching of employers and employees through the review of apprenticeships; examining labour mobility; and increasing the level of economic participation in the economy, to name just a few.

We need to address skill shortages and mismatches and to align, as best we can, job requirements and opportunities with the attributes of our people. That entails facilitating equality of opportunity and focusing on merit. The area that I wish to focus upon in the statement is gender participation in the economy as a whole and in a number of key sectors.

Our population is, broadly speaking, evenly split between men and women. However, life experience can be very different, and that difference begins to emerge from a very early age. On leaving school, females tend to be better qualified than males, and they are more likely to progress to higher education.

For some years, females have demonstrated higher GCSE attainment levels. In the most recent data, published last month, 68% of females achieved at least five GCSEs at grades A* to C, including English and maths, compared

with only 56% of males. That is also true at A level, with 64% of females leaving school in 2012 with two or more A levels, compared with only 47% of males. After leaving school in 2012, 83% of females progressed to further or higher education, compared with 71% of males. Boys leave school earlier, with 62% of 16-year-old school leavers being male.

The outcomes for both genders are more balanced in the further education (FE) sector. Overall, participation in that sector is around even, although there is some evidence at the margins that females study for slightly higher-level qualifications than males. However, attainment and retention rates are very similar for both genders. That is also true for essential skills outcomes. Broadly speaking, participation and attainment levels are similar. Although female participation rates in the Training for Success programme are lower, which reflects the fact that more females remain in education, outcomes for the males and females participating are similar.

Where there is a difference, however, is in the subjects that males and females study and on which they engage in training. Some 25% of male participants in FE study science and mathematics, engineering and manufacturing technologies or information and communication technology (ICT), compared with only 13% of females. In 2013, 98% of participants on programme-led apprenticeships in economically important sectors were male. Whereas female and male participation rates in employer-based apprenticeships are about the same and attainment rates are also similar, less than 9% of participants in apprenticeships in science, technology, engineering and mathematics related areas are female. However, those figures have improved in recent years.

That pattern is also apparent in higher education. I already indicated that proportionately more females than males participate in higher education. There is, in fact, quite a significant gender difference. Over the past decade, female enrolments account for around 60% of the total. The under-representation of males, particularly Protestant males from areas of deprivation, is a particular theme in Access to Success, our widening participation strategy. Completion rates are also different. Although those have improved significantly for both genders over the past five years, the figures show that around 5% of females fail to continue in higher education after the previous year. The figure for males is 7%.

There are also very significant differences in the subjects selected for study. Despite a

participation ratio of 60:40 in favour of females generally, females account for less than 30% of those graduating in STEM subjects, excluding medicine and health. Over 70% of students in computer science and over 75% of those studying engineering and technology are male. Female participation is skewed towards social studies, languages, education, subjects allied to medicine and agriculture, and related subjects.

What does all that tell us about participation and attainment in our education system? What lessons can we learn for future policy development? Clearly, more detailed research is required around some of those issues, but I suggest that there are already some clear pointers for the future.

The first very important issue is that although our school system, as measured by post-16 participation and retention rates and educational outcomes, seems to provide better outcomes for females, our FE sector and training and apprenticeship programmes provide more equal participation, retention and attainment rates. However, within these overall headline figures, we need to be conscious of differentials between subject areas. As we look to the future of our economy, this could potentially become particularly significant.

The second point is that we need to encourage much higher participation rates in STEM areas, across the board generally and for women in particular. We must challenge the perceptions and stereotypes around jobs and careers in STEM-related areas. We need to change the culture where a good job goes beyond the traditional choices of a teacher, doctor or entry into the professions to one that fully acknowledges the importance of STEM-related qualifications to future employment prospects.

In the labour market, there are also important differences in the life experience of men and women. With higher levels of qualifications on leaving education, it might be expected that this would mean a higher level of participation in the workforce. However, for women aged between 16 and 64, the economic activity rate is 66%, compared with 79% for men. Over one third of women aged between 16 and 64 are economically inactive, compared with one fifth of men, with 35% of working-age inactive women unavailable for work due to family or home commitments. Over the past five years, despite the economic downturn, the activity rate for women has increased by 2.6%, although there was a 0.7% drop in 2011-12. The figures for males over the same period show a 0.2% increase overall, with a decrease of 0.4% in 2011-12.

Although trends in economic activity rates are moving in the right direction, there is still much to be done if we are to match the rates elsewhere. Clearly, there are very good reasons for people who, for personal choice or family reasons, are not in a position to enter the labour market. However, a significant number of men and women who are economically inactive would prefer to be at work, but barriers are making entry into the labour market difficult for them. These barriers may range from poor health and family commitments to a lack of skills, confidence or childcare. The key point is that the profile of barriers will be different for men and women. We will address these issues in the Executive's forthcoming economic inactivity strategy. The strategy will need to be sensitive to the gender issues underlying the general problem. The Steps to Work programme offers assistance back into the labour market for those who are actively seeking work. I am glad to be able to report that men and women who participate in the programme have an equal chance of finding sustainable employment. Therefore, there is no success differential in gender outcomes for the programme.

Turning to employment, there is a general impression that the work experience of men and women is different and that many more women are engaged in part-time rather than full-time work. That is borne out by labour market statistics, which show that 71% of working-age males are in employment, compared with 63% of females. That difference has narrowed over the past five years; indeed, of those in employment, 40% of women compared with 10% of men work part time, and 80% of part-time employees here are women. This, however, seems to be largely a matter of choice. Some 72% of female employees who work part time say that they do not want a full-time job. Most discouragingly, there has been a widening of the gender pay gap for employees in Northern Ireland despite higher public sector wages on average. Overall, female median hourly earnings are only some 90% of male earnings.

Another important distinction relates to self-employment. Although women account for around half of all employees, only 20% of those who are self-employed are female. Private start-ups are an important driver for economic improvement, and the female level of entrepreneurial activity is only 4%, compared with over 10% for men.

In many respects, the work experience of men and women here broadly reflects that of the

labour market in Great Britain, so we can conclude that, for those in work, the participation experience of men and women here is not out of step with elsewhere, but we should not be complacent. If we look at the occupational distribution of men and women in employment, we see some important differences that have implications for the future.

In 2011, 46% of women were working in education, health, social work and public administration, compared with 18% of men; only 3% of women were in skilled trades, compared with 24% of men; and 5% were in manufacturing, compared with 14% of men. Proportionally more women — a fifth — work in professions, compared with only 14% of men. So, we see an occupational profile of women largely focused on the public and service sectors. That has contributed to a cushioning effect for employed women in the recent downturn. The employment rate for women in the last five years to 2012 has actually increased by 0.9%, whereas the rate for men fell by 4.5%.

10.45 am

What of the future? The Executive are making considerable efforts to rebuild and rebalance our economy. A number of priority growth sectors have been identified in the economic strategy, including telecommunications, ICT, life and health sciences, agrifood, advanced materials and advanced engineering. Future growth in jobs will be concentrated in and around those areas.

Similarly, my Department has identified a number of economic sectors on which employment and skills provision will be concentrated. They include business services, specifically ICT; financial services; retail and hospitality in support of tourism; advanced engineering; agrifood; creative industries; advanced manufacturing and materials. It is likely that, given the educational choices being made, most of those growth sectors will be heavily populated by male employees. For example, males currently outnumber females in the manufacturing sector by a ratio of 4:1.

Another example of the imbalance can be seen in the ICT sector. My Department has recently piloted a number of initiatives in that area. The public private ICT apprenticeship scheme has seen 32 self-selecting ICT apprentices employed in a variety of companies in software and infrastructure roles, with only three of those apprentices being female. South West College is also piloting a higher level apprenticeship in

ICT, and only two of the 12 participants are female.

Overall, jobs in STEM-related industries currently account for 11% of total employment, with the ratio of males to females being 3:1. By contrast, the areas in which women are over-represented or more equally represented are set to grow less strongly in the future, raising implications for future job opportunities. Raising that aspect of relative gender participation is not simply about equity. There is a very real challenge in enabling this region to reach its full economic potential.

We are increasingly competing for investment based on the quality and skills of our people. There are incredible opportunities for regions such as Northern Ireland. If we could begin to replicate the level of participation of women as for men in certain priority sectors, such as ICT, we could capture even more inward investment and have a positive impact on the growth of indigenous companies that are also facing challenges in recruitment. As we seek to rebalance the economy, with a strong innovation- and export-led private sector, we need to ensure that we are maximising the opportunities for everyone in the highly skilled jobs of the future while not undermining our own prospects for growth through not encouraging sufficient participation from both genders.

Despite greater participation rates in higher education and equal participation in further education and training, the statistics suggest that the skills sets of women in employment may not be being fully recognised by employers. Although around 77% of females who graduate find work within six months compared with around 70% of males, a slightly higher proportion of males than females — 69% compared with 65% — report finding a graduate-type job. Despite better educational outcomes, some 22% of female employees are in administrative or secretarial roles, compared with 7% of men. As a whole, some 5% of female employees are managers, compared with 10% of men. Women account for only around one third of all managers and senior officials; for example, in the Northern Ireland Civil Service, less than a third of the Senior Civil Service is female.

I remain concerned that, for whatever reason, women may not be fulfilling their potential, including reaching the boardroom. The Chief Executives' Forum states that, of its 129 members, 39 are women; that is less than one third. In public life, less than one quarter of local government councillors are women. The

Assembly has only 20 female elected Members out of a total membership of 108. Although the picture in public appointments has been improving, with 34% of public appointments occupied by women compared with 15% 30 years ago, the situation is not as encouraging at the chair level, where only 18% are women. One challenge is how to encourage more women to apply for public appointments, where their success rates are high.

Indeed, although only 26% of applicants were female, 51% were successful compared with 38% of male applicants.

The primary purpose of this statement is to raise awareness of particular features of our labour market and to better understand the potential consequences that may flow from those features. I am eager to hear the comments of Members, the wider business community and civil society.

Throughout life, we see differences in the experiences of men and women. Sometimes that is through choice — rightly so — but sometimes it is because of other factors that may impact differently on the opportunities that are presented to men and women. This morning, I have provided an overview of some of the more important gender issues that we face in Northern Ireland.

We cannot leave things as they stand, and we must not be complacent. There is a real risk of unfulfilled potential if these matters are not adequately addressed. That would not be good for individuals or our economy, nor would it be good for the social development of Northern Ireland.

However, that is not to say that we are doing nothing. The Office of the First Minister and deputy First Minister (OFMDFM), in line with its gender equality remit, leads the cross-departmental gender equality strategy. The strategy has been in place since 2006 and an action plan since 2008. OFMDFM is in the process of completing an interim review of the strategy and its action plan, and it is expected that a revised strategy and action plan will be in place by autumn 2013. OFMDFM is also drafting the Northern Ireland childcare strategy to address childcare as a barrier for women returners.

Alongside the Department of Enterprise, Trade and Investment (DETI), my Department is drafting an economic inactivity strategy to increase our overall level of labour market participation. My Department also has initiatives to address some of the challenges

that I outlined and some of the opportunities that are to be seized. We are working to increase the skills levels of our population in relation to the STEM agenda. Indeed, increasing female participation in STEM areas is a vital component of the STEM strategy. Proactive careers advice is essential for everyone, and gender issues will be a major aspect of the forthcoming review of our careers strategy. Gender aspects are one of the key themes in the terms of reference for my major review of apprenticeships and youth training. We are also developing strategies to widen participation in higher education, particularly for young males in working-class areas, and to improve retention.

We should not pretend that these actions alone will address imbalances, but they can make a significant difference. Moreover, it is important to recognise that this is an issue not only for government but for wider society. We need to confront, address and change attitudes and cultures.

Mr Buchanan (The Deputy Chairperson of the Committee for Employment and Learning): I thank the Minister for his statement to the House. He said that the STEM ratio between males and females is 3:1. Will he advise the House how successful his efforts have been in encouraging higher participation rates for women in STEM areas, and what are his plans for the future?

The Minister also referred to the barriers that women face with childcare and OFMDFM's work to seek to address that. Will he advise the House what policies the Department for Learning and Employment (DEL) can implement that will help to remove those barriers?

Dr Farry: I thank the Vice-Chair of the Committee for his comments. There are two aspects to the STEM issue: first, at a general level, we need to increase the number of people who study STEM subjects and then go into careers in STEM-related areas; and, secondly, there is a particular challenge in encouraging more women to engage in those areas. In some respects, my central message today is that we need to look to where future growth will be in our economy and ensure that we give equal opportunities to everyone to participate in those areas. Moreover, if we are to capture our economic potential fully, we need to mobilise as many people as possible to work in those areas. So, there is a double or treble challenge in advancing that.

As the Member knows, an interdepartmental STEM strategy is in place, and my Department is a key player in that. We look to the business community in particular to drive that strategy forward and to encourage different levels of participation and improve what we have. The STEM business subgroup and the Equality Commission are organising an event for the end of June to take forward and highlight some of the issues that I raised today.

As the Member knows, the childcare strategy is OFMDFM's responsibility, and it is making good progress. I am happy for my Department to engage with that. My officials and advisers have had a number of discussions around what more we can do to assist. At this stage, our primary responsibility is to address the workforce development angle, to make sure that we have a skilled workforce that can engage and assist with a childcare strategy.

Ms McGahan: I thank the Minister for his statement and for raising these issues, some of which are extremely serious, such as a widening of the gender pay gap and the fact that more women than men are working part-time. My question is somewhat similar to that of the Member who spoke previously. STEM subjects are fundamental to our economy's recovery. Given that only 30% of females graduate in those subjects, will the Minister tell us what steps he is taking to address gender stereotyping in STEM subjects, which tend to be male dominated?

Dr Farry: I thank the Member for her comments. She is right to highlight the central importance of STEM subjects to the growth and recovery of our economy. It is important that we seek to challenge particular stereotypes. That is a job for government, and I particularly highlight the forthcoming review of the careers strategy. I am sure that your colleague the Minister of Education, who jointly holds that strategy with me, will share our aspirations to improve participation rates in STEM subjects.

There is also a wider societal issue, and that is where we in the Assembly can highlight the issues and, where we have responsibilities, take a lead. It is also important that we use this platform to try to challenge, and urge others to challenge, the stereotypes that are built up around a number of different careers. It is important that we allow all to develop to their full potential and take these opportunities. To see certain things as traditionally or currently being the preserve of males is wrong, and we have to confront that.

Mr P Ramsey: It is significant that the Minister has commissioned such a detailed report. Does he accept that, historically and traditionally, the vast majority of females in our community were and are forced into home and caring responsibilities? What collaboration has taken place with the Health Department or the Social Development Department to identify females carrying out serious responsibilities at home so that they can be reskilled to become economically active?

Dr Farry: I thank the Member for his comment. My first response is that this has to be about facilitating choice and options for women rather than our going out with a message that every woman has to work. We must respect that every woman will want to make a decision on whether to work that is right for her and her family. However, where we have evidence that a lack of support or opportunity is holding women back from fulfilling their potential, we have a duty to intervene and to look at how we do so.

There are two issues to highlight. The first is underemployment, in the sense that we have well-qualified women performing at a lower level overall than their male equivalents in the workforce. Therefore, there is an issue with progression in the workplace that may sometimes be related to the level of support available for women.

The second is economic inactivity. Family commitments are a major barrier to women who are economically inactive participating in the labour market. We are working on a cross-departmental economic inactivity strategy. The Department of Health, alongside the Department for Social Development (DSD), DETI, OFMDFM and my Department are key players in that. We are looking to see what policy areas we can advance to enable more women to participate. That issue is very much live and one that has already been identified as part of the baseline analysis that we brought to the House in April. We are working on that, and it is a key theme in our work.

Mrs Overend: I welcome the Minister's statement. In fact, it is quite timely. We must all play our part in encouraging more women into not only those growing sectors such as STEM but the world of politics.

Does the Minister feel that a high level of women on the boards or at management level in FE colleges and universities has an impact on helping to direct females into those particular career paths? Will he outline if that is being

thought about and whether he is proposing any changes or improvements in that regard?

11.00 am

Dr Farry: I thank the Member for her comments. It is a timely statement to make. A lot of attention is being paid in other areas to participation issues, including this week. I know that there was an event on female suffrage yesterday evening in the Assembly. I also understand that today is the 100th anniversary of Emily Davison throwing herself in front of the King's horse at the Epsom Derby. The timing of my speech today is pretty coincidental, I stress, but it does put things into historical context to a certain extent.

The Member is right to highlight the importance of using role models to break through some of the stereotypes and begin the process of widening participation in a number of key areas. She is quite right to focus on boards, and she mentioned the FE sector in particular. As Ministers, we have to make appointments based on merit and judgements based on the skill sets required, but where we can make a difference is in ensuring that we make appointments from the widest possible pool of applicants. It is important that we do everything we can to encourage women to come forward for public appointments. Indeed, in the statement I highlighted that their success rate is actually better than that of male applicants. What is critical is the number who apply in the first place. In turn, that will create a snowball effect, whether it is other women seeking to find a public appointment or by setting an example to others to go and study particular courses at an FE college or higher education and then pursue careers in those areas.

Ms Lo: I really want to commend our Minister for bringing the statement to the House today. These concerns have been with the women's sector for many years. They are not new issues. We have a number of policies either being drafted or being reviewed at the moment and they are not really making a lot of difference. Can something more be done, such as legislation to support a better work/life balance for families and carers?

Dr Farry: I thank my colleague for her comments and question. First, what I am saying here today is not particularly new in many respects. What is new, perhaps, is that we are trying to tie it together and link it very clearly to the future needs of our economy. We are sending out a very clear message that, if Northern Ireland is to really succeed and

prosper as a region, we need to marshal all of the talents of our people — and I mean all of our people — and, in particular, ensure that we have a critical mass of people going into the high potential growth sectors in our economy.

An emerging theme is how we can address barriers and provide opportunity and support to people when making choices in the workplace. What we do, in legislation, can play a role in that regard. Later this week, I hope to announce the public consultation on shared parental leave for Northern Ireland, which will hopefully make a difference for young families and enable a wider range of choices to be made. We are also looking to see whether we can do more on flexible working for people of all genders.

It is also important that we stress at this stage that the notion of shared parental leave, or, more generally, flexible working, should not be seen as being a threat to the business community. If anything, the business community actually understands the real value of investing in staff, rewarding staff and, as far as practically possible, granting flexibility to workers. In turn, that increases productivity, creates a better atmosphere in the workplace and shows that everyone is appreciated and that their individual circumstances are acknowledged. Through that type of process, I think we will all stand to benefit, businesses included.

Mr Ross: I compliment the Minister on his choice of shirt and tie this morning. *[Laughter.]* There are two things in the statement that jump out: first, the under-representation of young Protestant males in training and, secondly, the number of women graduating in STEM subjects and participating in the STEM apprenticeships. Will the Minister reaffirm his belief that merit is the primary principle and that, although we should, of course, encourage those who are under-represented in certain areas of our economy and in training, we should resist any temptation to introduce quotas?

Dr Farry: I thank the Member for his comments. Maybe he has donned his yellow tie in order to seek a transfer at some stage. *[Laughter.]* I believe strongly in the merit principle. What I have put forward today should not be seen as a threat to that or a call to move away from it. We want to ensure that everyone is treated on merit, but, in order to get to that point, we need to have proper and equal opportunities for everyone to compete. We need to ensure that everyone is informed and has the confidence to take advantage of the various opportunities that are open to them.

That said, there are others who hold the view that different types of interventions may be required in very particular and discrete areas. We have had discussions in particular around aspects of public life.

I still hold to the merit principle as the way forward, but I am not dogmatic about it. Those debates will need to continue over the coming months and years, and we will see where we go in the future. For now, in particular for our economy as a whole, we should operate on the basis of merit. If people fully consider all the options available to them, we will see balanced participation at all levels of our economy.

Mr Flanagan: Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as ucht a ráitis. Once again, the Minister has provided us with a lengthy and detailed statement, which is very welcome. I welcome the increased focus on female participation in STEM subjects. Will he outline to the House what he is doing to improve the situation? What policy changes does he plan to make?

Dr Farry: I thank the Member for his comments. I promise that my next statement to the Assembly will be shorter than the previous two. This is an important cross-cutting issue, and there are many layers that I wanted to highlight to the House. In considering policy on the way forward, it is important to acknowledge that government has a role to play and that there are other things that we can do and should consider in the very near future. Government is, however, not solely responsible for changing this, and we are not the only player. We need the business community to provide even more leadership, and there are already some very strong voices in that community, speaking out on these issues. We also need a wider change of culture in civic society, particularly in careers and the way in which we sometimes socially steer people in particular directions without fully appreciating the range of choices that are available to them.

There are more immediate actions that we can take. We have already discussed the economic inactivity strategy, and gender issues will be a core aspect of that work. Next year, there will be a review of the careers strategy for Northern Ireland, and I know that the Committee for Employment and Learning has already done a lot of work on that. I am determined that gender issues will be a core component of the review of careers.

We have already included gender issues in the terms of reference for the review of apprenticeships and youth training. One of the

things that really brought the issue home to me arose when we were reviewing adult apprenticeships and restoring some of the money that was otherwise going to be cut. We took a decision that we needed to focus adult apprenticeship funding around the core areas of our economy, but, when we ran through the numbers and analysed how that would affect the demographics, there was a very clear differential impact in favour of men and against women. In many respects, that opened my eyes to the fact that, in government, we need to be much more sensitive to the policy environment in which we work, and we need to ensure that we act in the wider interests of the economy.

Mr Douglas: I thank the Minister for his statement. He said:

"In many respects, the work experience of men and women here broadly reflects that of the labour market in Great Britain".

Is the experience of education and training also the same as in Great Britain? Has the Minister looked at other regions where there are under-representations and lack of participation? Has he looked at other regions to see whether there are models of good practice or good examples?

Dr Farry: I thank the Member for his questions. In some respects, what is happening in Northern Ireland is not that dissimilar to what is happening in Great Britain. In many respects, we are very similar, and some of those trends are apparent elsewhere in the Western World. That is not an excuse for us to say that everything is fine here; we cannot be complacent about these things. There is a challenge for us all to face up to those issues. If anything, Northern Ireland has an opportunity to do things better, because we are a region that is playing catch-up and we have huge aspirations to grow our economy.

We need to be very alert to all of the levers at our disposal and all the challenges that we have to address to maximise efficiency in our economy. That gives us a double incentive to drive forward the agenda of better participation and addressing occupational segmentation.

There will be examples of best practice around the world. This is very much an early piece of work that we are doing and bringing to the Assembly. I am keen to learn from best practice elsewhere to see if there are lessons that we can apply. One of the things that we need to be conscious of in Northern Ireland and where we are perhaps proportionately worse

than other regions is our very conservative social attitude around what happens with people who do well at school. People who are good at science are channelled, almost ruthlessly, by schools into medicine or allied health professions. Similarly, if somebody is good at humanities, they are very quickly steered towards law. It is important that we see ICT, engineering, working in the agrifood sector and working in the creative industries as the equivalent of professions. They are just as good, if not better. In many respects, they offer more lucrative careers, with a lot of international opportunities. They offer people better pay prospects in many respects and a better lifestyle, plus the ability to contribute to a growing dynamic economy in Northern Ireland.

Mr Byrne: I thank the Minister for his statement, given that it is the 100th anniversary of the suffragette movement. Why is he waiting for the gender equality strategy from the Office of the First Minister and deputy First Minister? Why be the hind tit Department? Why not lead and go for a 40% quota for non-departmental public bodies, the governors of colleges and other public companies, where there should be a lead from government to have a 40% target for females?

Dr Farry: I thank the Member for his question. I will pick up on the analogy of Emily Davison: this is not a race between Departments to get to the finish line on all of this. This is about co-ordinated action across government. The reason I made reference to the OFMDFM strategy was to illustrate that there is a cross-departmental framework in which a number of these policy areas can be taken forward. I am happy to take forward the issues that I have outlined and others that the Member and his colleagues may wish to illustrate, either in isolation from today or as part of a wider strategy. It is not an either/or choice.

The issue he raises about quotas reflects the opposite of the perspective that Alastair Ross took a few minutes ago on the issue. I said that I still believed that merit was the best way forward, although I am not dogmatic on the issue and I am open to hearing the counter-arguments around all of that. The key issue, particularly around boards and public appointments, is ensuring that we have a wide range of applicants coming forward. The success rate of women compared with that of men is better already in that regard. So, the key intervention has to be all of us encouraging more and more women to put themselves forward for public appointment.

Mr Lyttle: I also welcome the Minister's statement and the commitment that he has shown to gender equality of opportunity in education and employment in Northern Ireland. How fit-for-purpose is the careers guidance system? How important is it for our schools to work with organisations such as Sentinus to improve the access to STEM inspiration?

11.15 am

Dr Farry: I thank the Member for his comments. The House will be aware that careers is a major cross-cutting theme, and, every time I have a discussion with a group of business leaders or others in civil society about the needs of our economy, the conversation invariably comes around to careers. Careers is, therefore, very much the building block on which our economy will be built, enabling people to make informed choices about their future. John O'Dowd and I are committed to a review of the careers strategy in 2014. That is fundamental. The Committee for Employment and Learning is finalising its inquiry into careers, and we look forward to its report and will certainly give full consideration to all the recommendations. It is important to understand that careers happens in two respects: we have careers teachers in schools, and we have the Careers Service, which is part of my Department and operates in schools and elsewhere in the community. Between those two levers, we have to ensure that we give our young people the best advice and show them the full range of options available to them. That information must be informed by accurate labour market information and opportunities. People can make their own choices, but those choices need to be informed choices, including on where the real job prospects will lie in the future of our economy.

Mr Allister: I confess to being somewhat unclear about the purpose of the statement. Yes, it provides some useful and interesting statistics, but, given that we have anti-discrimination laws and equal pay laws and given that life choices lie behind some of the statistics, such as more women in part-time work, what is the Minister anticipating to propose, bearing in mind that he is also somewhat hampered by the fact that equality is an OFMDFM proposition? What does he think he will come up with? In addressing male monopolies, has he reflected at all on the male monopoly in Alliance's holding of Executive posts? Could he maybe lead by example on that?

Dr Farry: I am not sure whether Anna is looking over my shoulder in that regard.

I think that I was very clear to the House that this is somewhat of an unusual statement in that we are not making a major announcement or suggesting a major change in policy today. However, it is important that the issues are highlighted. They all tie together, and, in some respects, the central message that I am trying to get across to Members and to the wider community is that Northern Ireland is, at the moment, looking to the future and has the potential for a major economic transformation. That transformation will be based on skills and the quality of our people. We have the potential to grow our local businesses and attract a lot more inward investment. However, in the areas in which we are likely to grow, participation is very heavily skewed towards males and away from females, and, while that may reflect a degree of choice for some, I do not believe that that is the case for the vast majority of people. I believe that it is because of the stereotypes that build up around careers, and, if we are to really maximise our potential, we need to have as big a skills pipeline as possible coming through. That is why we need to highlight the issues.

There are things that my Department can do through the STEM strategy, the review of apprenticeships and the economic inactivity strategy that can make a difference in some respects to the overall pattern, but I am under no illusion that that requires effort across government, from the business community and from wider civil society. Nonetheless, we have to make a start, and we cannot simply say that it is too tall an order or that there is no problem here to begin with. We cannot afford to be complacent at all. We need an economy in Northern Ireland that works as efficiently as possible. While there may not be as many cases on sexual discrimination or equal pay today as there were several years ago, there is nonetheless a pay differential between men and women. That largely reflects the progression that happens in the workplace when men and women leave college or training. In particular, women leave higher education in greater numbers and with better qualifications, but that is not reflected in pay levels. Clearly, something else is going on in our economy that we need to grapple with. It is not only an economic issue but a moral and ethical issue around equality of opportunity.

Executive Committee Business

Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013

Mr Attwood (The Minister of the Environment): I beg to move

That the draft Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013 be approved.

I have a sense of déjà vu in relation to this statement. I have been here before, and the Department got it wrong before. So, no ifs and no buts; I hold my hands up in that regard. Subsequently, I will explain how that arose.

The Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013 apply environmental controls to a range of industrial activities. They are enforced by the Northern Ireland Environment Agency and the district councils. They apply to a broad range of industrial activities from large power stations, incineration plants, chemical production, waste management, agriculture and right across to small dry-cleaners. These regulations transpose the industrial emissions directive and consolidate various pieces of legislation relating to pollution prevention and control made over the past 10 years. So, we are trying to capture in one place a lot of the industrial emissions requirements that were otherwise scattered across a number of pieces of legislation and, at the same time, take out of that which is governed by the regulations activities that are no longer ongoing.

The regulations revoke and re-enact the Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2012, SR 2012/453, which were made only in December of last year. The Examiner of Statutory Rules, however, subsequently brought to the attention of my Department a procedural defect in their making. The 2012 regulations were made by the negative resolution procedure and should have been made by the draft affirmative procedure following a debate in the Assembly. It is my understanding that the fines that are now part of the regulations are increased from what they were and were increased as a consequence of the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011. Under the relevant Environment (Northern Ireland) Order 2002,

there was a requirement that, when there was a change in the penalty — in this case an increase in the fine — the draft affirmative procedure should have been deployed rather than the negative resolution procedure. In that tension between increasing the fines through the Clean Neighbourhoods Act and the requirements under the original 2002 order, this mistake arose. Advice was taken at the time. It appears that there was a breakdown in communication between the Department and those who were giving advice, and, consequently, the error arose in December.

I am taking this opportunity today to re-enact the regulations to avoid any doubts over the vires, to comply with the requirements of the original order and to gather in one place the requirements that I outlined in the earlier part of my statement. I ask the Assembly to approve the draft regulations.

Ms Lo (The Chairperson of the Committee for the Environment): The aim of the regulations is to achieve a high level of protection for the environment from the harmful effects of industrial activities. The directive is a recast of seven existing directives concerning integrated pollution prevention and control; large combustion plants; waste incineration; solvent emissions; and three concerning waste from the titanium dioxide industry. Members considered the full set of regulations at our meeting on 10 January 2013 and were content to approve them, subject to the report of the Examiner of Statutory Rules.

The Examiner of Statutory Rules was content with the drafting of the regulations but drew the Committee's attention to the fact that they had been introduced inappropriately and, in his eighth report to the Assembly, stated that, as the regulations:

"contain provision ... increasing a penalty on summary conviction from a fine not exceeding £30,000 to a fine not exceeding £50,000, [that] in my view, has the effect of requiring them ... to be made under the draft affirmative procedure".

To remedy the error, the Department revoked and re-enacted the regulations, subject to the draft affirmative procedure, which has led to today's motion.

I take this opportunity to thank the Department for taking the necessary steps to rectify the error highlighted by the Examiner of Statutory Rules. The Committee considered the draft statutory rule at its meeting on 3 May 2013, and

members were content for me to recommend to the Assembly that it be affirmed.

Mr Attwood: As always, I thank the Committee for its assistance in the assessment of the regulations and the prehistory to today's motion. As the Member indicated, the regulations capture serious law that creates serious standards for compliance with EU directives. The regulations are a substantial body of law that puts substantial responsibilities on the Department, councils and those who are regulated. The Chair confirmed the reason why we are here, and I confirm it again: the increase in the penalty requires a process other than negative resolution. On the far side of all of this, this is one of our weapons and mechanisms to ensure that pollution prevention and control is properly addressed in this part of the world.

Question put and agreed to.

Resolved:

That the draft Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013 be approved.

Private Members' Business

Northern Amateur Football League's Primacy Rule

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

Mr Ó hOisín: I beg to move

That this Assembly calls on the Minister of Culture, Arts and Leisure to bring forward proposals on how the Northern Amateur Football League's primacy rule could be removed to promote greater sharing and integration of facilities for soccer.

Go raibh maith agat, a Cheann Comhairle. Mar urlabhraí cultúir, ealaíon agus spóirt do mo pháirtí, tá mé breá sásta an rún agus an t-ábhar tábhachtach seo a thabhairt anseo inniu.

As culture spokesperson for my party, I am pleased to bring the motion to the House. It seeks to redress the anomaly that is the Northern Amateur Football League's (NAFL) 2.1 rule — the "primacy rule" as it is sometimes called. The purpose of removing this archaic rule is to create a level playing field for all clubs across the various leagues. It is my contention and that of many involved in soccer — football, if you like — and its development, particularly in Belfast but also elsewhere, that this is an impediment to the development of the sport and the advancement of teams in this and other leagues.

Without development, there is stagnation, and the full potential of sport in our society is not realised. We must encourage that development at every opportunity.

11.30 am

This is all at a time when increased co-operation is taking place in all sports, in particular in soccer. There are numerous examples in practice, including that of Warrenpoint Town, which this season will play their games at Stangmore Park — home of Dungannon Swifts — and, in the past, Ards and Bangor. At an international level, AC Milan and Inter Milan share the San Siro, and Rome and Lazio share the Olympic Stadium. If we go

back to the 1970s, we see that, before leaving the Irish League, Derry City played their home games at the Coleraine Showgrounds.

There are also many fine examples of intersport and intercommunity co-operation. I think of Erin's Own Gaelic Athletic Club (GAC) in Lavey in County Derry and the Termoneeny Community Association, which is from what was originally prominently a unionist tradition. They have delivered a state-of-the-art sporting facility that will admirably serve their respective communities together for many years to come. I think also of the new 3G facility in my borough of Limavady. Some opposed it at the start, but all are now agreed that it is a great facility that is used throughout the year. If ever there was a truism for this, it is "Build it and they will come".

In the Northern Amateur Football League, there is the question of ownership and control. Of the 14 teams that were in the league's premier division, just under half the grounds are owned by the local council, while four are described as being owned by a governing body or club. Two grounds are privately owned, one of which was constructed with public funds, and another club plays its games at a local school. One is in "public ownership", with a process in place for a transfer to new ownership arrangements supported by the Department for Social Development (DSD). How, therefore, might one assume that rule 2.1 would negatively impact on publicly owned facilities, and how might that be challenged by concerned parties such as ratepayers? What impact might the primacy rule have on equality issues between the various leagues?

The fact is that many of the new sporting developments are for integrated multisports provision and have encouraged all the stakeholders to engage in greater sharing and, indeed, to play or support sport that they might not traditionally have followed. That has very much been championed by the Minister and by the delivery of Sport Matters by Sport NI along with the Department of Education. Indeed, in the current comprehensive spending review (CSR) period, the Department of Culture, Arts and Leisure (DCAL) has identified over £10 million for its community capital programme. Central to all of that is the statutory duty under section 75 for all to share facilities. It is that aspect of the effect of the primacy rule that should be a concern to all. Last November in the House, the Minister, in reply to a question from me, confirmed her desire to see the removal of rule 2.1, as that might enhance the opportunities for the greater sharing of facilities, which is very important, particularly in urban areas, where land is at a premium, and

maximise the use of the land available by as many as possible clubs and sports.

The NAFL could remove the primacy rule at the sweep of a pen. In every other division, it is not an issue. I will refer to Newington and Crusaders at this point. Newington was the catalyst for the motion and the debate. The work that Newington and Crusaders have carried out in the interests of sport and community relations, particularly in north Belfast, is a legend. That will continue to be the case. In the incoming season, Newington will not be affected by the vagaries of the primacy rule, as they were fortunate enough to be promoted to the professional league. Other clubs, such as Crumlin Star and University of Ulster at Jordanstown (UUJ), which currently ground share, are left wondering what would happen to them if they were successful enough to achieve promotion. There is a significant cost to clubs in a very difficult economic environment, costs that otherwise could be used for the development of the sport and the promotion of the games in communities and areas that suffer some of the highest levels of deprivation across the North.

In another jurisdiction, there was a famous case in which London Welsh Rugby Football Club challenged a promotion denial on the grounds of primacy, as they share their ground with Oxford United Football Club. The learned friends who arbitrated on the matter declared that the primacy rule infringed all EU and UK competition rules and was, therefore, null and void. That, surely, is a principle set as a precedent and should have been more closely examined.

The time has come to drop rule 2.1 — the primacy rule — which does nothing to serve the interests of the development of soccer in the North. The future is in co-operation and co-ordination to maximise the use of much-needed facilities in grounds. No longer should large, underused facilities that are a significant cost to the public purse and that, even when in use, rarely, if ever, operate at full capacity lie empty for the vast majority of the time. We now need to look at sporting developments in an integrated and strategic manner that will cater for more than one code, one club, one community or, indeed, one sport. The removal of the primacy rule is central to that, and it should go immediately.

The Northern Amateur Football League recently unveiled plans to set up a new elite section that will supersede the current premier section. That new section will sidestep the primacy rule. The amateur league must be given every

assistance to be rid of this outdated rule. In the interests of sport, I hope that all here can support the motion.

Miss M McIlveen: I oppose the motion for a number of reasons. First and probably most important is the fact that the Assembly should not interfere in what is, essentially, a private contract between parties, namely the Northern Amateur Football League and its members. Many of the league's members joined knowing that the primacy rule applied, and they have the right to request that the primacy rule be amended or set aside. However, on a number of occasions in recent history, the league's members have voted to retain the principle. Members are also free to leave the league and join one of the other amateur leagues that operate in the area. It is in this context that I believe that the Assembly and the Minister should not get involved in the rules of a private organisation and its members.

An arbitration panel considered the Irish Football Association's (IFA) decision to uphold the validity of the NAFL's primacy rule regarding Newington YC's use of Seaview as the venue for its home fixtures in September 2012 and issued its judgement in October 2012, which was a mere eight months ago. That panel accepted that the rules of a league operate as a contract between its members, that parties to a contract are free to contract as they see fit and that such contracts are binding. The panel found that there were no grounds for the striking down of that contract.

My second reason for opposing the motion is that it appears to presume that the primacy rule should be removed and that it is somehow a block to shared facilities. The overwhelming majority of the league's members clearly believe that there are justifications for the rule's retention. The first is the better management of the fixture list, and the second is to encourage clubs to improve their grounds and thereby bring all facilities up to a high standard. The fact that other amateur leagues do not have such a rule is totally irrelevant. The arbitration panel also determined that the continued use of the rule was rational and justifiable.

It is not for us to judge the rights and merits of the primacy rule or its justifications. However, I would like to illustrate its effectiveness as regards the fixture list. It should be noted, of course, that members of the league are allowed to ground share with other members of the league. Problems arise when clubs ground share with those belonging to another league. For instance, one club in the NAFL sought to ground share with a team in the Irish League B

division. That was fine until the team in the B division, which owned its ground, had to redo its fixture list just days before the start of the season. Obviously, that had a knock-on effect on the NAFL's fixture list and each of the members scheduled to play that NAFL club. The people involved in the league have other jobs and are not involved in the organisations for payment. There is no full-time staff, only volunteers. I can only imagine the difficulties that having a settled fixture list thrown into turmoil can cause. That happened in one instance, but think of the consequences if that were to happen to five, 10 or 20 clubs that ground share with clubs outside the NAFL.

Thirdly, it is a bit rich of Sinn Féin to involve itself in the rules of a sporting association. If I can be indulged to take part in the party opposite's favourite game of "whataboutery", what about the grounds, the club names and the competitions overseen by the GAA that are named after those who terrorised people in this country? Those names betray sympathies that result in the exclusion of the unionist community. What are the justifiable reasons for that? When is Sinn Féin going to call on its Minister to do something about that? Addressing such matters would be a much more progressive step, in keeping with her good relations duties, than interfering in something that aids in the day-to-day management of a sporting association.

I ask that the Assembly vote against the motion, which does not simply ask that the Assembly give an opinion but tasks the Minister to step into a private contractual arrangement. It requests that the Minister interfere in something in which she has no right to interfere, and it asks that the Minister try to overrule the stated will of the vast majority of the members. In December 2010, NAFL members voted 57 to 17 in favour of retaining the rule. In June 2012, members voted 31 to 9, rejecting any change to the primacy rule. I see no good reason why we should seek to overturn that stated and restated position.

Mrs McKeivitt: I support the motion or, more precisely, the sentiments expressed in it about the greater sharing and integration of facilities for soccer. We are in an austere financial period, and the sharing and integration of sporting facilities is absolutely critical to the survival of some clubs and provides great encouragement for others to provide new facilities. My concern is that we, as an elected body, may involve ourselves in or attempt to legislate on the management and workings of a sporting body. Approaches to and dealings

with a sporting authority need to be conducted in a very diplomatic fashion and with decorum.

We often hear that politics and sport do not mix, and they do not. However, in order to move things forward, we need to have faith in the Minister's ability to bring forward proposals while keeping that in mind. There are clubs in the soccer fraternity that experience severe restrictions due to the primacy rule, which they consider outdated and unreasonable. Most of us who have followed the arguments made by Newington Youth Football Club, for example, in its appeals to the rule have great sympathy for their plight. A sensitive, common-sense solution should be found.

I take the opportunity to comment on the success of Warrenpoint Town FC, which, just three weeks ago, gained promotion to the IFA Premiership. The club is to be congratulated for its dedication and hard work on and off the field in bringing that small club to the top flight of NI soccer. The club also experienced difficulties because its grounds do not meet the IFA Premiership criteria. It has agreed ground sharing with Dungannon Swifts, which should also be commended. Warrenpoint will start its Premiership career by playing all its games away from home. However, the good news is that, as usual, the club did not rest on its laurels and immediately set out an action plan to bring its ground up to standard. I can tell the House that, within a short period, with the help of Newry and Mourne District Council, it agreed a development plan to ensure that the ground meets the criteria. I know that the club looks forward to welcoming the top teams to Warrenpoint before Christmas. Warrenpoint Town is an example to other clubs that hard work and dedication will bring success.

11.45 am

Mr McGimpsey: I will begin by saying that I am somewhat ambivalent as far as the motion is concerned. Many years ago, when I was the Minister of Culture, Arts and Leisure, I brought forward a soccer strategy. That was about promoting the game, recognising the importance of football in the Province and recognising that it was an interface sport that brought communities together. It was about community development, inclusion and promoting football and sporting activity among our young people. I brought forward a strategy that brought the entire soccer constituency together. They devised a strategy, they came forward, and I provided investment to go with it. That had a beneficial effect in a number of areas, particularly in the development of youth soccer.

One of the things that I recognised at the beginning was that this was without my competence. I did not have competence to say to the IFA, the Irish Football League or anybody else what they must or should do. It was done through discussion entirely within the football family, and that is the way to approach issues such as this. In the same way, at that time, the GAA was wrestling with dropping a rule of its own on playing foreign games. Again, whilst I had competence as the Minister for sport, I stayed well out of that. I recognised that that was not an issue for me directly as the Minister acting through the Department. That was a matter for the relevant authorities and the GAA, and they brought forward a rule change that everyone welcomed at the time.

We have here two issues: we have the issue of ground sharing. The development of the relationship between, for example, Newington and Crusaders, which promises jobs, investment and genuine working together in a relationship within the communities — that, as I understand it, requires that rule change. That is a case that Crusaders and Newington are well able to make. The football authorities are also well able to listen to that case and have the competency to make that change. I would be very loath to see us as politicians walk into the middle of a sporting organisation such as the IFA, which is the fourth oldest football organisation in the world and has a proud history and heritage.

Mr A Maginness: I hear what the Member says. There is a certain wisdom in what the Member says: there should not be direct political interference in the governance, as it were, of the amateur league. However, the point has to be made that we, as politicians, cannot just sit on the sidelines, to use a sporting analogy, and allow a rule that is not particularly helpful to integration and sharing to be maintained. How do we encourage a change in the rule?

Mr Speaker: Interventions should be short.

Mr A Maginness: Sorry?

Mr Speaker: I am just saying to the Member that interventions should be short.

Mr A Maginness: I am sorry, Mr Speaker.

Mr Speaker: They should certainly not be statements.

Mr A Maginness: Mr Speaker, I am grateful for your indulgence, but — *[Laughter.]* You get the point I am making, I think.

Mr Speaker: The Member has an added minute.

Mr McGimpsey: Thank you, Mr Speaker, and I presume I get five minutes for that. Many years in the City Hall taught me that, when Alban intervened, it was never a short intervention. I hear what he says and, if that is the desired effect, politicians have a role, but remember this: politics and sport do not mix. That is the key rule. Also, executive authority, as far as politicians are concerned, particularly does not mix. My experience working with football authorities and the football family through a soccer strategy was that the football family was very sensitive to any suggestions that I as the Minister was directing them in any particular way. That is why I believe that this motion is asking the Minister to bring forward proposals that are not within the Minister's competence. This is not like museums and galleries in Northern Ireland funded by the Department. This is not like the Arts Council, which is there to deliver on the policy of the Minister, the Department and the Assembly. This is an entirely independent organisation that has existed for something like 150 years and is one of the oldest such organisations in the world. As I said, the IFA is the fourth oldest and the Irish Football League is the third oldest in the world, and they have managed to run their game for all that time.

Without help from the Minister, the Department or the Assembly, football is working with Crusaders and Newington to bring forward proposals that will look at investment and promote jobs and a new stadium. That is all positive, and we should be here to support that. So, if you ask what politicians should do, the answer is that we are here to support them. We are not here to tell them what to do; we are not here to direct them; we are not here to attempt, effectively, to take over their responsibility. I can assure you that what would happen with football, as would have happened with Gaelic, if I had tried to get involved in that —

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

Mr McGimpsey: They would have told me to mind my own business. So, as far as the motion is concerned, the sentiment around greater sharing and integration of facilities is the way forward, bearing in mind the challenges to

the game. However, the first part calls on the Minister —

Mr Speaker: The Member's time is up.

Mr McGimpsey: That is not within the competence of the House or the Minister.

Mr Lyttle: I declare an interest as I have been a registered amateur football player, with varying levels of success, for about the past 17 years, and a member of the IFA Football for All advisory panel.

The Alliance Party has been consistent in declaring its support for the benefits of sharing and collaboration for people, including sportspeople, of course, in Northern Ireland. Although the wording of the motion is not ideal, I believe, with clarification from the Minister, that this is not about political interference. It is possible for the Assembly to support the motion today and to send out a message about our willingness to work with rather than dictate to the football community in Northern Ireland to ensure that the provision of what is the most popular sport in the world is as excellent and as integrated as possible.

I take this opportunity to recognise the fantastic work and the important place of amateur football clubs in our local community. Many of those clubs are celebrating 75 to 100 years in existence and are made up of men and women who have dedicated their life to our community and to the game. They are often the only source of social capital and physical activity for many men, women and children across Northern Ireland, and many clubs collaborate with other clubs and other sports at local and regional authority level to directly and indirectly deliver important governmental targets.

I fully support amateur football. My sole motivation is to see all clubs supported in working as collaboratively as possible in order to be part of the successful development of the sport in Northern Ireland. It is, of course, essential, as been mentioned, to recognise and respect the fact that the Northern Amateur Football League is a membership organisation that has previously voted by way of a significant majority to retain the primacy rule that requires amateur football clubs in the Northern Amateur Football League premier division to have sole control of their football ground. I have, therefore, met Northern Amateur Football League officials in an effort to better understand the principles behind that rule. It is clear to me that the primacy rule was devised with good intent to ensure that Northern Amateur Football

League premier division fixtures carried an adequate level of prestige or priority and did not clash with other fixtures and to promote the highest standard of amateur facilities possible. So, it is important to recognise the significant and voluntary investment made by many amateur football clubs over many years to manage fixtures and deliver facilities in a way that meets those standards.

It is also important to note that an arbitration panel was unable to rule that the existing rule was irrational, but it also acknowledged reservations regarding its rigid nature. It is also worth noting that the governing body of football in Northern Ireland — the IFA — has set out a facilities strategy that encourages ground sharing, even between clubs of differing status. I believe that it is in the best interests of any organisation to be willing to collaborate and adapt and, in this case, while we respect the membership organisation's status, the Northern Amateur Football League should explore whether the high standards and original aims of the primacy rule can be achieved in a more flexible manner that permits the sharing of facilities.

I hope that, if the proposers of the motion and the Minister for sport can make clear their commitment to engaging in respectful dialogue with affected parties on the issue, it will be possible for the amateur league and the Department for sport to create a platform for the exchange of ideas and to help ensure the development of football for men, women and children who are dedicated to the sport across Northern Ireland. I also hope that political parties will make clear their support for sharing amongst all sports in Northern Ireland and, indeed, other aspects of life in Northern Ireland. I have heard mention of sharing and integration today. Hopefully, we will hear more of that in relation to education, for example.

Unfortunately, other political parties, in my opinion, have missed significant opportunities to show leadership in the development of shared sports facilities, so I do not think we should underestimate the challenge that it will be for them to reassure people of their sincerity in their commitment to this approach. In that context, I give my assurances that the Alliance Party will respect the decision-making authority of organisations but will continue to clearly and consistently support shared facilities in Northern Ireland, as we believe that is in the best interests of everyone in the community. I would be grateful to hear whether any proposals —

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

Mr Lyttle: — will include additional resources to help deliver the aims of fixture management and a high standard of facilities in a shared framework.

Mr Hilditch: I oppose the motion. As a matter of fact, when I learned from a colleague that the motion had been accepted by the Business Committee it was with some disbelief, now bordering somewhat on embarrassment, that this devolved institution, given all the major issues that we face day to day, can find the time to meddle and interfere in the running of a regional amateur football league, which is the fourth tier of Irish League football.

At the outset, I should declare an interest of a non-pecuniary nature as sponsor of two member clubs of the Northern Amateur Football League, namely Barn United and Kilroot Rec. I also state that I am not opposed in principle to the idea of ground sharing. I am sure that there are many incidences at home and around the world, some of which have been alluded to this morning, where such arrangements are acceptable for various reasons. However, I also believe in the acceptance of the rules of a governing body, more so when that body is made up of the member clubs, as in the case of the Northern Amateur Football League.

I had experience of a negative example of ground sharing when my club was sharing a venue in north Belfast in a higher league while our pitch was being resurfaced. On that occasion, the club had to forfeit home advantage, subsequently lost the points and, of utmost importance, lost the revenue stream from a high-profile game. That was down to political interference.

I return to today's issue and the attempt by some to remove rule 2.1 from the rules of the Northern Amateur Football League. The rule was introduced in the 1991-92 season, when the league put itself to the forefront of change in the local game. It had the foresight to look to the future while others were standing still. Indeed, in many instances, the Northern Amateur Football League led and others followed. The league, many of its clubs supported by local government and other partners, set about improving the facilities and the state of the local amateur game. With its vision at that time, it is apparent that it has left us an ever-evolving legacy and a portfolio of grounds in a state that the amateur game can be proud of.

The clubs of the Northern Amateur Football League are, in many cases, the backbone of

the small communities that they come from in County Down, County Antrim and the greater Belfast area. Therein lies the problem that faces the House today. The Northern Amateur Football League is a member organisation, and the vast majority of members do not wish to change or remove rule 2.1. The evidence is clear: there was an opportunity given for the matter to be decided, first, at an extraordinary general meeting (EGM); a second attempt was made at an annual general meeting (AGM); and, thirdly, it went before a tribunal of legal standing that clearly endorsed the position of the Northern Amateur Football League. That is very clear.

Rule 2.1 is a very practical rule in the governance of the league. I am not sure how many Members would be aware of some of the Northern Amateur Football League sides that have been extremely successful in the latter stages of knockout cups, such as the Clarence Cup, the Border Regiment Cup, the Steel & Sons Cup, the Intermediate Cup and the Irish Cup. Together with its league programme, realising perhaps 40 or 50 games a season, that is an administrator's nightmare. That is why rule 2.1 is crucial: it is necessary that clubs have total control to take a home game on any day of the season as directed by the league. That is not possible with the removal of rule 2.1. Given our climate, the season would be in danger of extending into the following one.

A word used widely in football circles of all degrees in today's world is "respect". It is used to teach our younger players to respect themselves, respect their opponents, respect officials and respect referees as decision-makers. The Assembly would do well to use that theme today and respect the administrators, who work tirelessly on a voluntary basis to carry out the wishes of the majority of the 94 clubs in the Northern Amateur Football League.

Finally, there is an issue in relation to FIFA. It is a case not of "If FIFA gets its hands on the report of today's meeting of the Assembly" but of "when". Political interference is frowned upon by FIFA, and there is a possibility of sanctions. We only have to look back at some issues in Greece, not so long ago, where FIFA threatened to implement sanctions.

As a House, we need to be very careful about where we take the debate today.

12.00 noon

Ms McCorley: Go raibh maith agat, a Cheann Comhairle. Ar dtús, ba mhaith liom a rá go bhfuil muid ag caint faoin rún seo inniu agus faoin rial a bhaineann le cad é atá taobh istigh den NFL. I am pleased to speak to the motion about the NFL rule.

I listened to Members' comments, and I understand where they are coming from. However, there is a principle here that deals with inclusivity, integration and reconciliation. We need to grapple with those aspects of life as we go towards the future. That is where the focus needs to be. Sílim féin go bhfuil sé an-tábhachtach go gcuirimid an fócas ansin.

Newington Football Club fell foul of the primacy rule. The club has been successful over many years and has a proud history in north Belfast. Although it has been in existence for 20 years, it has never had its own football ground to which it can totally lay claim because of its geography and location, so it has been a victim of the primacy rule. It had a relationship with Crusaders, and until recently was able to use its grounds. That arrangement came to an end, and in spite of appeals, the club is no longer able to take advantage of that relationship.

It is worth mentioning the work that the club has done in terms of community development, engagement and looking to the future. There has been a history of sectarianism in north Belfast, and they have had a seriously negative experience of the conflict. Everybody knows about that. Instead of making the club the victim of a rule, we should have applauded its efforts and made it a prime example of where other clubs need to be as they move towards the future. The club is still involved in the Peace III initiative, and it is good that 1,500 young people will benefit from that. Caithfidh díriú ar na buntáistí a bhaineann leis sin agus a bheas le feiceáil thar spórt amháin. We need to look at the benefits that will be achieved because of the club's efforts, which go beyond sport alone.

The rule states that any team that plays in the first division has to have total control over its grounds and facilities. It has to be approved by the intermediate committee and meet other standards as set out by the league. "Total control" means that the club has first call on its pitch and access to it on any day of the season. I make the case that the rule is out of date. It does not have relevance in the world today for the reasons that I have stated. It does not make sense that pitches are lying unused and other teams have to travel long distances to play games. Sílim nach bhfuil ciall leis sin.

We need to think about young people and the message that we send out. We need to encourage them to take part in sporting activity. We need to applaud them for being involved in positivity when we sometimes tend to see the effects of young people's engagement in negative activity. We also need to applaud and encourage involvement in healthy activity and, as I said, activity that focuses on reconciliation and integration. If there are impediments that make that difficult, we need to look at what we can do about it. We need to look at it in the genuine spirit of greater sharing and integration of soccer facilities.

This issue is important to DCAL. Sport Matters lays out the requirement to provide multisports facilities and services that are available to and shared by many clubs. That is the essence of what we need to focus on. It is also a section 75 duty to share facilities. These days, we encourage schools to share facilities, and they are now actually required to do so. We need to bear in mind that everybody needs to look in one direction.

Mr Speaker: The Member must bring her remarks to a close.

Ms McCorley: OK. In an ideal world, all clubs would have their own pitch, but it is not an ideal world. In that context, caithfidh daoine a spreagadh gach rud a roinnt le chéile.

Mr McDevitt: I am happy to support the motion. I endorse what colleagues said about the need to continue to encourage greater sharing and participation in all sport in Northern Ireland. The issue of sport being as much about participation as it is about competition has often been debated in the House, but I think that we are still failing to address it properly. It is a debate not just about facilities or, indeed, sporting clubs but about the way in which we treat sport in our schools and the amount of time dedicated to physical education in a school week. All of that points us in a direction that suggests that we as a region really do not seem to value the contribution that greater participation by many in sporting activities of any form can make to the health and well-being of our society.

I will now deal with the specifics of the motion. I was drawn to correspondence that the SDLP received from Mr Bernard Thompson, the secretary of Newington Football Club. In the letter, Mr Thompson states that the primacy rule made perfect sense when it was brought in. He says that it was brought in to encourage clubs to invest in their facilities. Indeed, his opinion is

that it had a very positive effect in the early years because clubs did just that. However, today, he describes the rule as having conspired against itself, a bit like many rules, by acting as an impediment to the development of the sport of soccer and the development of facilities, in particular, I suppose, his facilities.

Interestingly, Mr Thompson talks in his letter about the partnership that Newington now has with Crusaders and even goes on to point out:

"Our partnership with Crusaders FC was much greater than simply sharing a pitch together. Our clubs through a joint social enterprise called Seaview Enterprises, are currently and very successfully running a sporting education initiative at Seaview through Peace III funding with three staff employed full time. Over 2000 people have participated in programmes through Seaview Enterprises since October 2012. The initiative is setting a benchmark to all clubs in N. Ireland on how they can bring our society and communities to a new level of collaboration while embracing 'Shared Space'."

I think — I hope — that this is the point of the motion: to ask us to think a little bit outside the box. Colleagues referred to missed opportunities in the past decade, and the SDLP still regrets the House's failure to support the concept of a shared stadium at the Maze site.

Mr Humphrey: I am grateful to the Member for giving way. He may be aware that Distillery, which is the club that I supported as a boy, was forced from its ground in north Belfast and had to travel around the city like nomads for a long time before it eventually moved to Lisburn. Distillery had to ground-share with Crusaders, Brantwood and, indeed, other clubs. The clubs did that among themselves and reached mutual agreement across the piece. There was no political interference in football's governing body. This is the concern that we have: political interference in sport is simply not acceptable.

Mr Speaker: The Member has an added minute.

Mr McDevitt: Thank you very much.

I echo Mr Humphrey's assertion that political interference in sport is simply unacceptable — it absolutely is. I think that what the motion seeks to do — the proposer will be much better able to articulate this than me — is identify the issue and call on the Minister to see whether there

are ways in which her office can contribute to a solution.

I note that the DUP signed a letter about the primacy rule with the other parties on Belfast City Council. I understand that the letter was to do with the Crusaders/Newington case when that was working its way through the system. Therefore, I suppose that what I am asking is why the party was willing to take a very pragmatic view on Belfast City Council and sign an all-party letter at that time but is apparently taking a very different position in the Assembly today. There is something very powerful about a place such as ours sending out a signal to all those really important organisations, sporting and others, to encourage them to invest in much greater collaborative working.

When I played soccer very badly, nowhere near as well as Mr Lyttle, although his fitness levels are not what they should be, we were so dependent on the weather. It was in an era before 1G pitches, never mind 2G or 3G pitches. When you play today, you see the opportunity to benefit from what are pretty expensive things to build and maintain. I would love to live in a city in which every kid has direct access to proper all-weather facilities. I would like our kids who are into soccer or any other club game to be able to play for clubs that they have pride in, but not necessarily to feel that their club needs to have a place that belongs to it and it alone. They should get to play on the best pitch possible, and those with real talent should be able to maximise and build their talent because they are playing in the best place possible.

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

Mr McDevitt: Perhaps the DUP could come back to the question around whether it has one policy here and a different one in City Hall.

Mr Speaker: The Member's time is up. I call Alban Maginness, and Mr Maginness will probably tell us that he is playing football as well.

Mr A Maginness: Thank you very much, Mr Speaker.

All politics is local: Tip O'Neill said that. I had the honour of meeting Tip O'Neill many years ago, and he reinforced that message to me. North Belfast is now the capital of soccer in Northern Ireland, what with the success of Cliftonville, Crusaders, Newington and Crumlin Star, which has been outstanding in its

successes. Crumlin Star won the league title, the Border Cup and the prestigious Clarence Cup.

However, the problem, as exemplified by my colleagues, is that we have a rule that was brought in, originally, for very good reasons — and it did some very good work for the development of clubs in encouraging them to develop their grounds and so forth — but the unintended consequence is that it prevents sharing. We want to encourage as much sharing as possible. In particular, we want to join that with the agreed approach of the Assembly and this Executive; a shared future. However, this rule is unfortunately acting as an impediment and is preventing that from happening. We want to try to encourage the NAFL to change its mind.

The motion does not state that the Minister has to bring in a policy that will force the NAFL to change its mind. It states that the Minister should "bring forward proposals". I heard Mr McGimpsey, who was Minister for sport and is well acquainted with football and the needs of football. I respect his views as he speaks with authority on this matter, and I respect the caution that he has given to the Assembly not to interfere directly in the internal affairs and governance of the NAFL, but the motion does not do that. The point is that it is up to us, as interested spectators, to ask the NAFL to look at this rule and see whether it can be changed for the better of football.

Newington made its points with great strength. The case was rejected in arbitration because that body said that there was nothing unlawful about it; everything was legal and watertight as far as the law was concerned. However, in my view, and in reading the arbitration ruling, it did not go into the actual merits of the case. That is the problem. I am not criticising the decision, because it was made on the legalities, but it did not go into the merits of the case.

We are suggesting through the motion — if I can be so bold as to reflect the views of other colleagues — that the northern league really needs to look at the rule again and find ways and means of amending it so that we can genuinely be much more flexible and encourage the greater sharing of facilities.

12.15 pm

Mr Humphrey: I am grateful to the Member for giving way. When his party met the Irish Football Association and had conversations with it about this issue, what advice did it give? Will he address the warning that my colleague

from East Antrim gave about political interference? He cited Greece as an example. Sanctions could potentially be taken against the Irish Football Association in Northern Ireland if we progress this.

Mr A Maginness: I hear the point that you are making about political interference. That point was very well made by Mr McGimpsey. Your colleague made a similar point. I think that everybody is conscious of that. However, this is not a diktat to the league; it is simply an attempt to try to get greater thinking —

Mr Humphrey: In here?

Mr A Maginness: Well, this is a political body.

Mr Humphrey: Correct.

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

Mr A Maginness: We are expressing a political opinion on an issue of public importance. In my view and the view of colleagues, it affects the future development of the sport at an amateur level. It also affects the wider issue of a shared future. It is important that we get that message across. We are not saying, "Thou shalt change your mind." We are saying, "Look at this again." If the Minister can come up with proposals that encourage — not force — a change of mind, that will be work well done.

I go back to my original point: all politics is local. All the north Belfast clubs have done really well. I emphasise that point as a mere representative for North Belfast and an ancient fan of Cliftonville, at a time —

Mr Speaker: The Member's time has gone.

Mr A Maginness: Just bear with me, Mr Speaker. There was a time when Cliftonville was amateur and never won a game. The best that I could hope for was a draw on a Saturday afternoon.

Ms Ní Chuilín (The Minister of Culture, Arts and Leisure): Ba mhaith liom buíochas a thabhairt daoibh as an rún, agus creidim go raibh díospóireacht agus plé mhaith againn. I thank the Members who proposed the motion. It has been a good debate. There is obviously a lot of concern, so let me clarify this straightaway: I do not believe for one minute that the motion is about me exerting any political interference on any governing body. If

it were, my answer would be that I am not prepared to do that. Do I believe that the primacy rule is fit for purpose? I absolutely do not. The tone of the debate has been particularly focused on sharing and integration, not just on the pitch but the work that the clubs are doing off the pitch. We need to invest in facilities to promote that.

The example of Newington and Crusaders has been cited. There are others. In my constituency, there is Crumlin Star, and there will be more. Given the outworkings of the review of public administration (RPA), clubs that have primacy on local government properties will lose that. It is about us looking at the rule to see what we can do. It is not even about DCAL looking at the rule. It is about me trying to encourage the IFA and the amateur football league to look at the rule to see what they can do to promote better sharing and integration. At the minute, the primacy rule is not fit for purpose; it is actually excluding groups. To be totally frank about it —

Mr Humphrey: Will the Minister give way?

Ms Ní Chuilín: I will, surely.

Mr Humphrey: I am grateful. Has she, as the Minister responsible for football in Northern Ireland, raised the issue directly with the Irish Football Association?

Ms Ní Chuilín: I have, on several occasions, and officials have met the amateur football league. I have consistently raised the issue and will consistently do so. Even within the framework and the context of looking at facilities management beyond 2015, this issue looms large.

With respect, my fear when I heard the comments of Chair of the Committee at the start of the debate — although I am not sure that she was speaking as the Chair of Committee — and the tone from your side of the Benches was that this was going to become a sectarian argument. That is not what it should be about. Had that been the case, you would not have signed that letter in Belfast City Council.

Mr Humphrey: Will the Minister give way?

Ms Ní Chuilín: I will give way once again, but I am not having a debate across the Floor, OK? This is the last time.

Mr Humphrey: To clarify, my colleague the Chair of the Committee was not speaking as

the Chair of the Committee. In Belfast City Council, my party has no difficulties with ground-sharing issues at all. As you will be aware, Minister, we have consistently supported Belfast City Council working in collaboration with your Department and the Irish Football Association on the development of Windsor Park as the national stadium —

Mr Speaker: Interventions should be short.

Mr Humphrey: Yes, but I would just make this point. If you have had a series of meetings with the Irish Football Association, why are we having this debate?

Ms Ní Chuilín: This is about the ongoing development of facilities. The amateur football league has been very clear — and Michael McGimpsey and other Members have raised this — that it is their rule. I do not propose to ask it to remove that rule or to dictate to it. I have no right to do that, and I would not do it anyway. I would not interfere with the governing body in that respect. However, with my responsibility for investment in sports and recreational facilities, I am saying that we need to look towards sharing and integration, and the rule as it is constituted does not do that.

At some stage or other, we need to come together to try to work out the best way forward. Those discussions will continue and will be open-ended until we all get to a place where we are content. We may not be reasonably happy or jumping up and down about it, but we need to be content.

At the end of the day, there are genuine concerns among some clubs that are currently affected by this and others that could potentially be affected as a result of RPA. I think that we need to look at that. Why? Not one Member in the House has said a bad word about the work of the amateur football league. Not one. I think that we all recognise and support the work of the amateur football league, and Michelle McIlveen pointed out that it does that work in a voluntary capacity. We need to support the league. We do not need to butt heads or put people under pressure; that is not what it is about. Unsurprisingly, not one Member said anything bad about clubs or soccer, or even went into the names of cups or shields — except one, and that was in relation to GAA. Everybody recognises the work that goes on.

Conall McDevitt is right: it is not just about sport and competition, but physical activity and participation. I have seen that in my constituency in North Belfast, and I know that it

is not exclusive to North Belfast. When vulnerable children and young people who live in vulnerable areas are involved in sport and physical activity, nine times out of 10 that sport has more potential to keep them alive than health and social care. Soccer particularly has done an excellent job around the interfaces in North Belfast. That goes without saying.

What do we need to do? We need to make it easier for people to get involved. I know that everybody understands that. However, if you search deep within your hearts, you will realise that this rule needs to be looked at afresh, particularly if we are moving towards fit-for-purpose facilities for the 21st century.

I welcome Michael's assertion that politics and sport should be kept separate. I will remember that the next time he raises Sandy Row Boxing Club, because I believe that that issue has been overtly political. We should be trying to find a solution and a resolution to the difficulties that we have in communities and in society. As political leaders, we should try to give people the space, the flexibility and, indeed, the resources to overcome those issues. I am relentlessly optimistic when it comes to sport. I see the results of what it does in communities.

The motion has been on the list of no-day-named motions and the Order Paper, and everyone in the House realises that they could have tabled amendments to it. Perhaps the wording could have been different, but I believe that the spirit and intention of the motion is that we need to have a look. At the minute, we are being exclusive and excluding.

That is not what any of us signed up for. So, in my view, that is what this is about. I do not understand why people cannot support it, given everything that has just been said. I can understand how people picked up on it and might have knee-jerked, but now you have heard what we had to say.

David, I have to say that, any Member other than you, I would not have been shocked or surprised at. I am not about interfering in the amateur leagues.

Mr Hilditch: Will the Minister give way?

Ms Ní Chuilín: Very briefly.

Mr Hilditch: Minister, the proposition before us, no matter how it is dressed up, uses the word "removed".

Ms Ní Chuilín: And you could have removed the word "removed", David, had you had the will to do so. You did not. Now, given what we have just said, let us not hide behind a word. We are talking about one word here; let us not hide behind it, and do not worry about FIFA. I am not worried about FIFA, in the sense that I am not going in to try to dictate to the amateur league what it needs to do. I am saying that I want to invest a lot of public money, particularly in soccer, and we all need to meet certain conditions. Sharing and integration are right at the top of the list. So, it is up to the amateur league to make sure that all its rules are in keeping with sharing and integration.

This is about sharing and integration. It is about providing a better overall opportunity for people within soccer, but, for me, it is about ending exclusion and exclusivity. That is what we need to look at. It is not one bit fair on those clubs, which, at the minute, are from the Catholic/nationalist background, but that will not be the case in the future. We need to dispel the perception out there that there is a whiff about this, and I think that we have done that today. However, we all need to make sure that we look at this rule in the context of better provision for the future. So, it will be your constituency next, then someone else's, and so on —

Mr Humphrey: Mine is the same as yours.

Ms Ní Chuilín: — because RPA will result in some clubs losing their primacy.

I am not giving way again, William. You could have put your name down to speak. I understand that you have a lot to say, and you have been very positive and it was enlightening. Actually, it was very entertaining to watch your face turn red when Michelle flicked her head round to have a look to see why you signed that letter. I understand why you did it, and I support you doing it because I did it myself.

Mr Humphrey: I have explained it.

Ms Ní Chuilín: Yes, you have explained it, but it still does not explain to me your position in opposing the motion.

In short, I am glad that the motion is here and that the debate has happened. I will continue to have discussions with the Irish amateur football league, local government and officials to see how we will look at the future provision of facilities for soccer. I am disappointed that people were not brave enough to change the motion so that it became something that the whole House could have signed up to. I just

question why that is the case, but thank the Members for bringing the motion forward.

Mr G Kelly: Go raibh maith agat, a Cheann Comhairle. Beidh mé ag labhairt i bhfabhar an rúin. You will not be surprised that I will speak in favour of the motion.

I think that, in the main, it has been a good debate. What disappoints me a wee bit, and maybe we can get through this, is that it divided along nationalist and unionist lines. I do not think that that was necessary. I know that David Hilditch said that the use of the word "removed" is what triggered his opposition to the motion. However, if that is what it is, the Alliance Party, through Chris Lyttle, I think, said that he wanted to engage in "respectful dialogue". In the main, I think that we have done that. I think that things have been agreed here. Nobody has argued against the presence of the NFL and the fact that it makes its own decisions. The fact is that people want to share facilities and there is support across the board for doing so.

There is an issue around rule 2.1, which requires teams to have total control of their ground and facilities. People have said, and I agree with them, that it was brought in just over 20 years ago — I think it was said to have been in 1991 or 1992 — for a very good purpose. I do not think that anybody disputes any of that.

The question that has been put in front of us is this: have we reached the point where that rule is no longer of value to the enhancement of soccer and, indeed, beyond soccer? I will be unavoidably parochial: soccer has been used in north Belfast as a very positive method of bringing people together, particularly young people. The type of co-operation that there has been between clubs, which was described earlier, is a perfect example of that, especially in sharing those.

12.30 pm

North Belfast has been used as an example in terms of what effect the practice has. I think that that is the important thing. It has already been said about Newington YC and Crumlin Star, but let us just deal with that for a moment. The combination of Crusaders and Newington YC moved into Seaview Enterprises, which is a social enterprise, quite recently, after a long amount of work over some years. That is a sporting initiative that affects something between 1,500 and 2,000 people, mostly young people. It is an education process and a shared space process — embracing all of that

in a situation that was not easy for them or for others. The fact that it has happened now is that three spaces are now left in the premier division. Crumlin Star is another perfect example of a club that did brilliantly in a very disadvantaged area, as was outlined by Alban Maginness. It won division 1A, won the Clarence Cup and retained the Border Cup. It is one of only three clubs in the history of the NFL that has managed to win the domestic treble. That is the type of standard of football that we are talking about coming from working class areas.

Indeed, this issue probably has more effect and does more damage in urban areas than in rural areas. The Minister has made it very clear, and let me make it very clear, that the intent of this was not political interference. The intent is to try to move the whole process forward in a conversation and to try to come to some sort of accommodation that will help people across all of those lines.

Just recently — in the last week, I think — Newington has moved into the professional arena and has to take on the extra financial pressure and everything that goes with that. In opening up those three gaps, I think that at least two of those teams that would normally go into the top 16 will not be able to do it because of that rule. That is what we are talking about: people who have done everything right and have won everything cannot get into that. What happened to Newington was that it had to travel a round trip of some 60 or 70 miles in trying to get that primacy thing. The relationship between Cliftonville and Crumlin Star is a brilliant relationship, but it does not allow them to use Cliftonville for the primacy purpose. That means that, instead of being able to walk down to their fixtures, they will now have to travel some 50 or 60 miles to them.

There is an issue of inequality. I would argue that it is more to do with working class areas that need it most. It has been said time and time again. Indeed, the Ministry of Culture, Arts and Leisure, under both Michael McGimpsey and Carál Ní Chuilín, was also involved in support for the prevention of suicide strategy. It is something that is really important to people, not just in terms of their roles in football but in all other aspects of young people and deprived areas.

The senior clubs clearly want to share. No one has disagreed with sharing. If you go through this debate, you will find that there was a lot of agreement right across the board on all aspects of this except that one issue. So, can we have a conversation that allows sharing to increase

so that people do not have to go through the whole expense of having to travel a long distance? It is worth saying that this is the only league that uses the process of primacy. I am up to argue that the primacy rule should be removed for those reasons. I absolutely understand that it is a discussion that the NAFL will have, but let me emphasise that I do not think that it is political interference if a Minister brings forward proposals or has a discussion that puts all the facts on the table and asks if there is something we can do about it because of what we see as difficulties, which is the reason we brought the motion forward.

At a time when we are using 3G pitches — some Members talked about that — we are in a different era. There are financial constraints: how much money are some clubs earning from their fixtures? We need to look at that.

I want to come to some sort of conclusion about what I think has been agreed. No one argued against ground sharing. We have agreed that it is brilliant for cross-community sport and we have agreed that sport takes young people out of poverty. I do not want to exaggerate in any way, but it has been found that some of the outcomes from sport and other activities in which young people take part have had an impact on suicide prevention. That is important.

Sport has undoubtedly been a positive force for reconciliation. We have made it clear across the board that the motion is not about political intervention.

When it comes to the Minister having an opinion, we need to bear in mind that the RPA is coming our way. I think Cathal Ó hOisín said that over half the pitches are in public ownership: in other words, taxpayers' money is being used for that. If everyone had the same opportunity, we would not be having this discussion. Will the RPA affect that? The Minister pointed out that we are dealing with it now, to a great extent, in north Belfast and other places, but other constituencies will be affected as we go through the RPA process. So, let us try to have the conversation before the RPA comes in.

Members may ignore a call from me, but the intent of the motion is to have a conversation about an issue that we believe is detrimental to the advancement of soccer and everything else that it involves, especially in heavily deprived areas.

I understand David Hilditch's point about the wording of the motion, but it is important that the clubs that are directly involved and other

amateur clubs get a message from the Assembly that we want to have that conversation. I support the motion.

Question put.

The Assembly divided:

Ayes 45; Noes 43.

AYES

Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Dallat, Mr Durkan, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mrs D Kelly, Mr G Kelly, Ms Lo, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Tellers for the Ayes: Mr McMullan and Mr Ó hOisín

NOES

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

Tellers for the Noes: Mr Anderson and Mr G Robinson.

The following Members voted in both Lobbies and are therefore not counted in the result: Mr Agnew, Mr B McCrea

Question accordingly agreed to.

Resolved:

That this Assembly calls on the Minister of Culture, Arts and Leisure to bring forward proposals on how the Northern Amateur Football League's primacy rule could be

removed to promote greater sharing and integration of facilities for soccer.

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

The sitting was suspended at 12.51 pm.

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

2.00 pm

Oral Answers to Questions

Employment and Learning

Success Through Skills

1. **Ms Brown** asked the Minister for Employment and Learning for his assessment of the Success through Skills - Transforming Futures strategy. (AQO 4201/11-15)

Dr Farry (The Minister for Employment and Learning): The skills strategy aims to equip people with the qualifications and skills that they need to achieve their full potential and which will support businesses to grow our economy.

The strategy has four strategic goals that highlight the fact that the skill levels of our workforce need to be substantially increased by 2020. There is also a particular focus on qualifications in science, technology, engineering and maths (STEM). That will help to fuel growth in our companies and attract further inward investment in key areas such as ICT (information and communication technology). Evidence shows that we are broadly on track to achieve that profile and are making an important contribution to the overall economic agenda.

The Department has a commitment within the current Programme for Government to upskill the working-age population by delivering over 200,000 qualifications. Good progress is being made towards the achievement of that target. Furthermore, in order to increase the number of people studying STEM subjects, I have committed an additional 1,200 undergraduate places in STEM-related subjects. I have also committed a further 300 PhD places, focused on areas of economic relevance, by 2015. Given the importance of management and leadership skills to improving productivity, I have provided 100% funding for companies that take up the Department's management and leadership programmes. I am also taking forward a review of apprenticeships and youth training, to ensure that they reflect the changing nature of the Northern Ireland economy, are highly regarded and offer progression pathways with equal parity to academic routes. Those examples highlight only a proportion of the work that I am undertaking to help ensure that we have a workforce equipped with the skills our economy needs.

Ms Brown: I thank the Minister for his answer thus far. Will he detail the initiatives that his

Department has introduced, or plans to introduce, to upskill those already in work?

Dr Farry: We have an employer engagement plan, which sets out a whole range of activities through which we will engage with people already in work. That plan runs through to September of this year, and my officials and advisers are working on a revised plan that we hope to finalise in the coming weeks. The Member is right to highlight that issue. If you look ahead to the workforce of 2020, around 80% of that future workforce is already in the world of work. So, we have to ensure that those who do not have qualifications receive accreditation and that those who are in work continue their own professional development and achieve further qualifications.

Mr P Ramsey: I thank the Minister for his response to this point. Given his comments that ICT and STEM subjects are the areas for major improvement, how can some of the further education colleges defend the position of reducing the numbers of staff who teach ICT and STEM skills?

Dr Farry: Individual decisions around the curriculum are matters for the colleges, but the direction of travel is very clear. It is worth highlighting that I regard the further education sector as a key partner in the delivery of our skills strategy. The colleges receive significant funding from the Department. We are reviewing the profile of that funding and we have an ongoing commitment to ensuring that we concentrate resources, where possible, in those activities that are of most relevance to the future needs of the economy and the people of Northern Ireland. We are not here simply to defend existing patterns of delivery. We need to constantly challenge ourselves and review the provision.

Mr Kinahan: I thank the Minister for his answer so far. Will he give us an overview of the increased proportions and numbers of those qualifying from Northern Ireland higher education institutions with graduate and postgraduate courses in STEM subjects?

Dr Farry: I am happy to write to the Member to give him the precise figures of our current profile in STEM subjects. Of all the targets that we have, that is probably the greatest challenge. We have a range of targets for the numbers of people in the workforce with level 2, 3 and 4 qualifications, alongside a target for STEM subjects. We are looking to have an achievement figure in the region of 25% to 30% of employees having STEM qualifications by

2020, and we are talking about a baseline of 18% at present, so there is a way to go. This morning, I highlighted the issue of ensuring that we are attracting people into STEM subjects from all sections of the community and, in particular, more women into that field.

Youth Employment

2. **Mr Ross** asked the Minister for Employment and Learning for an update on his actions to create youth employment. (AQO 4202/11-15)

Dr Farry: My Department helps to create employment by preparing the labour force for work. I can provide a progress report on the implementation of the youth employment scheme and the First Start initiative, which were designed to assist the young unemployed. Since the launch of the youth employment scheme last year, my Department has been working closely with employers to secure work placements and job opportunities for young people. I am pleased with the significant uptake by employers in creating opportunities and their genuine commitment. Almost 1,800 agreements have been signed for the different elements of the youth employment scheme, and 2,382 opportunities have been secured. To date, 944 young people have participated in the scheme, with 376 having commenced since the beginning of April this year. Furthermore, of those 944 young people, so far, almost 290 have moved directly into jobs supported by the enhanced employer subsidy, and a further 51 young people have obtained employment after leaving other elements of the scheme. That means that, to date, 37% of all participants have moved into full-time employment.

In addition to the youth employment scheme, I introduced First Start in November 2012 through the Steps to Work programme. Its aim is to assist young people, who have been unemployed for six months or more, to find and sustain employment. Funding was provided from the jobs and economy initiative to provide temporary employment for 1,700 young people by the end of the 2014-15 financial year. As of the middle of May, a total of 462 young people have started jobs under the First Start initiative.

Given that, to date, more than one in three young people find work through the youth employment scheme, I ask Members to encourage their young unemployed constituents to participate in the scheme. Even if employment is not the immediate outcome, the valuable experience gained will help participants to compete for jobs.

Mr Ross: I thank the Minister for his comprehensive answer. There is some good news there. The Minister has spoken in the House, and most recently last week in Committee, about the importance of apprenticeships. He has spoken about the enthusiasm there is amongst businesses to get involved in that. What measures will he introduce to ensure that that enthusiasm translates into a solid guarantee that businesses will offer young people the opportunity to take part in a work placement or apprenticeship?

Dr Farry: It is difficult to say that there are guarantees in this because we are dependent upon the goodwill of business. However, I believe that, through sound leadership from government and good leadership from the representative organisations of the business community, we can entuse businesses to take on more apprentices. That is very much in their interests, alongside the interests of young people themselves. If a business does offer a person an apprenticeship, that business can be sure that it is training a person in the very immediate and direct needs of its business, rather than relying on the wider education system, which may be good at providing general skills but perhaps not the very direct skills that that company requires. A number of business leaders sit on the expert panel for the review. My officials and advisers have had a number of discussions with individual businesses and their representative organisations. We are coming across considerable enthusiasm for a different approach to training in Northern Ireland.

Mr Flanagan: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answer, but the original question actually asked about what initiatives he had taken to create youth employment. He gave us a list of figures for people who had availed themselves of schemes. Of all the numbers he quoted, did any of those specifically result in a job being created, or was it just putting people into jobs that were already there?

Dr Farry: I thank the Member for his question. What we are doing through the youth employment scheme is additional and does not involve displacement. Critically, it is about ensuring that we are encouraging businesses to take a risk with a young person. At times, businesses, particularly maybe small businesses, may be unsure of the future and not want to take on the additional costs of an additional pair of hands. In turn, however, that additional pair of hands may improve

productivity. The enhanced employer subsidy will go a long way to helping to break that vicious circle.

To date, 290 people have availed themselves of that employer subsidy. They are now in jobs that were not previously in existence. A further 51 people have moved into unsupported employment on the back of the scheme. So, overall, we are talking about an initial figure of a 37% success rate, which does compare favourably with other employment support initiatives. It is still early days for the youth employment scheme. The bulk of the investment that the Executive have made available for the scheme is due to be drawn down during this financial year. I have been pleased by the speed at which progress has accelerated over the past number of months, and I hope to see that continue over the coming months.

Mrs Cochrane: Will the Minister give us a little more detail on the role that a new model of apprenticeships can play in reducing youth unemployment?

Dr Farry: I thank the Member for her question. The relevance of apprenticeships is that they should be a much more efficient means of addressing skills shortages and skills mismatches, because you are taking the very particular needs of employers and matching them with the training that is given to employees. Also, one of the objectives that we want to achieve in Northern Ireland is to move into the realm of higher-level apprenticeships. At present, we have a pilot in ICT, and we hope to develop that into a level 4 apprenticeship in engineering. There are also good initiatives in respect of some of the consultancy professions and pharmaceuticals. Some interesting developments are under way. However, I believe that we can have a much more radical step forward in the number of apprentices and the levels at which training is being provided and that we will provide a pathway that is just as good as the traditional academic route and will be very successful in finding people good, sustainable jobs and helping our economy to grow.

Student Finance: Private Institutions

3. **Mr D Bradley** asked the Minister for Employment and Learning whether he will review how students who have been accepted to private third-level institutions are informed of their eligibility for student finance. (AQO 4203/11-15)

Dr Farry: Students who have been accepted into private higher education institutions can establish the support that they will be entitled to from the Student Finance Northern Ireland guidance booklet, 'A guide to financial support for full-time students in higher education 2013/14'. Furthermore, the Student Finance Northern Ireland guidance booklet, 'Notes for Student Finance Application', provides advice on completing the application form for student funding and the funding available at public and private higher education institutions. Hard copies of those guidance booklets are provided annually, in advance of the next academic year, to schools and further education colleges by the education and library boards. Links to those booklets are also available online via Northern Ireland Direct, Student Finance Northern Ireland and my Department's website.

Mr D Bradley: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra. Tá ceist agam le cur air faoi mhic léinn ar mhaith leo céim a dhéanamh in ollscoileanna thar lear agus an leibhéal maoinithe atá ar fáil acu. Will the Minister explain the financial support available to students who want to study for their primary degrees in overseas universities?

Dr Farry: I thank the Member for his question. Essentially, the decision to study at an overseas university is one for the students to make themselves and it is for them to avail themselves of support. The full degree that someone would be choosing is also an issue for them. However, within our system, we are seeking to encourage an international agenda. That, in part, relates to attracting more students from overseas to study at our local institutions, but it is also about giving our own students the opportunity to avail themselves of international programmes. A range of different initiatives is available. For example, we have Study USA and, more recently, Study China, which is of huge local interest and very topical. We also have a whole range of programmes under the European Union. A range of choices is out there for students, but my primary responsibility as Minister is to ensure that we are investing in students in our local system.

Step Ahead 50+

4. **Mr Mitchel McLaughlin** asked the Minister for Employment and Learning for an update on the success of the Step Ahead 50+ scheme. (AQO 4204/11-15)

Dr Farry: The current economic climate and the increase in the unemployment register have

made the move from benefits to finding and sustaining employment even more difficult for those who have no recent work history. That is especially true for those who are aged 50 or over.

In direct response to the economic downturn, and as part of the Executive's economy and jobs initiative, I have introduced a number of additional employment initiatives to assist those who find themselves out of work. That has been achieved through the Department's main adult return-to-work programme, Steps to Work. One of the initiatives is Step Ahead 50+. It is available throughout Northern Ireland to those aged 50 and over who have been out of work and in receipt of a working-age benefit or a combination of benefits for a minimum period of 12 months. It provides that group with the opportunity to avail themselves of a fixed-term job for up to 26 weeks in the community and voluntary sector. Participants are also encouraged to undertake training during their employment to gain additional valuable skills. Step Ahead 50+ will improve job outcomes for that group by providing the participants with an opportunity to experience a real job coupled with a recent employment history. That will enable them to compete more effectively for jobs in a very competitive labour market.

2.15 pm

By March 2015, Step Ahead 50+ will provide a total of 1,100 supported employment opportunities. Step Ahead 50+ was introduced in January, and in the short time that it has been available, it is proving to be very successful. To date, it has provided a total of 269 people with fixed-term employment, which is a most welcome and commendable achievement.

Mr Mitchel McLaughlin: I thank the Minister for that answer. It is a most interesting initiative. Does the Minister have any schemes in mind for other age groups among our citizens?

Dr Farry: I thank the Member for his question. We have a general return-to-work programme through Steps to Work, which is additional to front line activities in jobs and benefits offices and job centres. As Members will know, we are finalising the design of the successor to Steps to Work — Steps 2 Success. Beyond that, we have some discrete interventions. We need to be conscious of two aspects of the profile of unemployed people in Northern Ireland. First, we have increasing numbers of people who are in long-term unemployment, which is anything

over 12 months. Secondly, we have a serious concentration of unemployment among young people, which is why we have a range of schemes that is focused on the 18- to 24-year-old age bracket.

I will focus on the latter point. In Northern Ireland, about one third of those who are on the unemployed register falls within the 18- to 24-year-old age bracket, so essentially, out of the entire 40-year spectrum of people who may be unemployed, one third falls within a seven-year period. We have a greater concentration than most of our neighbouring regions. That reflects a desire by local businesses to hold on to more experienced talent and highlights the difficulty of young people competing. That is why there is such a focus on trying to give young people opportunities to gain work experience to break that vicious circle.

Mr Cree: Will the Minister detail the types of work that are available under the 26-week employment scheme? Has he had discussions with businesses and similar organisations with a view to teeing into that scheme?

Dr Farry: I thank the Member for his question. Step Ahead 50+ is focused on the community and voluntary sector. That sector appreciates the scheme very much, and it follows on from the previous initiatives that Members will be familiar with, such as the more general Step Ahead programme and the short-term Step Ahead 2012 initiative.

Engaging with business is absolutely critical to all our schemes. Through Steps to Work in particular, providers will engage with the business community for placements, and through the youth employment scheme, my staff are engaging directly with businesses. Businesses were closely involved in the design of the youth employment scheme, and we were impressed with the level of interest from the business community. Well in excess of 1,000 opportunities have been made available to young people through the business community in Northern Ireland, the community and voluntary sector, and the public sector.

Mr Allister: Without consultation, the First Minister and deputy First Minister announced a NEETs programme, which has to be paid for. In light of that development, will the Minister assure us that Steps to Work and other useful programmes that are run by the Department will not be starved of funding and that there is no threat to the funding of existing programmes?

Dr Farry: The Member is referring to the united youth programme that the First Minister and the deputy First Minister announced on 9 May. That is a multidimensional programme that, at its core, is about increasing contact between young people from different backgrounds. The programme highlights avenues for that contact, including sport, volunteering and placements.

Officials from my Department, the Office of the First Minister and deputy First Minister (OFMDFM) and others are in discussions about the design of the programme. I believe that its resources will be additional to the current provision. We have no plans to redirect resources from existing provision to the united youth programme.

It is important that we fit in any additional schemes around current provision and avoid the danger of displacement. I want to ensure that we are offering young people different pathways and proper progression and that, at each stage, we are offering them the opportunity to avail themselves of skills that will enable them to move on to other forms of training or into sustainable employment. We have a host of issues to discuss, but I assure the Member that those discussions are well under way.

Mr Lyttle: What services is the Minister's Department able to offer to those who find themselves unemployed through being made redundant unexpectedly?

Dr Farry: A redundancy advice service is available to assist people. When we are faced with a major redundancy, we have the option of going in and providing clinics. Members will be aware that we have done that on a number of occasions over the past 12 months.

Unfortunately, we still have a churn in the system, with jobs being lost. Equally, jobs are being created elsewhere in the economy. It is a necessity for us to give direct support to individuals who find themselves in that transition. The Careers Service is an all-age service that is there to guide people on the options available, including other training options, and to help them find other forms of employment.

Higher Education EU Support Fund

5. **Dr McDonnell** asked the Minister for Employment and Learning for an update on the EU higher education support fund. (AQO 4205/11-15)

Dr Farry: In light of the critical role that our universities play in the drawdown of European research funding, my Department and the Department of Enterprise, Trade and Investment (DETI) established the higher education EU support fund. Its purpose is to assist our universities to develop and implement a more strategic approach to responding to EU calls for research and development proposals under the 7th framework programme (FP7) and Horizon 2020 programmes, and to enable them to help local companies' participation.

Specifically, the fund will support the employment of seven Northern Ireland Horizon 2020 contact points, who will provide specialist advice and assistance to academics and business across areas of economic relevance to Northern Ireland and of priority to the European Commission. Those will include areas such as energy, advanced materials and transport technologies, information and communication technologies, and connected health.

As part of the process, our universities submitted action plans, and those have been agreed. I am pleased to report that suitable, highly qualified and experienced candidates have been appointed to all seven posts. Four are in place, with the remainder to start in the coming months.

The investment and higher profile attached to that important area of activity is already making a difference. Queen's submitted 20 proposals in the first six months of the support fund against an annual baseline for the whole of the last academic year of 26. It has also reported the involvement of a local small and medium-sized enterprise (SME), Devenish Nutrition Ltd, in an approved project, which is a particularly welcome development.

The University of Ulster has also made a promising start, securing a co-ordinating role in one approved project, its first as a co-ordinator in the FP7 programme.

Dr McDonnell: I thank the Minister for his answer. How much of that talent and skill resource in the universities will be available to the business sector outside?

Dr Farry: The resource in the universities is additional. My Department and DETI are providing £600,000 between us over the next three years. The rationale for that spending is that engaging with European research was additional to the duties of the academic staff. Frankly, it was not a major priority. The

drawdown in Northern Ireland was disappointing, relative to neighbouring regions. We felt that there had to be a step change in the level of performance.

At present, given the profile of the Northern Ireland economy, the vast bulk of the drawdown of the FP7 resources is through our universities. In the short run, that may well consolidate even further, given the investment that we are making, but there is a very clear desire to increase the drawdown by businesses, including SMEs, in Northern Ireland. DETI leads the overall strategy for engaging with FP7 and Horizon 2020, and an action plan is in place. This EU support fund is one aspect of that, but there is a host of different interventions in place. Invest Northern Ireland is the de facto Northern Ireland contact point for SMEs.

I am also very keen to ensure that our universities will work in conjunction with SMEs on the proposals being developed. We do not want those being developed in a vacuum. What happens in research needs to be relevant to the needs of the local economy.

Stranmillis University College

6. Mr Beggs asked the Minister for Employment and Learning to outline his plans to reclassify Stranmillis University College from its current status as a non-departmental public body. (AQO 4206/11-15)

Dr Farry: The decision to classify Stranmillis University College as a central government body was taken by the Office for National Statistics (ONS). The decision was made independently of my Department and, indeed, of the Northern Ireland Executive. To reverse the classification would require me to bring forward legislation to discontinue the college in its present form and create a new body independent of government. However, even with legislation, there is no firm guarantee that the ONS would reverse its decision.

As the second stage of the study of the teacher education infrastructure in Northern Ireland is about to commence, I believe that it would be best to consider any required legislation after that second stage has been completed.

As a result of the reclassification decision, the college is now within the budget boundary of my Department, which means that my Department must have sufficient budget cover to allow the college to use the resources available to it, including those generated by its own activities. In addition, the college must

comply with Northern Ireland public procurement policy and the full range of administrative controls that central government Departments exercise over their non-departmental public bodies (NDPBs). However, the college has been granted an exemption from the public pay remit that applies to Departments and their bodies. My officials are also exploring with DFP ways in which the requirements can be relaxed in the college's favour.

However, despite those administrative requirements and controls, the college is free to pursue its own strategies and objectives with regard to teacher training. The requirements of NDPB status can be managed and need not represent any form of barrier to the achievement of goals.

Mr Beggs: Designation as an NDPB has resulted in reduced financial flexibility for Stranmillis as regards end-year flexibility and borrowing, and has created an additional layer of bureaucracy in reporting. In his statement, the Minister indicated what he might be able to do. Can he tell us what he is going to do, so that future students are not disadvantaged by the bureaucratic system that is governing the college currently?

Dr Farry: First, I do not think that students are going to be disadvantaged by this in any shape or form: teacher training continues regardless. On the specific point of end-year flexibility, however, discussions between my Department and the Department of Finance and Personnel are at a very advantaged stage. I hope that those issues will come to a conclusion in the very near future.

Ms McCorley: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagraí go dtí seo. I thank the Minister for his answers up to now. What are the plans for St Mary's University College?

Dr Farry: As the Member probably knows, St Mary's College was classified as an NDPB at the same time as Stranmillis, but the governance arrangements for St Mary's are considerably different from those for Stranmillis in that St Mary's was created on a voluntary basis by the Catholic Church; it has never been under direct government control. We have been working with St Mary's to seek to appeal the ONS classification. The college has raised some additional queries, which are being addressed by officials, but it is important, and maybe this is an opportunity to stress this, that the decisions made by the ONS are not made

purely on the basis of the nature of the governance arrangements. Even if we go through a whole series of hoops in redesigning legislation and governance, there are other aspects that they will look at, including the amount of public funding that goes to the colleges. Obviously, that is something that Members will be very sensitive about. This is a much wider issue than simply a matter of governance, but we are minded to continue assisting St Mary's in reversing the NDPB classification.

2.30 pm

Environment

Mr Deputy Speaker: I should tell you that question 2 has been withdrawn.

A5: Environmental Aspects

1. **Mrs Overend** asked the Minister of the Environment whether his Department highlighted any concerns to the Department for Regional Development about non-compliance with the habitats directive or any other environmental aspect regarding the construction of the proposed A5 road. (AQO 4216/11-15)

Mr Attwood (The Minister of the Environment): I thank the Member for her question. I can confirm that, at ministerial and Executive level, I very much continue to support the construction of the road in the shortest time possible. The answer to the question is that the competent authority in respect of habitats assessments for the proposed scheme is the Department for Regional Development (DRD). As a consequence, it fell to it to assess all the habitats impacts under the directive and other environmental requirements. The Northern Ireland Environment Agency (NIEA), as part of the Department of the Environment (DOE), was consulted, as were many other consultees. We gave advice, and we are satisfied with the advice that we gave. However, it fell to DRD to make the assessments on the far side of that advice, and, unfortunately, the courts decided that there were matters that should have been further interrogated by DRD. Those are what gave rise to the judicial review and its outcome.

Mrs Overend: I thank the Minister for his response. Will he confirm that NIEA's acceptance of the screening process was carried out during his predecessor's reign and that, consequently, the problems facing the

project long predate the current Environment and Regional Development Ministers?

Mr Attwood: I can confirm that the relevant assessments, which were interrogated in judicial review hearings, predate this mandate and, therefore, predate my tenure and that of the Minister for Regional Development. It seems to me, however, that, when you look at Justice Stephens's judgement in the judicial review, you will see that subsequent information was conveyed to the court that gave rise to a doubt in the mind of the court in respect of what had been done previously.

Mr McAleer: Are the Minister and his Department taking part in the independent review of the handling of the matter?

Mr Attwood: If we are asked by DRD for any input into the matter, we will certainly co-operate. I would expect, given that this is a significant capital project and that a range of issues have arisen, that advice will be sought from the DOE. We will be forthcoming in that regard.

Mr Allister: Will the Minister be very clear with the House that, when the Environment Agency was consulted, it advised that the proposition was not in breach of or in conflict, in any way, with the habitats directive?

Mr Attwood: I thank the Member for his question. When the Environment Agency was consulted in this regard — this goes back quite a number of years — extensive information was conveyed to the competent authority — DRD — in respect of the proposal. That advice touched on water quality, air quality, geology, hydrogeology, protected habitat species and so on and so forth. It covered the full expanse of all considerations. What then transpired was that the competent authority — DRD — undertook what is known as a test of likely significance. That is the first threshold of assessment that must be undertaken and measured against the habitats directive. The NIEA was satisfied that the advice that we gave on mitigation and on impact on habitats was correct, and the assessment was then made by DRD. As I understand it, a doubt arose during the court hearing itself in respect of other people's understanding of the advice that had been given or the test of likely significance that had been undertaken by DRD. That doubt arose post the advice and post the test of likely significance, and that was what allowed the judicial review to succeed.

Mr Deputy Speaker: As previously indicated, Question 2 has been withdrawn.

Environmental Crime

3. **Mr A Maginness** asked the Minister of the Environment what action his Department and other agencies are taking to tackle environmental crime. (AQO 4218/11-15)

Mr Attwood: I thank the Member for his question. As I have indicated in recent statements to the House, the issue of environmental crime in all of its expressions — be it waste, fuel laundering or other examples across the range of crimes — is, generally, not fully acknowledged or grasped in the North. As I have indicated before, the scale of organised crime is as great now as it was in previous times. Potentially, organised crime has now drifted across to the issue of waste.

What have we been doing in the Department? We have put more resources into the environmental crime unit (ECU). They are the environmental front line police officers who deal with serious and commercial-scale environmental crime. The team has now been increased to over 30 officers. We are taking more and more criminal prosecutions on the environmental crime side, including requesting from the court proceeds of crime outcomes whereby assets are seized from those who are involved in environmental crime. At all times, we are trying, more and more, to create a partnership approach, so that, across all the agencies that have an interest in the matter, including the PSNI and those who are responsible for dealing with serious and organised crime, we get a grip on the greater and greater threat, as I see it, to the island of Ireland from environmental crime generally and waste crime in particular.

Mr A Maginness: I thank the Minister for his thorough answer. What action is being taken to tackle heritage-related crime?

Mr Attwood: As the Member will be aware, that issue was identified as becoming more critical around two years ago. As a consequence of that, there has been a series of heritage crime summits. The outcome of those summits has been that more urgent works notices have been served in the past 18 months than in the previous 38 years. A family of letters has been served upon those who have ownership or control of heritage assets, warning them to get their property into a fit shape. Consequently, action has been taken in more than half of those cases.

At the same time, we have been developing a greater co-operative relationship with the PSNI and other relevant agencies in order to ensure that, when it comes to the threat of heritage crime in Northern Ireland, we deploy best practice. There are national intelligence models that have been deployed in other jurisdictions that, if they were deployed here — we are working through this at the moment with the PSNI, the Fire and Rescue Service (FRS) and other agencies — would be another useful intervention to deal with heritage crime.

Mr Newton: I agree with the Minister on environmental crime. Perhaps it is not as conspicuous or as much on the radar as it should be. Is the Minister concerned to read in the media that, when fuel laundering plants, which, obviously, create massive environmental problems in the area, are disturbed, those plants are up and running again shortly afterwards?

Mr Attwood: I do not think that anyone would differ with the concern expressed by the Member in that regard. Even in the past number of hours, I have had conversations around this with other people. It is now the moment when people in the Assembly, around the Executive table and, generally, on the island have to acknowledge that organised crime — I use those words advisedly — which is very well organised, has moved into areas in which, heretofore, it may not have had an interest. The most public expression of that is, clearly, fuel laundering, but there are other examples, such as waste. Given the profile of fuel laundering and other threats of environmental damage that might arise, this is the time when effort, resources, co-ordination and political will must be deployed to deal with the threat that that presents.

Ms Lo: Following on from the Minister's response just now, does he think that he has enough resources, in terms of number of staff, regulations and staff expertise, to deal with increasing environmental crime?

Mr Attwood: First, I have to make sure that the staff we have, be it on the crime side or the waste side, do all that they should do in monitoring and regulation. Secondly, the Member is right: we need to escalate the resources in the environmental crime unit, which is now nearly at the complement set out in the business plan following appointments over the past 18 months. We need to escalate that model because I do not believe that 30 or so environmental police officers in the ECU is

an adequate number to deal with the threat. That is why, in the past week or two, I have had conversations with senior police officers to put firmly on their radar what is firmly on my radar; namely, the threat of organised crime in waste and fuel laundering. Given the resources that the police have at their disposal, including forensic accountants and investigators, I believe that they need to have the tightest working relationship with the ECU and other relevant agencies in order to have the maximum outcome in turning on and dealing with organised crime on the island of Ireland.

Mr Elliott: I welcome the fact that the Department has put more resources into its crime team. Given that there are more resources, can the Minister give us any detail on the numbers prosecuted for such crime, whether it is fuel laundering, scrap metal theft or, indeed, unregulated dealing in scrap metal?

Mr Attwood: I will touch on the last point first. There have been a lot of conversations recently about metal theft and illegal dealing in metals. Without naming any particular case, I think that the environmental crime unit will turn its attention to that area in the very near future and deal with a number of problems in that regard. I will provide full details to the Member in the fullness of time, but I can say now that the environmental crime unit is processing more cases than at any time since its formation in 2008 and that, on the far side of those criminal cases in the criminal courts and the penalties that, we trust, will arise as a result, there may be further proceeds of crime actions. The scale of that is greater than ever, but, as I indicated, the scale of what we need to do is greater again.

Wind Energy: Heritage Sites

4. **Mr McGlone** asked the Minister of the Environment whether wind energy projects will be permitted in locations adjacent to important, recognised heritage sites. (AQO 4219/11-15)

Mr Attwood: As the Member will know, I am a very strong supporter of renewable energy projects, including wind energy. Planning Policy Statement (PPS) 18, which deals with planning policy for renewables, is generally promotive. However, that cannot be at the expense of our heritage and cannot have a disproportionate impact on the character of our landscape. If you look at how that has been worked through for, for example, our only world heritage site up at the Causeway, you will see that a very protective and precautionary approach has been deployed to ensure that

nothing or little happens to devalue such a recognised heritage site.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht an fhreagra chuimsithigh sin. I thank the Minister for his comprehensive answer. Can he indicate when decisions are expected on the wind developments at Cloghinarney, County Antrim, and particularly Lough Patrick, County Derry, which is in my constituency? Will those decisions follow extensive consideration of all the evidence available on the applications?

Mr Attwood: Unlike many cases over the past 18 months, decisions have not come out in respect of wind turbines. The fact that there has not yet been a decision on the application for Lough Patrick demonstrates that the ecclesiastical and heritage impacts are being fully interrogated. The Member met me on 18 February, and the points about the ecclesiastical, heritage, economic and tourist opportunities that might arise were stressed. As a consequence of that meeting, the objectors provided further information in a report to the Department, and that is now being assessed.

I give the Member the reassurance that, given the scale of our Christian heritage, the issue of the ecclesiastical heritage at Lough Patrick will be a factor that will influence the outcome of the decision.

The application for a wind farm at Cloghinarney is also a very challenging one because it is not that far from Slemish and there is evidence of breeding pairs of curlew in and around that location. Curlew are a protected species under European legislation, and it is only on the far side of further assessment of the potential impact on the curlew that a decision will be made. However, I assure the Member that I have been interrogating the NIEA in order to ensure that, while appropriate protection of curlew according to European requirements is honoured, we do not have an over-precious approach when it comes to these decisions.

2.45 pm

Mr McElduff: Go raibh maith agat, a LeasCheann Comhairle. What account does Planning Service take of potential displacement of tourists and tourism-related jobs in an area such as the wider Sperrins or, more locally, the Gortin glens when assessing an application for a wind farm? I am thinking of the potentially

detrimental impact on visual amenity or even pleasantness of place.

Mr Attwood: As I indicated, all those issues — landscape character, visual amenity, the benefits and disbenefits economically and socially of a wind farm or wind turbine — are fully interrogated. It is very important that decisions are made about wind farms, wind turbines and anaerobic digesters, because it is very important that we try to attain self-sufficiency in electricity and to be a world leader in carbon reduction. However, any individual application will capture, interrogate and assess fully and exhaustively all the issues named by Members, including that raised by Mr McElduff.

When it comes to wind turbines, those who make applications, given that many applications come from landowners or farmers, need to work out the full costs and make some assessments about what the potential might be for national grid connection. In anticipation of an application, they need to interrogate fully and exhaustively the path that they are about to go down. I do not want to see a situation where farmers or landowners get approvals for wind turbines, more and more of which are being issued, only to discover that the likelihood of grid connection is limited or nil. Having spent money, you would like to see a proper outcome. A proper outcome should see grid connection. So, people — be it the agents, the advisers or the individual applicants — should make full assessments as they make their application, including an assessment of the potential for grid connection on the far side of approval.

Mr Cree: Will the Minister give his assessment of the protections set out in PPS 18 for people who live close to wind turbines? Does he recognise that a major complaint is the noise level of these units?

Mr Attwood: I will deal with the last point first. There continues to be a growing narrative, especially because of some of the international science, about what the impact might be of noise or flicker or other consequences of a wind turbine or wind farm. That why I have now referred to environmental health officers in Northern Ireland a report that was recently provided to me, in order for them to give further advice to the planning system on the issue of noise. The advice given to Planning Service on the issue of noise comes from the environmental health officers of the councils. As we embrace renewable opportunities more and more, we have to listen to and heed all the best science — if it is best science, as there is

conflicting science at times on what the impact might be including the issue of noise.

My reassurance to the Member, be it on the issue of noise or the previous point that he raised, is that this is always work in progress. This will always be a situation where we will see what the latest noise advice might be, what the latest advice in respect of the protection of the curlew might be or what the latest advice is on the economic and social impact, negative and positive. It will always be a work in progress as we try to move forward and embrace renewable technology as Ireland's single biggest economic opportunity.

George Best Belfast City Airport

5. **Dr McDonnell** asked the Minister of the Environment for an update on the planning issues surrounding George Best Belfast City Airport. (AQO 4220/11-15)

Mr Attwood: I thank the Member for the question. There has been a history around the planning agreement entered into when Belfast City Airport received approvals in the past. Quite frankly, the situation was drifting. Consequently, about 18 months ago, I decided that this needed to be brought to a conclusion. At the time, I indicated that I wanted a planning inquiry, the purpose of which was to look at the ongoing issues with the planning agreement between the Department and the airport to get the whole thing settled. I had hoped that a planning inquiry would have been held and concluded by now and that advice about the outcome would have been given to the DOE. Because of technical and other reasons and because information is still awaited on the far side of an initial consultation from the airport authority, I do not anticipate a planning inquiry being held any earlier than later this year. On the far side of that, the DOE will have to make a decision about whether the existing planning agreement between the Department and the airport will be modified.

Dr McDonnell: I thank the Minister for his answer so far. Is he aware of any unauthorised car parking around Belfast International Airport? Will he provide an update on that?

Mr Attwood: There has been a historical issue with illegal car parking sites in and around Belfast International Airport. There are currently six such sites. In one case, there have been prosecutions and fines totalling £60,000, and I have directed my Department to continue enforcement action. Enforcement cases are ongoing in respect of three other

sites. The person against whom the action is being taken in those three cases has appealed to the Planning Appeals Commission (PAC), and we await an outcome. In the fifth case, the PAC — wrongfully, in my view — gave approval for what I consider to be an illegal car parking site, and we are taking a judicial review to see whether we can overturn the outcome. In the sixth case, the car parking has stopped, further to enforcement action, but cars are still parked on the land. That matter is being looked at for enforcement purposes.

Mr Dunne: I thank the Minister for his answers to date. Does he recognise the importance of Belfast City Airport to our local businesses and economy, especially in the greater Belfast area?

Mr Attwood: I very much recognise it. I have had conversations with management at the airport. I acknowledge that Belfast City Airport, as a regional opportunity, has a major role as an economic driver in the city, but we must get a balance between the two airports. In the absence of an overall airport aviation strategy in Northern Ireland — that falls to other Ministers — we need to recognise that proper competition is good, but we need to sustain both airports.

I will give a reassurance about Belfast City Airport. Every two months, I get figures for the airport's extension log; namely, the number of flights that arrive outside the proper time. Every two months, I share that information with Airport Watch. I am satisfied that, at the moment, the number of air traffic movements outside the permitted hours is justified and appropriate. I am also satisfied that the number of seats for sale — the airport has a cap of £2 million a year — is not being breached. In that way, the airport can develop, but it has to do so while being aware of the needs of the local community and within the constraints of a proper planning agreement.

Mr Kinahan: I thank the Minister for his answers, particularly his previous answer, in which he said that we must get the balance right. Does he think that he will find a final, lasting solution between the residents and the two airports that will make sure that we find something that works for everyone? We would have two airports that worked, and the residents would not suffer.

Mr Attwood: I do not want to move beyond my competence, but I think that the strategic answer is that we need an airport strategy. There are, in fact, three airports, and my

colleague from Derry would not forgive me if I did not mention the wonderful airport at Eglinton. It seems to me that there is a need for an overall Northern Ireland airport strategy. I understand that the London Government are developing an airport strategy. On the far side of that, there should be one for more domestic reasons.

Yes, we need to ensure that our airports expand. Airports are engines for growth and economic opportunity, and business will look to have good connections to sustain and grow their business opportunities. There will be no argument about that. However, we are not going to have a situation in which there will be a free-for-all, nor one in which a planning agreement is in the image of what an airport authority wants. On the far side of a planning inquiry, we are going to have a planning agreement that is fit for purpose and respects the needs of local residents. It may be that the current planning agreement will be modified, but it may not be. I am prepared to hear the advice from a planning inquiry that will be rigorous, inclusive and will give everybody, including local residents, the opportunity to provide input.

Vehicle Testing: Heavy Goods Vehicles

Mr Nesbitt: May I have permission for take-off for question 6, please?

6. **Mr Nesbitt** asked the Minister of the Environment for his assessment of the overall differential in fail rates across vehicle test centres, particularly in relation to heavy goods vehicles. (AQO 4221/11-15)

Mr Attwood: I thank the Member. Essentially, the answer is that there is not much of a differential between centres in overall pass and fail rates across the various vehicle categories. However, as indicated in the question, there is a differential between centres when it comes to heavy goods vehicles.

The issues are how we ensure consistency between centres and why there is variation in centres. The answer to the latter point is that the profile of those who may be submitting heavy goods vehicles for inspection at the various centres is different. If, for example, you have a centre where there are operators who have many vehicles and who might have in-house engineering and maintenance capacity, they might present vehicles for inspection that are ready for inspection and will pass, whereas if you have a centre where there are small or

part-time operators, there may be a practice whereby operators turn up with a vehicle that has not been prepared and goes through the test to see what is wrong with it. That is a very common practice for domestic vehicles, never mind heavy goods vehicles. Therein, for example, you can see a variation between centres, because the profile of those who seek assessment of their vehicles can be different.

At the same time, we need to improve performance. That is why more training has been deployed and why there has been more stakeholder engagement, especially in Enniskillen. That will ensure that people know what is expected of them and know how to prepare their vehicle. As a consequence, that will reduce the differential that might arise between test centres.

Mr Nesbitt: I thank the Minister. Does he have any information that allows him to compare our regime, particularly for heavy goods vehicles, with others in neighbouring regions?

Mr Attwood: I do. I have looked at the figures, and the curious thing is that, just as there are differential rates in our inspection centres, you will see the same pattern in Britain and Europe. Differential rates arise because of the location of centres, the profile of the client or customer base and other factors of that nature. Therefore, it appears that our experience is no different from elsewhere. The issue is whether we can, where appropriate, narrow the differential to have more consistency, mindful of the fact that there will be a differential for the reasons that I outlined earlier.

3.00 pm

Private Members' Business

Equal Pay Settlement: PSNI and NIO Staff

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

Mr I McCrea: I beg to move

That this Assembly notes the judgement of His Honour Judge Babington in the recent equal pay case heard in the County Court; recognises the sense of unfairness felt by many civil servants who had worked in or were working in the PSNI or the Northern Ireland Office at the time of the equal pay settlement of 2009 but were not entitled to access that settlement; and calls upon the Minister of Justice to address the equal pay concerns of these civil servants as a matter of priority.

I am glad to be able to move this motion today. It is an important one that, I hope, the House can unite around. I thank the Minister for attending the debate and look forward to hearing his response to it, in which I trust that he will be able to bring much needed clarity on a number of issues that have caused a lot of concern to staff in the Police Service of Northern Ireland (PSNI) and the Northern Ireland Office (NIO) who were affected by the equal pay settlement for Northern Ireland Civil Service (NICS) staff. From the outset, I say that this debate is not about apportioning blame, and I will do my best to stick to that throughout my speech. This is about trying to get a positive way forward in the best interests of everyone involved.

As Members will be aware, in 2009, around 4,500 equal pay claims were lodged with the industrial tribunal on behalf of NICS staff who worked at administrative assistant, administrative officer and executive officer II (EOII) grades and believed that they were treated differently from male comparators working at the same grades in the relevant Departments. On 1 February 2009, an agreement was reached by the Department of Finance and Personnel (DFP) and the Northern Ireland Public Service Alliance (NIPSA) on how the claims were to be resolved. Unfortunately, civil servants who worked for the PSNI or the NIO were excluded from that settlement.

Members will also be aware of the decision by Judge Babington on 7 March to dismiss the equal pay claims of those civil servants.

On 14 May this year, during Question Time, I asked the Finance Minister to outline the impact of the court's decision. In response, Sammy Wilson stated that, after the court judgement, NIPSA indicated that it had not included PSNI staff when it took the tribunal case. He also said that the PSNI had been apportioning blame to his Department and that, to date, no formal case to show a legitimate claim had been made to DFP. In response to my supplementary question, the Minister made it clear that:

"Responsibility for establishing that legitimate claim lies with the PSNI."

He went on to confirm that were such a business case to be presented and:

"stands up, payment will be made". — [Official Report, Vol 85, No 2, p34, col 1].

I believe that the Finance Minister's response sheds a new light on this case, which is why we are here to debate the matter.

Since raising the issue, I have received calls, e-mails and messages thanking me for asking the question and tabling the motion. In the run-up to the debate, I have spoken to colleagues who have also been contacted. Although I do not have time to mention them all, I want to mention my party colleague Arlene Foster, who has spoken to me on a number of occasions about people in her constituency who are affected by this. I know that, had she not been away on ministerial business, Arlene would have spoken in support of the motion. However, I have been assured and I know that Arlene is fully supportive of this issue and the Civil Service staff involved.

Over the past few weeks, I have received a number of interesting e-mails, none more interesting than a letter from NIO officials to staff who were moving to the Department of Justice (DOJ) after policing and justice powers were devolved. I want to focus on the second paragraph of that letter:

"You are a Northern Ireland civil servant and your post is one which wholly or mainly deals with matters which are transferring to the Department of Justice. As a result, you will move with the post and you will become an employee of the Department of Justice

on 12 April 2010. You will, of course, retain your Northern Ireland Civil Service status."

I will repeat that in case anyone missed it:

"You will, of course, retain your Northern Ireland Civil Service status."

Need I say any more? It seems to me that those staff were and are civil servants and they should have been included alongside the PSNI staff in the negotiations.

Mr Givan: Will the Member give way?

Mr I McCrea: I will.

Mr Givan: I thank the Member for what he said in respect of that letter. I, too, have a copy of that letter. Will he confirm that it was sent to staff from the deputy director of the personnel services division and the director of the department of human resources in DFP? It is not a letter from an insignificant civil servant; it was issued from the highest levels of the Civil Service.

Mr I McCrea: I thank the Member for pointing that out. I can certainly confirm that that is the case.

A lot has been said about liability being the main barrier to making payment. I have outlined the Finance Minister's position on the way forward. Therefore, it is important that we hear from the Justice Minister how he intends to take this forward. I also happen to have in my possession a copy of a letter dated 13 May that was received by Sammy Wilson, in his capacity as an MP, from the Justice Minister in response to Sammy sending him a letter from a constituent who was a member of PSNI support staff. In the response from the Justice Minister, he details the factual position around the County Court judgement back in March, as well as a NIPSA bulletin dated 27 March that advised its members that a challenge based on internal comparators in the PSNI was unlikely to succeed. The letter states that, given the court case and the NIPSA bulletin, he — the Justice Minister — had no plans for further work on those issues in his Department. Quite frankly, that is not good enough, and I ask the Minister to tell the House today in his response that he will reconsider that position and clarify that point. Can the Minister also confirm that there are no obstacles from his Department that would block any attempt by the PSNI to present a business case?

Mr Spratt: I thank the honourable Member for giving way. You, like me, were a member of the Northern Ireland Policing Board, and, during that period, you will remember that the Police Service, with the assistance of the Justice Minister, got some £86 million of additional funding a number of years back. Within that was a £21 million or £26 million figure to settle the pay claim. That money was supposed to be ring-fenced. It would be good if the Minister could say exactly where that money is and whether it is still available to pay the people who are, justifiably, making this claim.

Mr I McCrea: I thank my colleague for his intervention. I too believe, having spoken to senior people in the Police Service, that that figure of £26 million is around the amount that it would take to clear the claim.

The whole debate on the issue — I am not just talking about today — has missed one important fact: we are dealing with people's lives. Those people put themselves on the front line throughout the Troubles, had to check under their cars and to change their routes to work and to where they shopped. The impact that had on their families must also be considered. I commend them for that. Those people do not ask for special treatment, but they do ask to be treated as equals.

It seems that, when it suits, a payment can be made. I use the example of the prison officers' package. As far as I am aware, there was no legal obligation to make that payment, yet the Department did so. I must add that I am not opposed to that payment. This is a matter of fairness, not legal obligation. In my opinion, when two members of staff work in the same office and do a similar job for the same salary but one gets a payment as part of the settlement and the other does not, it is not just unfair but immoral.

It is hard to understand why those responsible have failed to bring forward a business case. As I said, I have spoken to senior officers in the Police Service who have made it clear that they want the payments to be made to their staff. I ask the Minister sincerely today to step up to the mark and right this wrong. I hope that the motion receives the support of the House and that whoever needs to get involved in addressing this matter gets on with it without any further delay.

Mr McCartney: Go raibh maith agat, a Leas Cheann Comhairle. Beidh mé ag labhairt i bhfabhar an rúin seo. Sinn Féin supports the motion. For us, this issue is about equality of treatment and fairness. We come at it from that

point of view, because the case has been through the courts, and a number of presentations have been made to the bodies involved. Indeed, last week, officials from the Department of Justice gave our Committee a very extensive and informative briefing, and I want to thank them for that.

There are issues that remain to be addressed. Perhaps the Minister will take the opportunity today. Ian McCrea has raised a number of questions, and I think one of them is whether the Minister has the power and the capability to make an ex gratia payment to address what people now call a wrong. What has happened will continue to happen; it will not go away. The people who feel that they have not been properly treated will always have that sense of wrongdoing.

Mr I McCrea: Will the Member give way?

Mr McCartney: I will indeed.

Mr I McCrea: The Member referred to whether the Minister has the power or the capability. Does he agree that it is important that the Minister states not whether he has the power but whether he has the will to do it?

Mr McCartney: I hope that I am not being unfair to the officials who made the presentation last week, but they said that there was a legal position that tied the Department to a particular course. However, there was a sense that the issue had not been truly addressed, if that is the right way of putting it. There was an acceptance that there was a lingering issue of equality and fairness that hung round it. That is why I am asking the Minister. He could take the position that he feels that, legally, he cannot do anything. The point was well made last week in other circumstances that, in order, perhaps, to enhance particular positions, enhanced payments had been made. That is why I want to explore this.

You said that this was not about apportioning blame. It has been said that, if a business case were made to the Policing Board, there is a possibility that this could be advanced. That has not happened. So, we are trying to create circumstances where, rather than being seen as challenging the Minister or anyone else, the people who feel that they have been wronged can find a way to have this addressed. I think people accept that they have made a good case, and I am sure that even the Minister would accept that. However, legally there does not seem to be any redress. That is why I make that point. The Minister will say whether

he has the will, but we are trying to say to him that, if there are circumstances whereby this can be addressed and rectified, then let us hear what the possibilities are.

The Minister may not be the best person to answer, but there is some sort of suggestion that, perhaps, a business case has not been made because there are some blockages. It is about trying to determine who is making those blockages. In raising this particular case, the Member raises something where people feel that they are being treated unfairly. It is our responsibility to ensure that they feel that all avenues have been explored for them. I do not think that any of us can promise what the outcome will be, but, because people feel that they have been unfairly treated or there is an issue of equality, we find it easy to support the motion.

3.15 pm

Mr A Maginness: I listened very carefully to the proposer of the motion, Mr McCrea. From reading the papers and listening to the briefing from Department of Justice officials, I can say that there clearly is an outstanding issue that needs to be resolved. Certainly, we are supportive of this motion, and it is timely that it has come to the House, given the judgement by his honour Judge Babington on the issue. He said in his judgement that legally there is no case and, therefore, he could therefore not make a decision in favour of the applicants. It is now accepted by everyone that there is no case. The trade union involved, NIPSA, has been very consistent throughout this, and there is no criticism of it. It is not appealing this case, and, therefore, that is where the law lies.

Certainly, if you have a situation, as Mr McCrea outlined, where you have two workers who effectively do the same job, come from different positions historically regarding employment and do not receive the same wages, it creates a very serious inequality. There is an issue of fairness there and an issue of morality for all of us in the House. We have to resolve that, and we have to do so in favour of those who have been so disadvantaged, and I make no bones about that.

Where is the blockage? I endorse what Mr McCartney raised in his contribution. Has the Minister, given the established legal position, got the power to remedy such a stark inequality, or has the Minister got some flexibility in how he deals with the situation? That, I do not know, and I would like it to be fully clarified. There has been a suggestion that the Minister has the power but is simply not exercising his will to

implement a change to create equality. I do not know what the position is there. Maybe the Minister will qualify that.

Mr Spratt: I thank the honourable Member for giving way. I raise again the point about a case that was made to the Treasury about additional money that was required for a police service that was under pressure regarding security and for other reasons. As part of that, the Treasury agreed to release more than £20 million to the Chief Constable to pay those claims. Is it not the Chief Constable who has a moral responsibility to provide those resources and pay the people under his command who are doing a gallant and good job on a day and daily basis? He made the claim as part and parcel of the package, and he was supported by the present Minister and other Executive colleagues.

Mr A Maginness: I want to return to the point about whether the Minister has the power. That has to be clarified, given the settled legal position, as I understand it.

I accept your point, which you made very robustly and effectively. If that money was earmarked, as you suggested, for this purpose, why is it not being used for this particular purpose? Again, that has to be answered. I hope we are not involved in some interdepartmental dispute between the Finance Department and the Department of Justice on this matter. I hope that it is not a matter of pass the parcel. I see colleagues across the Benches shaking their head. I hope that that is not the situation, because these people require justice, fairness and the application of equality to the situation. I, my party and my party colleagues support them, and I hope that we can resolve this pressing situation.

Mr Elliott: I welcome the motion. We tabled an amendment that was not accepted by the Speaker —

Mr Deputy Speaker: Order, please. The Member wrote to the Speaker on that issue. He got a reply, and he knows very well that the rules of this House are very simple: you do not make any reference to amendments that were not accepted. Continue.

Mr Elliott: That is fine, Mr Deputy Speaker. Thank you for that ruling.

We support the motion. We wanted it to be strengthened a little bit by putting pressure on to have the finance paid, and I understand that that is ring-fenced for this measure. There is a

deep unfairness in the inequality of the situation, and a number of Members have mentioned that today. I firmly believe that there is a clear inequality and that those people deserve and have a right to have the equal pay settlement. They are civilian staff from the PSNI, the Department of Justice — I suppose that the staff is mainly civilian there — and the Northern Ireland Office. There has been, as Mr Alban Maginness highlighted, a pass-the-parcel process, and I have heard all sorts of people being blamed, such as the Minister of Finance and Personnel, the Department of Finance and Personnel, the Department of Justice, the Minister of Justice, the Policing Board and the Chief Constable.

It came to light last week at the Justice Committee that the Policing Board put forward a business case to the Department of Justice that was not then progressed to the Department of Finance and Personnel. The matter could have been dealt with at a much earlier stage and much more positively, and it would not have resulted in us being required to bring the motion and have the debate today. There have been significant shortcomings in dealing with the proposal and with this matter of inequality. Let us not forget that, as I understand it, £26 million is ring-fenced for equal pay, and there are people who deserve that. However, it is not just about those people being the end recipients of it. If that £26 million is ring-fenced for this project and cannot be spent on any other project in the Northern Ireland Executive, the entire community in Northern Ireland will be without that £26 million, and that is money that we could do with in the economy at present. Maybe the Minister can clarify whether that is the position. There has been a wrong, and it needs to be righted.

Point 108 of the Policing Board business case that was presented to the Department of Justice states:

"The objectives in agreeing a resolution to the NICS equal pay case impact for the police staff are as follows: to meet the legislative requirements in respect of equal pay; to meet the Northern Ireland Policing Board statutory obligation as the employer of those appointed to assist the police, that is, police staff; to meet the statutory obligations of DFP towards those employed in the Civil Service engaged by the NIPB to support the police; to secure the necessary approvals in relation to the terms and conditions of police staff from the Minister of Justice."

My point is that there appears to be a justifiable case in the business case, and I do not know why it was not progressed from the Department of Justice to the Department of Finance and Personnel. I really want to hear why that is and why it has not been resolved long before now instead of us having to debate it here. I believe that there is a moral obligation on the Department. These people deserve that, and they have a right to the equal pay settlement. As Mr McCartney said, we do not want inequality in that Civil Service area, which is exactly what is happening. We are making these people feel unwanted and unequal compared with other parts of the Civil Service.

Mr Dickson: I declare an interest as a former employee of the Labour Relations Agency, where I had administrative oversight of a number of equal pay applications but was not involved in any of the negotiations.

I add to the words of other Members in recognising the disillusionment and sense of unfairness that is felt by people who worked in the PSNI and the Northern Ireland Office and are affected by these issues. The honeyed words of others in the Chamber will not make any difference to those employees. We can all probably think of examples of when the system let people down, when the financial rules and terms of agreements have excluded or not applied to certain people and when, although they are not deemed legally wrong, they appear very unfair. The law is a key issue in this case, and the court judgement, which the motion notes, makes it absolutely clear that the staff in question had no right to equal pay terms because the pay arrangements were not within the control of DFP.

I am not saying that that was fair, but I am saying that it was the legal judgement. In these circumstances, it falls to DFP and to Minister Wilson if he wishes to take the matter further forward. A Hansard report shows that, on 10 April this year, a DFP official told the Finance and Personnel Committee that the judgement:

"effectively draws a line under the NIO/PSNI situation."

That statement, perhaps, did not receive much of a challenge from the Members who put their names to the motion, but it seems unlikely that those words will have been said without the knowledge of the Minister of Finance and Personnel. Of course, DUP Members will not want to push officials from their Minister's Department too hard, even though that Department has the final say on these matters. Instead, they thought it much better to engage

in what has become too common in the Assembly: singling out the Justice Minister and trying to shift responsibility to him. Why are they doing this?

Mr Weir: Will the Member give way?

Mr Dickson: No; I want to complete what I want to say.

Why are they doing this? To deliver for their constituents? Forgive my cynicism, but those DUP Members know the facts. It has been made clear in Committee proceedings that when the PSNI produced the business case, which Members referred to, in draft form in 2010, the DOJ sought the advice of DFP. The advice that it received was not to allow the business case to progress, and there it sits. It has also been made abundantly clear that for DFP, legal liability and cost to the public purse are two overriding considerations that have blocked and will continue to block the progress of any business case. It is, therefore, for DFP and Minister Wilson to address that blockage. Should he wish to find a way forward, let him do so and come to the House.

With that in mind, what do DUP Members want the Justice Minister to do? Do they want him to ignore the rules from the Minister's Department on managing the public purse? That clearly seems to be what is coming across today. Do they want him to disregard the high standards that have been clearly set out in public life and public responsibility for finances and allow a business case to be submitted to DFP for final approval, even though DFP has indicated that it is not prepared to accept that business case? Perhaps we should call their bluff and see whether the Finance Minister will sign off. Will the Finance Minister sign off on £26 million of expenditure, given the previous legal advice that he has received, judgements and statements from his departmental officials and even himself? I shall come to quote the Minister directly. Perhaps they and the Minister would then like to face the Audit Committee and the Audit Office, because they are all too keen on using them when it comes to criticising others.

Indeed, perhaps the Minister should be here to answer those questions himself. However, that was never the genuine reason behind the motion brought by DUP Members. If they thought that there was even a slim chance of the issue being resolved, they would have asked their own Minister to appear before the Assembly as the final arbiter on and paymaster for the matter. Of course, Mr Wilson has already made his position clear. In May, Mr

Hussey asked Mr Wilson in a question for written answer what action he was taking to find a solution.

3.30 pm

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

Mr Dickson: The Minister's reply was:

"I have taken no action to extend the NICS equal pay settlement to those who have no legal entitlement right to it."

Mr Deputy Speaker: The Member's time is up. I ask him to resume his seat, please.

Mr Dickson: In response to a similar question from Mr McDevitt, he said that it has been clear from the outset that a decision on the equal pay settlement has now been upheld in the County Court.

Mr Spratt: On a point of order, Mr Deputy Speaker. Is it right for the Member to try to talk down you, a Deputy Speaker of the House, when you are trying to get him to sit down?

Mr Deputy Speaker: I am sure that the Member realises that I am a very tolerant person. I have put up with a lot of talk across the Chamber as well. I remind Members that, from now on, when I indicate that your time is up, please respect that. I also remind Members not to make remarks across the Chamber. Then we will all be happy.

Mr Dickson: On a point of order, Mr Speaker. A brief point to apologise to you for going 18 seconds over time.

Mr Givan (The Chairperson of the Committee for Justice): If the Member for East Antrim had given way, he would have got an extra minute. We would have facilitated that, and been happy to do so.

I commend my colleagues Mr McCrea and Mr Weir for bringing the motion to the Assembly. It is timely that it has been brought to the Assembly after the court judgement. Until the Member who spoke previously rose, I thought that we were collectively trying to find a way through all this. I do not think that today is a day for apportioning blame. We have not sought to do that, and it ill behoves those who seek to apportion blame, particularly to my Minister when successive DUP Finance Ministers indicated that a fairness was at stake

and that the equal pay claim needed to be resolved. It was DUP Ministers who set the chain in motion right from the very commencement. Peter Robinson initiated all this when he was in DFP. We are trying to work collectively to get a resolution.

Mr Dickson: Will the Chairperson give way?

Mr Givan: I will give way, yes.

Mr Dickson: I do really appreciate that. I understand what you say about Ministers having a desire to resolve the matter, and I do not think that there is anyone in the Chamber who did not wish to see it resolved. However, there is now a clear legal definition on the equal pay matter. It cannot now be paid unless a Minister, of Justice or Finance, flies in the face of a court decision and attempts to overturn established practice in the public sector on the use of public sector money. I just think that that is totally and utterly unreasonable.

Mr Givan: I appreciate the extra minute.

The Member makes a valid point, which is that we now need to find a way to get around that legal judgement. We need to be creative. If there is a willingness on the part of the Minister of Justice to be creative, I am almost sure, having spoken with him on the issue, that the Finance Minister, Sammy Wilson, wants to do all that he can to facilitate the Minister of Justice in taking the issue forward and will be happy to do so.

I say all that as a private Member. I now speak as Chair of the Committee. We have looked at the issue, which has been ongoing for a considerable time, and obviously still without a satisfactory conclusion. That was illustrated when the Committee first got representation from the Department and NIPSA officials back in March 2011. The current Committee has had officials before it as recently as 23 May 2013. We have kept a watching brief on the matter and received information on developments as the issue has been ongoing, as has the Committee for Finance and Personnel, which has also taken a keen interest.

The £26 million has been mentioned as being a ring-fenced sum. I ask the Minister to clarify whether that money is sitting with the Treasury. Has it already been allocated to the Department and the PSNI or is it now ultimately lost to the Northern Ireland block grant, full stop? That would indicate what Mr Elliott said is true: that this £26 million is lost to Northern Ireland,

because there is no other way to get it except through the equal pay settlement.

We have also had representation from PSNI support staff. It is an issue that has caused deep hurt among those who have not been awarded the judgement for equal pay.

Recently, the Committee requested an oral briefing in respect of the judge dismissing the NIO/PSNI support staff claim, and we have discussed this matter as recently as last week. We wanted to explore what action the police and the Department now intend to take in light of the judgement that has been issued most recently. The briefing clarified a number of issues, which was helpful. As other Members indicated, it was a very candid meeting. However, it indicated that there seems to be an unwillingness to look at this matter creatively to try to find a way around the problem that is now presented to us. We hope that the Minister will be able to lead on this.

I say to the Minister: we come at this in a supportive manner, not wanting to apportion blame. I believe that the Committee will support the Minister in trying to take this issue forward. Ultimately, it is a matter of fairness and of staff feeling that they have been treated unfairly. It is putting staff members, some of whom are in the very same office, against other members of staff, because some have been awarded sums of moneys and others have not. That is unfair, and has created a genuine grievance. I think that it is incumbent on the Minister to try to seek a resolution to that. It is the right thing to do. As recently as this morning, I spoke to the Chief Constable to deal with PSNI-related staff. He indicated to me that he wants to get a resolution to this. I hope that we can facilitate that and that it is something we will be able to make progress on. If the Minister can confirm that he is willing to drive this forward, I can confirm that the Committee will be willing to support him in whatever way it can to get a satisfactory result for the staff concerned.

Mr Craig: Given some of the remarks that have been made in the Chamber today, I think it important that we have a think about where the equal pay claim actually came from. When looking at the NICS and all the civilian staff who work in the PSNI, it is important that we all recognise that a lot of those who worked there for the past 30 or 40 years fell under the same threats, intimidation and danger as those officers who worked on the front line. We all should temper what we are saying here, because that needs to be borne in mind when we talk about the inequality of what is going on

here. Most of them willingly served under those additional pressures that they were put under, and they did that with a heart and a half. That needs to be borne in mind when we discuss this matter.

One thing still puzzles me, and I think it puzzles a lot of Members in the Chamber. Why, in 2009, when NIPSA did make an equal pay settlement, those who were working for the DOJ and the PSNI were left out of the equation? That is something that I think only the union itself can answer. I do not have an answer to that one. It certainly puzzles me greatly that the union could not negotiate something better for its members. That is not just a question that I am asking. It is something that I am bringing forward to the public domain because I know that a lot of the members themselves are asking some very searching questions of the union around that issue.

Mr Spratt: I thank the Member for giving way. Is it not the case that the union has totally failed to properly represent the employees, in these particular circumstances, from day one?

Mr Craig: I thank the Member for his intervention. I can certainly confirm that an awful lot of members out there who have approached me concur with that view.

Under a huge amount of pressure from its own members, NIPSA launched a legal case. The membership at that time was given clear assurances that this was a 100% guaranteed mechanism that was going to bring about equal pay for the membership.

That is what kept the lid on a lot of criticism from the membership at that time. That legal case was launched in 2011, and we find ourselves in 2013 with nothing but a failed challenge. Instead of sitting down to negotiate with the Minister or Ministers and the Chief Constable towards a resolution, we have a failed legal challenge. If you were a member of that union, you would certainly be asking some very searching questions about the wisdom of what it did.

I have listened to the opinion of some in the Chamber who said that nothing can be done now because there is a legal case out there with a judgement. My experience of all legal cases is that they make a point in law. That point in law has been made. If we sit back and take the attitude that we can do nothing to rectify the situation, or if there is no willingness to rectify the situation, nothing will happen. Today, the House is calling for political

willingness to find a solution. It is not right that hundreds of staff in the PSNI are treated differently to the rest of the Civil Service, and it is not right that hundreds of people in the Department of Justice are treated differently. The question in my mind is this: why are they being paid differently to an equivalent job elsewhere in the Civil Service? This is certainly an issue of equality. This House preaches much about equality in all other matters, so let us preach a little equality on the subject of pay. I have always said that, if there is a willingness, a way can be found.

I appeal to the House, the Minister of Justice, the Chief Constable, the Finance Minister and the Committee, please, to sit down and find a resolution to this problem because, although we can stand here and debate the subject to death, staff are being adversely affected, and they are the ones who are being paid the least in our society. We need to bear that in mind when speaking about this issue. These are not people with huge amounts of excess money; these are people who are finding it difficult to feed their family and educate their children. We must bear that in mind. Surely, if there is a will, a solution can be found.

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

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

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas le moltóirí an rúin. I thank the proposers of the motion for bringing it to the Chamber. Mr Craig's last point is true: in many cases, we are talking about people who are administrative assistants, administrative officers and EO2s.

By way of a wee bit of background to the case, during 2009, DFP and NIPSA held a number of meetings and arrived at what they referred to as the settlement agreement, which provided that affected employees were to have their salaries revised upwards, with a lump sum that was set to represent a loss of salary in the six years prior to the agreement in what they referred to as compromise or consolidated agreements.

I have read the judgement, and it is worth refreshing our memory as to what the cases that were taken were about. They broke down, essentially, into four categories, although there were a number of other people involved as well. The first category was those who were appointed to the Northern Ireland Civil Service and who were then seconded to the Police

Authority for Northern Ireland up to 1 February 2009. Those people did not get a fair amount as calculated in that period for their wages and salary adjustment because it did not take into account their years of service in the Police Authority.

The second category was those who were appointed to the Northern Ireland Civil Service, seconded to the NIO, and then came back to the Northern Ireland Civil Service. Again, those people were disadvantaged and deprived of their entitlement and what they would have had if they had stayed on permanently and consistently in the Northern Ireland Civil Service during that period without going to the Northern Ireland Office.

3.45 pm

The third category was those who were at the Northern Ireland Civil Service but were seconded to the NIO and remained in the NIO at the settlement date of 1 February 2009. On 12 April 2010, post-devolution of policing and justice, they were transferred back to the Northern Ireland Civil Service to work in the new Department of Justice. They received a new salary scale but were disadvantaged by not receiving their lump sum for the duration of their spell at the NIO.

The fourth category was a group that was appointed as civil servants, who then transferred to the Police Authority for Northern Ireland. They remained there until 1 October 2008 and transferred to the employ of the Northern Ireland Policing Board, apparently on a new salary scale, from 1 February 2009, but they received no lump sum as they were on secondment for the six-year period up to 1 February 2009. The judge's reasoning was that delegations were made to the Northern Ireland Office, the Police Authority for Northern Ireland and the PSNI that were not revoked at any stage. Therefore, they were in a Northern Ireland Office pay group and excluded from those negotiations.

I have also read the comments of Sir David Fell, who is a former head of the Northern Ireland Civil Service. It is important to read those on to the record. When dealing with the issue, he said:

"Obviously we are anxious to ensure that change does not result in detriment and we interpret this as meaning that there will be no erosion of current entitlement."

I would have thought that some form of natural justice would prevail, and that has been the constant refrain that has been going through the Chamber today. Clearly he was thinking of those staff who had been in the Civil Service, moved out and came back again, as well as those who are still outwith the Northern Ireland Civil Service and those who were likely to come back as part of the new Department of Justice.

In conclusion, I do not really care whether the Department of Justice or the Department of Finance and Personnel sorts it out, but natural justice dictates that it just needs to be sorted. I am aware that there has been a court case. We have gone through that, and we see all that, but there is still a problem where some who entered the Northern Ireland Civil Service on the basis that they would be treated the same as everybody else in the Civil Service were then moved out and found out that they were treated unfairly. So, the principles of natural justice dictate that they are treated equitably and fairly and the same as everyone else in every other Department in the Northern Ireland Civil Service. I hope that there is a will, and I hope that there is a way between the DOJ and DFP to get this sorted once and for all. Go raibh mile maith agat, a LeasCheann Comhairle.

Mr Hussey: This matter has been ongoing for some time. In fact, during the Assembly elections, I spoke to several civil servants who were concerned that they had not received their equal pay settlement. Two years later, we are still seeking to find out why those civil servants have been disregarded. Several times in meetings of the Finance Committee and PAC, I have asked this question: "When is a civil servant not a civil servant?" The answer seems to be, "Whenever we feel like it." Nearly everyone that I have spoken to was recruited into the Northern Ireland Civil Service, attached to DFP and then allocated to whatever arm of government required them.

At this stage, I will declare an interest as a member of the Northern Ireland Policing Board. I am also the brother-in-law of a civil servant who works for the PSNI. With my background, it is clear that I also know many civil servants personally, and I have probably received more post in relation to this issue than to any other subject.

Those who work for the Police Service are generally long-serving staff who have served with the Civil Service for well over 20 years, and they worked in security situations that would probably not be seen as falling within the health and safety requirements that are in place today. Those people worked in police barracks that

were regularly attacked. They were targeted by terrorists, and, on some occasions, they were confined to barracks and the station was locked down. We have civil servants employed by the Department of Justice who worked in courthouses, and they were also regarded during the Troubles as targets by the IRA. It is laughable that the Department responsible for most of those employees is the Department of Justice, because it is quite clear that, in these circumstances, the last thing that those civil servants have received is justice.

I will go back to my initial point about when a civil servant is not a civil servant. On 9 April 2013, I submitted the following question:

"To ask the Minister of Finance and Personnel (i) how many staff from his Department, who were on secondment to the old Police Authority or the Northern Ireland Office between 2003 and 2009 were mistakenly paid both limbs of the settlement under the agreed 2009 Civil Service Equal Pay Settlement; (ii) what was the total amount that was mistakenly paid to these members of staff; (iii) from where did the money that was mistakenly paid come; and (iv) whether HM Treasury has requested that this money be clawed back."

The answer was:

"DFP made 7 payments to former NIPB headquarters staff who had returned to the NICS totalling just over £41,000, which was paid from the funding set aside for the NICS equal pay settlement. The NIPB made payments to a further 18 staff totalling just over £159,000. HM Treasury has not asked us to reclaim any monies paid out to NIPB staff."

Following that response, on 3 May, I submitted another question:

"To ask the Minister of Finance and Personnel what action he has taken to find a solution for people with unresolved issues stemming from the Civil Service equal pay issue."

Honeyed words were used by Mr Dickson to reread that question, and he did it exceptionally well. The Minister's response was:

"I have taken no action to extend the NICS equal pay settlement to those who have no legal entitlement to it."

I also submitted this question:

"To ask the Minister of Justice what action he has taken, in conjunction with the Minister of Finance and Personnel, to find a solution for current and former staff from his Department and its Arm's-Length Bodies with unresolved issues stemming from the Civil Service equal pay issue."

His response was:

"The County Court decision on 7 March established that the NICS equal pay settlement applied only to periods of service in the 11 NICS departments. It did not apply to bodies such as the Northern Ireland Office (NIO) and PANI/PSNI who had lawfully received a delegation for pay matters which was still in effect during the relevant time period.

Therefore staff in the Department of Justice who were former members of the NIO prior to devolution as well as those in PSNI support grades have no legal entitlement to have the terms of the settlement applied to them. However, settlement payments for individuals with periods of eligible service in NICS departments are still available should individuals wish to avail of them.

In the circumstances there is no further action being taken in respect of the equal pay issue."

I go back to the question: when is a civil servant not a civil servant? We saw that DFP made seven payments to former NIPB HQ staff, and NIPB paid 18 staff members. I asked a question of the Policing Board, and was advised:

"We can confirm that NIPB submitted a Business Case to the Department of Justice (DoJ) seeking approval to make payment to NICS staff seconded to the Board in relation to the Equal Pay Award. DoJ subsequently informed the Board that the Department of Finance and Personnel — "

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

Mr Hussey:

" — were content that the necessary approvals were in place for NIPB to make payments to NICS staff seconded to the Board in relation to the Equal Pay Award."

Basically, I support the motion and want to know when a civil servant is not a civil servant.

Mr Newton: I support the motion and thank my party colleagues Mr McCrea and Mr Weir for bringing the motion. It is, as was said, a timely motion. It is regrettable that we are having to debate the issue.

Three things encapsulate the motion and put the needle right home to the heart of what it is about. The motion:

"recognises the sense of unfairness felt by many civil servants".

It recognises also that they are those:

"who had worked in or were working in the PSNI or the Northern Ireland Office at the time of the equal pay settlement of 2009 but were not entitled to access that settlement".

The motion also calls for us to sort it out.

There is something wrong when we in the Chamber are talking about equal pay for equal work. There is something wrong when we are talking about what is essentially an industrial relations problem, and a motion that unites the Chamber with the exception, at least at the moment, of Mr Dickson. The tone of Mr Dickson's remarks is regrettable. He might well disagree with the motion, and that is fair enough, but there is the matter of the tone in which Members set their remarks on what is, essentially, a very sensitive issue for many people who did their duty. As has been said, many of them did their duty through very dangerous days. They did their duty on our behalf — on society's behalf — and the terrorist did not distinguish between someone on the front line in the PSNI and someone who worked in a back office.

When any civil servant is doing his or her duty and is sitting beside someone who receives additional money, we need to ensure that everything — equal pay and equal work — is treated equally. There was an attempt to get the assimilation exercise to come into play. That assimilation exercise was supposed to end all the future pay claims. There was also a commitment to conduct, at the end of that, a comprehensive pay and grading routine. I have no doubt that PSNI staff were to be included in all the negotiations.

As has been referred to, some comfort was taken from the letter from David Fell, a former head of the Civil Service. That letter has been described as a letter of comfort. We know that, within that, his feelings were that natural justice should prevail in the addressing of the issue. Natural justice is very prevalent in many

speeches that are made across here. We may use a different word; we may use that word "equality", but natural justice was in the thinking of David Fell, a former head of the Civil Service and a man with considerable experience, when he wrote that letter.

Mr Hussey: I thank the Member for giving way. Again, I am sure that he is well aware of the statement that was made by Nigel Dodds on 24 June 2008. He said that towards the end of the negotiations:

"It was agreed by everyone that there was a legal and moral obligation to those civil servants who had been underpaid for so long. It is an inherited, legacy issue; however, it falls to the Assembly to deal with it this year." [Official Report, Bound Volume 32, p65, col 2].

Despite some comments made by Mr Dickson, there is no doubt that the Assembly is responsible for resolving this issue, regardless of the Department. We, as an Assembly, must now follow through and support these civil servants.

Mr Newton: I will know not to give way to him again, Mr Deputy Speaker, because he has taken —

Mr Hussey: I saw your last page.

Mr Newton: It is not a page; it is just a few comments. I very much agree with the remarks that Mr Dodds made when he was a Member of the Assembly, and Mr Hussey has summed that up very well.

Mr Dickson: Will the Member give way?

Mr Newton: Do I get another minute, Mr Deputy Speaker?

Mr Deputy Speaker: No.

Mr Newton: Well, OK; I will give way.

Mr Dickson: I will speak very briefly. Mr Dodds may very well have said that at the time, but we now have the legal decision with regard to the matter. He may have been of that view at that point in time, but a judge has ruled differently at this point in time. Mr Deputy Speaker, there is no doubt that we have sympathy with the individuals, but to ask the House to turn on its head the financial rules of the public service is wrong.

Mr Newton: He really is pushing the boat out. We know that there is a judgement. There are many judgements. That does not mean that you leave that judgement, set that judgement and that it is cast in stone and that is it.

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

Mr Newton: OK. Thank you. Let me just say this: this is a human issue, and it needs to be treated as a human issue. We need the sentiments that have come from across the Chamber, with the exception of Mr Dickson, to prevail.

Mr Girvan: I am glad to hear the comments round the Chamber and that there seems to be unanimity in trying to resolve this matter. The difficulty that I have is that, if there is a will, there is a way. I think that we look for reasons not to do things, and, unfortunately, that seems to be the case here.

4.00 pm

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

A number of points were raised, and I do not want to go back over them all. When crises have arisen — I am thinking of the Presbyterian Mutual Society (PMS) and the recent farming crises — we have moved relatively quickly to resolve them. Irrespective of the legal case taken by the union, we have to resolve this matter fairly.

Staff morale has been affected. I have spoken to members of staff in the DOJ and those affected by the issue, and I can tell you that they say that morale has never been lower. That is simply down to the fact that they are being treated differently from other people who are doing exactly the same job.

Everybody mentioned fairness; everybody wants equality but not necessarily on the same basis. Let us be truthful and move ahead: if we want to resolve the issue, we can. I believe that we need to do that.

As Mr McGlone mentioned, civil servants who were seconded to the DOJ were given all sorts of assurances that they would not lose their rights or conditions and that it would have no financial impact on them. They were told lies. That is exactly what has happened to them. They were led up the garden path and were told that they were getting a resolution. Unfortunately, everybody said to wait to see how this legal case went, which made only

certain people wealthy — the lawyers. It has not done anything to help the people affected.

If what I see around the Chamber is correct, it will be necessary to bring heads together to ensure that we get a resolution. Sometimes, the only way to do things is to gather together around a table those who are batting the ball back and forward. Unless that willingness is there, we will still be debating this next year.

We are not talking about people who earn fortunes. Some of those people are living on the breadline, and we need to ensure that they receive fair pay. Irrespective of their pay settlement, we have to deal with the legacy of what happened in the past. That is where we are today.

Mr Hussey: You are right: these people are on the breadline. They are on very low pay. However, they were always committed to their job. As we approach the G8 conference, members of police staff will be working overtime to support the police, yet they have received no equal pay settlement, which is totally immoral. Therefore, they are still committed to a job that many others would not have done.

Mr Deputy Speaker: The Member has an extra minute.

Mr Girvan: I thank the Member for his intervention and appreciate that we have to move ahead in a way that will resolve the matter. The same ball was batted back and forward when it came to payment for the part-time Reserve, and we appreciate that that was part of the St Andrews negotiations. Unfortunately, everybody felt that this matter would be dealt with under the ordinary equal pay claim, but it has become unequal pay, which we need to resolve.

The letter of comfort from Sir David Fell did nothing except hold out a carrot in front of people and make them believe that there would be a resolution. Now we have an opportunity to ensure that that carrot can be grasped. We have to use the power given to us. Let us be honest: if the Assembly is to deliver anything, it has to deliver for those whom we believe have been treated unfairly. That is what the Assembly should be doing. I support the motion.

Mr Ford (The Minister of Justice): I begin by acknowledging that the issue that we are debating this afternoon has caused understandable disappointment and frustration to a significant number of staff, most of them in

my Department, and is one about which there is much confusion. In introducing the debate, Mr McCrea said that it was not about blame and that he hoped that we would bring clarity to the issue. I do, however, have to express concern that the way in which the issue has been brought before us today and the wording of the motion may serve only to cause more confusion and, even worse, lead ultimately to greater disappointment and frustration than exists already.

I do not make that accusation lightly. However, when I simply state the facts, it will become clear why I have taken that view. The motion comprises three elements. I can support comfortably the first and second elements. However, I cannot support the third, which I believe is, at best, misleading and, at worst, disingenuous. I will deal with each in turn.

The first element refers to the County Court judgment that was delivered on 7 March. That is at the heart of the issue. The case was taken against DFP and the Northern Ireland Policing Board, not against DOJ. The judgment was clear and comprehensive. It followed lengthy evidence by all parties. The court was asked by 10 plaintiffs, who were supported by NIPSA, to rule that relevant staff should have access to the Northern Ireland Civil Service equal pay terms. The plaintiffs' case was based on breach-of-contract arguments. The court found that the staff did not have a contractual right to the equal pay terms, because their pay arrangements were not within DFP's control. That stems back to 1996, when the NIO was granted a pay delegation by DFP to enable it to set pay for its staff, including Northern Ireland Civil Service staff who were on secondment to the NIO. That pay delegation to the NIO also included staff who worked for the then Police Authority. The effect was that the NIO, not DFP, had overall control of pay arrangements for PSNI staff.

Those matters, to be fair, were hotly contested in that case. Indeed, many of the arguments that were made were repeated by Members from different sides of the House in the debate. However, the fact is that NIPSA and DFP agreed a settlement for the Northern Ireland Departments only. That settlement covered only those staff who were within DFP's control for pay purposes. The court ruled that other staff — those who are now in my Department and the PSNI — were outside DFP's pay control and had no right of access to the settlement.

As I said, many of the arguments that were before the court have been restated today.

There is no point in my seeking to argue with them, because the judge has ruled on them. None of the arguments made persuaded the judge to the contrary. NIPSA has since informed its members that it does not intend to appeal. Therefore, in short, the court judgement established that relevant staff in my Department and PSNI support staff do not have a legal entitlement to the NICS equal pay settlement that was agreed in 2009.

I stress again that the issue of legal entitlement is central to what I am able to do on the matter. It is not an issue of personal sympathy; it is a matter of legal entitlement. When a number of Members talked about the difference between what they saw as justice and the legality of it, they were perhaps indirectly and unwittingly highlighting the difficulty that we are all in.

I will now deal with the second element, which is the staff's sense of unfairness. Previously and today, Members from all parties, including my own, have highlighted the disappointment and sense of unfairness that has been felt by staff. I am well aware of those feelings. Most of the staff, as I said, work in my Department. A number of them work in my private office. They are people on whom I depend. They are people whose work I respect. I have discussed the matter with some of them. I have corresponded with some directly and with many others through other MLAs. I acknowledge and understand fully the sense of unfairness that they feel. Although it will not lessen that sense, I take the opportunity to state my appreciation for the work that is done by staff in my Department and by support staff in the PSNI. The service that they have given in difficult times in the past and continue to give to this day is not in any doubt. The least that we should give them now is clarity and honesty on the situation as it stands, because, as well as that sense of unfairness, there is significant confusion.

Some of the letters that I have received ask for the NIO to act. Others ask for DOJ or the PSNI to resolve the matter in favour of the staff who are affected. Still others blame DFP. Despite the efforts of DFP officials when they appeared before the Committee for Finance and Personnel, of Department of Justice officials, of the PSNI and of NIPSA, that confusion remains. That is why, when dealing with the third element of the motion, I want to be very clear about what I believe I can and cannot do. I will also be very clear about what I am willing to do.

Part of the confusion may, perhaps, involve issues such as the comparisons with, as we just heard, farmers, the Presbyterian Mutual Society

and prison officers. The one element of that for which I have any responsibility relates to the prison officers' voluntary early retirement package. That was absolutely within the Civil Service terms for redundancies, just as this settlement is.

Were it not for the court's decision, the process for dealing with pay matters of this nature would be as follows: first, the PSNI would present a business case to the Department of Justice setting out the basis on which it believed a pay settlement should be made. Secondly, the DOJ would consider the business case, taking account of its delegated authority from DFP, which includes a requirement for DFP approval for all expenditure that is novel, contentious or repercussive. Naturally, DOJ officials would consult with and take advice from colleagues in DFP. Thirdly, if and when DOJ was satisfied that the business case complied with DFP rules, it would send the business case to DFP for approval. Finally, DFP, in its role as the ultimate decision-maker in such matters, would or would not approve the business case.

In the case that we are discussing today, the PSNI submitted a draft business case to the DOJ in October 2010. As would be normal practice in such complex matters, my officials consulted DFP officials on the matter of legal liability, which is a key requirement under the rules of 'Managing Public Money'. The advice they received from DFP dated 22 February 2011 was clear and unambiguous: the pay delegation granted to the NIO for its staff, PSNI staff, Policing Board staff and Police Authority staff was still in place. There was, therefore, no basis on which to put forward the business case to DFP; it could not have gone through the necessary legal and financial approvals. DOJ officials advised the PSNI accordingly, and the matter, as we know, subsequently moved to the courts.

If DFP's advice was clear then, the position is even clearer today, because the opinion then was based on legal opinion, and it is based today on a County Court judgement. The case was rigorously and successfully defended by DFP. As I said, NIPSA decided not to appeal the judgement, there is no legal entitlement in play, and my Department has no delegated authority to make payments to staff in these circumstances.

Members suggested that beyond the issue of liability is an issue of fairness. Of course I can understand that point, but I am also very clear in my understanding that I am bound by DFP rules, and any attempt by me to pass a business case to DFP that flies in the face of

legal liability, now established beyond question in the courts, would be a breach of those rules and would, therefore, be rejected.

Mr Elliott: I thank the Minister for giving way. I have a quick query. Was the business case that the Policing Board put forward to your Department actually inaccurate then?

Mr Ford: No, I am not saying that the business case was inaccurate. It simply did not meet DFP rules under 'Managing Public Money'.

The position was stressed by DFP officials when they appeared before the Committee for Finance and Personnel. It was also stressed by the Finance Minister in the House on 14 May, when he said:

"I do not think that anyone would expect that, where there is not a legitimate claim, we should pay money out. Indeed, I think that the Public Accounts Committee and the Northern Ireland Audit Office may have something to say about that." [Official Report, Vol 85, No 2, p33, col 2].

I should also say a little about the issue of funding, which a number of Members mentioned. Members and affected staff have suggested that they believe that I have money in my Department's budget to settle this matter. That is simply not the case.

Mr Spratt: Will the Minister give way?

Mr Ford: Just let me finish this point a second.

Such money was only ever to be provided to the Department of Justice from the Treasury in the event that legal liability was established. The money was part of the Treasury reserve, and it was never even made available to DFP, never mind DOJ or the police.

Mr Spratt: I thank the Minister for giving way. Earlier, I referred to the additional, I think, £86 million from a number of years ago, of which £20 million-odd was to be used to cover this claim. I am not suggesting and did not suggest for one minute that that was in your Department, but I am suggesting that the entire amount of £86 million went to the Chief Constable and that, out of that, he should have honoured part of the case that he made to the Treasury at that time, which you and other Executive colleagues were part of.

Mr Ford: I have no basis for believing that the Chief Constable got any amount of that money for that. Certainly, as far as the equal pay case

was concerned, £26 million was ring-fenced in the Treasury reserve if required on the basis of legal liability for equal pay being established, but that was not established.

If Members are genuinely concerned about that sense of unfairness, we should not act in ways that are likely only to increase it. Instead, let us act with honesty and integrity. Let us be clear and unequivocal about the facts of the matter, and about what can and cannot be done by Ministers under the rules laid down by DFP.

4.15 pm

That brings me to the final part of the motion, which calls on me to address the concerns of the civil servants affected as a matter of priority. I have made clear my understanding of the rules and the limits of my authority. To pretend to the staff in question that there is any real prospect of the matter being resolved to their satisfaction, as suggested, is disingenuous. It would raise expectations that I do not believe will be met. It would imply that I have authority that I simply do not enjoy. That, in itself, is unfair to the staff.

However, given the degree of confusion that appears to exist, in response to those concerns, I will write to the Finance Minister to ask him to set out the basis on which my Department, and, in turn, his Department, could approve a business case based on arguments of fairness where no liability or right has been established and where the court has ruled to the contrary. I will ask him for that personally, because I am certain from previous engagement that his officials will not sign off on any such business case. He, as Minister of Finance and Personnel, may or may not have the authority to do that. I am certain that I, as Minister of Justice, do not. I will also remind the Finance Minister that my Department does not have, and, as I have just explained to Mr Spratt, has never had, the necessary funding in its baseline to meet the costs associated with such a business case. I will ask him to guarantee that if he is in a position to approve such a business case, he will also make the arrangements to provide the necessary funds to meet the additional costs and any other potential liabilities that might flow from such an action.

I must leave the matter there, before the House. In all honesty, I cannot support the motion because of its third element. To do so would be fundamentally unfair to the staff involved. What I can and will do is to seek to provide staff with clarity on whether the Finance Minister has the authority to approve a business case in the absence of any legal liability.

In closing, let me express once again my appreciation for the work done in serving our community by the staff affected by this issue both now and for many years in the past. I hope that today does not compound the sense of unfairness that I know they already feel.

Mr Weir: At the outset, I thank all those who contributed to the debate. Four of the five main parties indicated support for the motion. It is a pity that that support was not unanimous. The Minister acknowledged that he supported two of the three elements of the motion, but stated that the third element was unacceptable.

A range of issues have been dealt with. As Raymond McCartney put it, it is about equality, fairness and trying to provide a level playing field. As Robin Newton indicated, it is a pity that we even have to talk about equal pay and treatment, but that is what we have been driven to. As someone pointed out, at the heart of the debate are human beings. As a number of Members mentioned, particularly Patsy McGlone and Paul Girvan, we are not talking about people who are at the higher end of the pay scale. Without wanting to rehearse any of the controversies of yesterday, we had a lengthy debate about a small number of people who are, by anybody's standards, well paid. We are not talking about anybody who is on that level of money. We are not even talking about people who are on the lesser scale of money of an MLA. We are talking about people who are genuinely at the lower ends of the financial scale — people who may even fail to obtain the average industrial wage that some in the House purport to enjoy. The reality is that there is a requirement for us to do what we can for all those people.

In discussing whether the situation is fair, mention was made by Ian McCrea, Patsy McGlone, Ross Hussey, Robin Newton and others of the correspondence and the level of assurance that was provided to people when they were asked to transfer on a temporary basis to work in a civilian role for the police, the Court Service or the NIO. There is no doubt that there is a feeling that these people have been let down and have been given a degree of false assurance.

Plenty of history has been raised within this. On a positive note, the issue of equal pay has been rumbling around for the past couple of decades. To be fair, the Executive and the Assembly have taken action to try to resolve that, and we are in a situation where that has been done for the bulk of people. However, there is a section of our society — perhaps a

couple of thousand civil servants — who are covered by the motion and who have fallen outside that. To produce something for those people is a laudable aim.

Realistically, I think that it was only those who were opposed to the motion who tried to drag this down into a blame game. As the proposer of the motion indicated — indeed, it was echoed around this — we are looking for a positive way forward. Whatever the attribution of blame between Departments, I think that it was Mr Hussey who said that what he really just wants to see the thing getting sorted out. Whether it is a combination of DFP, DOJ, the Police Service or any of those organisations, it is really about trying to create that level of dialogue to find a positive way forward.

I want to turn to one of the remarks that the Minister made at the end. He seems to have shuffled maybe a quarter of a step forward in what he has indicated he would be willing to do. If we are looking for a positive way forward, the very negative tone of the Minister about the correspondence that he intends to have with the Minister of Finance and Personnel does not particularly encourage me. It is very much on the basis —

Mr Ford: Will the Member give way?

Mr Weir: I will give way briefly.

Mr Ford: I appreciate the Member's giving way. I am afraid that I adopted a negative tone because of all the legal advice that I have received and all my expectations of this position. It is not negative because I do not want to recognise the service of staff, but because of the legal position that I am in.

Mr Weir: I will turn to the legal position. However, whenever you are trying to resolve an issue in a positive manner, to essentially say that the correspondence and discussion will be on the basis of, "Do you agree with me that we have no opportunity really to pay this money?", which seems to be very much the tone in which the Minister is putting it forward, is not approaching this issue in a positive manner.

The legal ruling has been mentioned — it is fully acknowledged in the motion — and the matter has been in front of the courts. I think that the courts probably could not have reached a different conclusion on the direct remit of any agreement, because DFP could only have reached agreement that covered the staff who were within that category. There is no doubt — and I am perfectly happy to accept it; it has

been acknowledged by a number of Members and was acknowledged in the motion — that, from that point of view, there is no legal requirement on the Minister to pay this out or a legal entitlement for people to receive it. We may disagree with the legal decision, but that is the clear legal decision.

However, the Minister seems to predicate everything on whether he has a requirement to do it. If the answer is no, no money should be paid or even considered to be paid. However, there are a range of actions —

Mr Ford: Will the Member give way?

Mr Weir: No. Unfortunately, Minister I have heard enough from you today. I am not going to give way again.

The reality is —

Mr Ford: — [*Inaudible.*]

Mr Weir: With the greatest of respect, you had your chance to produce a more positive way forward, but you did not take it.

In terms of the legal position —

Mr Anderson: Will the Member give way?

Mr Weir: I will give way briefly to my colleague who has not had a chance.

Mr Anderson: I thank the Member for giving way. Does the Member agree with me that what we are getting from the Minister is a brick wall attitude? There is no willingness to seek a way forward. Where there is a willingness, there is always a way to sort out an issue. The bulk of these people, if not all of them, worked in a policing and security environment, in which not only they but their families put their lives at risk. There should be a willingness. The brick wall attitude is not good enough.

Mr Weir: I agree with Mr Anderson: there seems to be a lack of willingness here. There have been numerous occasions on which the Executive —

Mr Dickson: Will the Member give way?

Mr Weir: No. I have given way enough. I only have a few minutes to finish this off.

There have been a number of occasions where there have been legitimate claims and there has not been a legal entitlement or a legal

requirement. For example, the recent compensation to farmers has been mentioned —

Mr Dickson: — *[Inaudible.]*

Mr Ford: — *[Inaudible.]*

Mr Weir: With the greatest respect, Members are obviously trying to — *[Interruption.]*

Mr Deputy Speaker: Order.

Mr Weir: There have been a number of other occasions on which I suspect — for example, the flooding cases — compensation was produced. Had someone tried to take the Executive to court to try to force payment of that compensation, it would probably have been found that there was no legal requirement on the Executive to have made it. However, it is about the Executive, collectively, making a positive contribution. *[Interruption.]* I see Mr Dickson trying to intervene. Mr Dickson seemed very reluctant to give way in any shape or form when he was speaking. Perhaps, what goes around comes around, Mr Dickson.

The reality is that the Executive have, rightly, made decisions to provide finance on a range of issues where there was not a requirement for that to be done, and certainly not a legal entitlement. However, it was the right thing to do, and the Executive stepped up to the mark. It is a pity that the Minister seems highly reluctant to do that. To my mind, as was mentioned, there may not be a requirement to pay but there is a power to. A number of Members — Alban Maginness, Raymond McCartney and others — questioned whether there was the willingness to pay, and I must say that I have been disappointed with the attitude and level of willingness from the Department today. It seems, at best, begrudging.

Mr Elliott made the point about the situation with the Policing Board. It seems that a case that was produced by the Policing Board went to the DOJ and no formal action was taken beyond that. It seems to have died a death.

Mr D Bradley: I thank the Member for giving way. He and several other Members referred to the various precedents for the Executive paying moneys to various groups, including farmers, flooding victims, the PMS, and so on. There was no legal requirement there but an obvious recognition of some form of moral requirement. Rather than playing pass the parcel between the two Departments, does the Member agree that the two Ministers should get together and

look at this issue under the various precedents mentioned?

Mr Weir: I completely agree. As I think Ross Hussey said, this is about the Assembly as a whole delivering. There is a challenge to the whole Assembly that has to be embraced positively by its Members. We must look for inventive ways of moving this on and recognise that there is a serious issue of inequality and fairness to be addressed. In the same way, as was mentioned, that something was negotiated —

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

Mr Weir: — on a range of other issues. Therefore, I urge the House to unite behind the motion. If some people have concerns over it, they should call DFP's bluff and support the motion.

Question put and agreed to.

Resolved:

That this Assembly notes the judgement of His Honour Judge Babington in the recent equal pay case heard in the County Court; recognises the sense of unfairness felt by many civil servants who had worked in or were working in the PSNI or the Northern Ireland Office at the time of the equal pay settlement of 2009 but were not entitled to access that settlement; and calls upon the Minister of Justice to address the equal pay concerns of these civil servants as a matter of priority.

Motion made:

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

Adjournment

Knockbreda High School and Newtownbreda High School, South Belfast

Mr Deputy Speaker: The proposer of the topic will have 15 minutes. The Minister will have 10 minutes in which to respond and all other Members who wish to speak will have six minutes.

Mr McGimpsey: This concerns the future of secondary education in south Belfast, specifically the proposals for Newtownbreda High School and Knockbreda High School, and I am grateful to see the Minister here to listen to what is said.

The issue is that Knockbreda High School has falling roll numbers. The falling intake in the lower part of the school creates a vicious circle that leads parents to choose to send their children elsewhere. Newtownbreda High School, however, continues to hold up considerably well. Often, the issue in these situations is that you see one school not doing well and another that is strong, and, by bringing the two together to create one school out of two, we get a strong school. I think that that is how most people in south Belfast see the future.

If the two schools merge, it would create a school of over 1,000 pupils, with an admission of roughly 170 per annum and a sixth form of 150. Until an extension can be completed on the Newtownbreda school site, the school would operate over two sites.

4.30 pm

Newtownbreda is the last controlled secondary school in south Belfast. It serves a large area of south Belfast, Castlereagh and parts of east Belfast. Its intake comes from some of the most economically deprived wards in the whole of Northern Ireland, and it provides those pupils with an education that is appropriate to their individual needs and talents.

I attended a meeting of parents in Newtownbreda High School on 6 March, when the board came forward with its proposals for the way forward. I listened carefully. It was a meeting of well over 200 people and was very well attended by parents. Despite the arguments from the board, the views of the school family — families, pupils and staff — were absolutely clear. Their view of the way

forward is that Newtownbreda High School remains as a strong school and Knockbreda High School closes and merges with Newtownbreda High. That seems logical to me. You have a strong school of over 700 pupils, and you have another school that is less strong and is clearly failing. I would have thought that the way to do it is to allow the pupils from Knockbreda High to merge and integrate with Newtownbreda High. That seems to me to be a logical way forward.

The board presented its plan, which was basically to shut both schools and reopen a school on the Newtownbreda High School site. I do not understand the logic of that, bearing in mind that the strong school is Newtownbreda High School. It has good staff, is doing reasonably well and is making progress. It seems to me that the trauma of shutting two schools is not sensible, particularly bearing in mind the effect that it would have on pupils, especially pupils who are in the process of GCSE and A level courses.

Rather than have that approach of shutting the two schools and then bringing them together on the one site, it seems much more sensible that, when you have a going concern that is successful and is working well, you keep that going and allow the pupils and staff from the other school, Knockbreda High, which is failing, to merge in. It seems to me that that is the clear way forward. I can tell you that it is overwhelmingly the opinion of the school family and of the parents there that night. It was a very well attended meeting. It was about as good a meeting as I have been at in many years in south Belfast as far as education is concerned. It is also the view of the staff, and it was clearly the view of senior pupils who were at the school. That seems to me to be the way forward, and that is effectively why I am calling this Adjournment debate. That is the way forward for the school.

It is about putting the education of our children first. That is what we are all about. It is about keeping Newtownbreda High School open and for the two schools to integrate rather than closing them and forming a new school. There is precedent. It happened when Lisnasharragh closed. We have seen Dunmurry High School closing and the school on the Blacks Road closing, so we are now down to the last controlled secondary school in south Belfast. We also look at the challenges that are coming forward in east Belfast. Those are around the future of Orangefield High School and of Dundonald High School and what is happening there. It seems to me that we need to look at the best, most practical way forward to ensure

the least disruption and trauma to the pupils in the school — a school that is successful. By allowing Knockbreda to merge into Newtownbreda, we would end up with a strong school of well over 1,000 pupils.

There are, of course, other things that are inevitable anyhow. The school buildings at Newtownbreda are well over 50 years of age, as, indeed, they are at Knockbreda. They are past their sell-by date, and that is something that needs to be put into the capital programme. I realise that moneys are tight, but that, I believe, is also crucial. We have to invest in our pupils' education; that is not simply about investing in the best training for the best staff but about investing in the best facilities and equipment to give our children the best support that we can and the best start in life.

Newtownbreda High School has a very good, well-trained and dedicated staff and a good headmaster who work very well to deliver results for the school. The staff at Knockbreda High School can merge in, and we can keep the whole project alive and delivering. As the pupil rolls rise as a result of Knockbreda closing and merging, we can see that continuity in the delivery of education, which is absolutely crucial, not least for the confidence of the parents and the school family, who overwhelmingly at that meeting and in conversations since remain strongly of the opinion that the board's plan is not right for the school. The way forward, as I said, is to keep Newtownbreda High School open and allow Knockbreda High School to merge so that we get a strong school.

I know that there are implications. Other Members will want to discuss the implications for Orangefield High School and Dundonald High School, but, in my role as an MLA for South Belfast, I am charged by the constituency with ensuring that we get the best delivery. That aim will not be achieved by the board's plan. I have listened to the board and talked to its representatives, and I know that they are sincere about their plan, but it does not make sense. If you have a successful school, why shut it down? That does not make sense. We should keep the continuity and allow the transition to be as painless as possible.

If the merger goes forward, we can have a successful school and deliver education in a controlled secondary school in the area for some of the most deprived wards in Belfast if not the whole of Northern Ireland. It is exactly the sort of constituency in which we are looking to invest and support. As far as the school family and I are concerned, that is the best way

forward. I ask the Minister to look very carefully at the board's plan and consider how to moderate and modify it in order to give the schools, the constituency, the parents, the pupils and the staff what they are asking for and what they need.

Mr Spratt: I thank Michael McGimpsey for securing the Adjournment debate, and I acknowledge the fact that the Minister is present. It is not often that I praise you, Minister, but I will do so and acknowledge that you have been willing to speak to the schools and the parents concerned. I acknowledge all of that. You are prepared to listen, and I know that you have asked for other things to be done. As a Member for South Belfast, I appreciate that.

I see this as part of a wider picture in the entire corridor that runs through east and south Belfast. Mr McGimpsey has covered a lot of the facts, and the fact is that the Knockbreda parents do not want the school to close. They want to work with the board.

Let us look at the number of schools that have closed in south Belfast or are threatened with closure and the fact that children fluctuate between east Belfast and south Belfast. Schools such as Deramore High School, Dunmurry High School, Balmoral High School and Lisnasharragh High School were closed and, more recently, Orangefield High School has been under threat. The corridor along the Knock dual carriageway is becoming less and less for children. Many children have already been moved, and families whose older children had to move face the same with their other children. If we are serious about tackling educational underachievement, we must ensure that children are not moved from school to school and unduly disrupted during their school career.

Part of the problem is the fact that there is no political representation on either the Southern Eastern Board or, I believe, the Belfast Board. There are also two council areas involved, and there is a silo mentality. I often say in local government and with reference to DRD, the remit with which I am more familiar, that Departments have a tendency to work in silos. It is apparent, if you look at what has happened with Newtownbreda High School, Knockbreda High School and all the other schools in the east Belfast area, that there is a silo mentality, where one board is not talking to the other board. Having been sacked by a direct rule Minister for being one of the people who refused to put through special needs cuts in the South Eastern Education and Library Board, I

know that there is a tendency for officials from different boards not to talk to one another. That is one of the things, Minister, that I would ask you to look at seriously when it comes to the area plans and addressing many of the issues that parents have raised. You have listened to the concerns of some of the parents and are going to visit others. I ask you seriously to listen to some of the stories that are coming across, because those at the coalface realise the situation.

I understand that numbers are dwindling. One of the sad things about Knockbreda is that the South Eastern Board has always been happy, once a proposed closure, amalgamation or whatever has been put in place, to allow numbers to wither on the vine. That makes the whole situation worse. It makes the uncertainty worse, and it makes all the problems worse.

Mr McGimpsey said that we should set up a new school in Newtownbreda, with a new identity, a new name and all the rest of it. That may be the best thing to do, at the end of the day, but the build is not currently on the Newtownbreda site. If the build is not there to take the additional pupils, considering the closure of the other schools in the area, such as Orangefield High School, there will be problems. Some of the Knockbreda High School parents were told that they could send their children to Ashfield Boys' High School and Ashfield Girls' High School. My understanding is that the board said that there were sufficient places in those schools but, when the numbers were checked, the numbers were not there, in some cases. Another school that was mentioned was Priory College in Holywood, where the Belfast Board said there were places. When parents checked, there was a single place in that area. All those things point to the mentality of the boards and their officials and to how they work in silos and do not talk to one another.

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

Mr Spratt: Minister, that is something that I ask you to have serious discussions about when you look at what is going to happen in this area.

Mr Maskey: Go raibh maith agat, a LeasCheann Comhairle. I also thank Mr McGimpsey for bringing the Adjournment topic to the House this afternoon. We have discussed the issue in a broader sense in the past number of weeks in the Chamber, but it is important to reiterate the fact that many parents remain concerned, rightly so, about the future

education of their children. I echo the comments from Jimmy Spratt that the Minister has taken an active interest. He has spoken to parents and others who are directly involved, and he has listened to their concerns. It is important that those concerns are listened to.

It is also important to recognise that, in areas such as south and east Belfast, one board is very close to another board, and the communities that live in those areas do not see the border between the board areas. Therefore, it is important that the agencies and boards speak to one another. It is important to recognise that there are people from within the broader south and east Belfast area who see one school as being close to another but do not know that the schools are in different board areas. It is critical that the sectors talk to one another. Both Members who have spoken so far made it very clear that what is important is the education and best interests of the children. That has to be central to everything we do, and it is the primary concern of the parents who have been raising the matter.

4.45 pm

As I understand it, the proposal is for, effectively, an amalgamation of the schools that the Member has drawn attention to this afternoon. There may well be a technical way of resolving that. I accept that people have affinities with schools and are worried about heightening uncertainty about the future. If there is a technicality around how such an amalgamation may go ahead, it is important that that is done, as I said, with the future interests of the children as the centrally important thing. I urge the Minister to continue his active interest in the matter and continue listening to the parents and educationalists who are endeavouring to look after the primary interest, which is the children's education. I urge him to continue his discussions to make sure that we get an outcome that reflects the best interests of all the children and takes on board the concerns and views of the parents, boards of governors and the staff who work in those schools.

Mr McDevitt: I, too, thank Mr McGimpsey for bringing the Adjournment debate this afternoon. It is worth reflecting on what he said about the spread of post-primary education provision in our constituency. If the rationalisation proceeds — it appears that it will — the question possibly for the House is how that will happen. It will leave one controlled post-primary school in South Belfast. If my memory is correct, we have one maintained post-primary school in

South Belfast that is not a grammar school and one integrated post-primary school in South Belfast that is also not a grammar school. Everything else in our constituency is a grammar school of one form or another. To be honest, that is not reflective or representative of the educational need in our constituency. There are two ways of fixing the problem. One way is to change the system, but we are unlikely to reach agreement in the House to do that in the short term, much as I would like to think us capable of doing so. The other way is to make sure that there is suitable provision for those who desire, need or end up in circumstances where they want to access a diversity of school type.

I am aware of the perspective of parents and pupils on how the Newtownbreda/Knockbreda situation should proceed, and, like many people who are parents of someone in a post-primary school or who represent the constituency, I am sympathetic to the proposal coming forward from them that it will not be shut down and reopened but will be a merger-type process. I look forward to the Minister's observations on that.

Colleagues have also said that we, in South Belfast, sit on the outskirts of Belfast city and border other board areas. That gives rise to several problems that we have seen manifested recently in primary schools in the constituency. The truth is that it should not really matter what side of a line you happen to live on when your obvious choice of school is the one that is maybe closest to you. However, it does matter, and that has been the situation in our part of the city, where factors such as board boundaries have come into play in school selection. I remain particularly concerned that, as an Executive and a House, we are able to meet the educational needs of young men and women from the Donegall Pass and Village areas of our constituency. Those young men and women live in very close proximity to some of the best schools in our region, but those schools appear inaccessible to them. We can solve that either by making those great schools accessible to them, which would be my preference, or, if that is not possible in the short term, by guaranteeing them excellent education provision as close to their homes as possible.

The truth is that the closest place to their homes where we seem able to offer that type of provision is either in Finaghy, which is basically where Malone College is, or on the outer ring, which is where the two schools that we are debating this evening are. That is not at all close to their homes in city terms. It is going the wrong way, heading out of town. People

who choose to live in cities tend to gravitate towards town to do what they want to do, be it to go to school or to pursue their future life in a work environment.

I am happy to offer my support to Mr McGimpsey. We should be sympathetic to the voice that is coming from the schools and the parents. We should continuously remind ourselves that we need to protect the diversity of education provision in the constituency. That may not be possible if we continue on a rationalisation agenda.

Ms Lo: I thank the Member for securing the debate. I understand that there is considerable opposition to the proposal for the amalgamation of the Knockbreda and Newtownbreda schools, particularly from the families and pupils of Knockbreda High School. I responded to the Department's consultation in March, and I forwarded a copy of my letter to the South Eastern Education and Library Board, outlining my reservations about the proposed amalgamation.

At the outset, it is important to note that the number of empty spaces in our school estate is unsustainable. We have up to 85,000 empty desks across the school estate. The Minister has stated that that equates to 150 empty schools, and, obviously, that is a waste of public money. Knockbreda has 34% unfilled spaces, and Newtownbreda has 18%. Enrolment figures for new pupils at Knockbreda are very low: only 34 for the 2012-13 academic year. In some cases, smaller classes may have benefits, with the more personalised attention that it can mean. However, it also has drawbacks when schools end up with multi-year classes and the problem of more money being spent on administration and maintaining outdated school buildings than on providing high-quality education for our children.

I have concerns about the performance of schools that have entered an amalgamation process. Research from the Hay Group has shown that, when schools amalgamate, performance suffers, with 68% of schools suffering a drop in performance after amalgamation and 51% of those schools not recovering to their pre-amalgamation level. It is important that that is not allowed to happen in this case. Knockbreda is still in the formal intervention process, while recent inspections have noted improvements at Newtownbreda. If the process goes ahead, all necessary supports must be put in place for the schools to monitor their performance and to ensure that any issues are speedily addressed.

An amalgamation would also have a particular impact on the pupils. It would be a disruptive and uncertain time for them. If this process goes ahead, it is important that it is not allowed to have an adverse impact on the pupils, particularly those sitting important examinations. The uncertainty and upheaval will only increase the pressure on them.

Keeping failing schools open should not be a top priority for us. We must consider what is best for our pupils. In this case, amalgamation does not appear to provide for the educational needs of pupils in the best way possible, nor does it provide increased stability. I do not believe that it is ideal to have this school based across two sites, even if they are geographically close. To facilitate the pupils from Knockbreda with minimal upset to all involved, firm proposals for an extension of Newtownbreda could be drawn up and supported by the Minister as soon as possible to ensure that pupils do not have to be split across both sites. That is particularly so as Newtownbreda has had some new capital investment in recent years, including the new science building, the outside keep-fit area and the new gym.

It is essential that there is proper post-primary planning across all sectors in the constituency of South Belfast to ensure appropriate levels of social and physical connectivity between schools and communities. It is necessary for the Minister to take into consideration, in this case and in relation to other schools in South Belfast — and East Belfast, as was mentioned by other Members — the needs and wishes of pupils, parents, teachers, schools and the wider community. Imposing a merger could be counterproductive and would diminish parental choice.

It would be remiss of me as an Alliance Member not to highlight the demand from parents for the provision of integrated education, which makes up only 7% of post-primary provision. That is despite the recent good relations indicators update released by the Office of the First Minister and deputy First Minister (OFMDFM), which shows that 70% of people are in favour of mixed schooling. Within the South Belfast constituency, we have Lagan College, an integrated school that is consistently oversubscribed and achieves excellent results at both GCSE and A level.

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

Ms Lo: In his decisions, the Minister should take on board that demand for more integrated education.

Mr Newton: I also thank Michael McGimpsey for securing the debate. Like others, I welcome the presence of the Minister. I know that he has given a lot of time to the issue, and he attended the debate that we had on East Belfast issues. I also thank Mervyn Storey, because, as Chair of the Education Committee, he also has concerns in this regard.

As an East Belfast MLA, I will concentrate my remarks on the Knockbreda school, but this also obviously has implications for Newtownbreda. Like Mr McGimpsey, I attended the parents consultation night at Newtownbreda, and I was struck by the concerns of the parents, and quite rightly. Having also spoken with parents and teaching staff from Knockbreda, I know that there is no appetite for the proposal that the board has come forward with to amalgamate Newtownbreda and Knockbreda on a split site. There is no appetite for it among parents or staff.

Anna Lo has indicated what the statistics say about amalgamations. She said that 68% of mergers saw a drop in performance and 51% of schools that merge never return to pre-merger standards. The Minister has met delegations of parents, and you know, Minister, that the parents have raised with you how this would affect their children, particularly the merger situation. In your reply to them, you indicated that you believed that the amalgamation itself would not make any difference, and it is about how it is handled by the board and the teaching staff. However, the history of mergers indicates that they are not overly successful. Anna Lo quoted the same figures that were made available at the consultation evening for parents at Newtownbreda.

It also struck the parents there and, indeed, the parents in Knockbreda that only one proposal is being put forward. We raised that with you, Minister, in the debate around East Belfast. It is nearly "This is what the board says, and this is what we are going to do". That really causes concern for the parents.

5.00 pm

There is a lack of a real plan and a real vision. Jimmy Spratt made the point that there is not the necessary consultation between the South Eastern Education and Library Board and the Belfast Education and Library Board to see a real plan come through.

Knockbreda school has suffered over the past number of years. It has suffered because there were proposals to invest in the school and those proposals were withdrawn. It has suffered through a turnover of staff. You can understand that, when there is a lack of money in a school for the investment that was promised, staff will start to say to themselves that maybe their career interests would be better served elsewhere.

I know, Minister, that you have made comments about the bad press reports. Whether we like it or not, the press like a bad story and highlighting a school that is in intervention and whether it should be there or not. That is a debate that Jimmy Spratt and I had with the principal of Knockbreda. Bad press reports tend to sell newspapers.

Another interesting statistic was quoted to me, and I hope I get this right: the principal of Knockbreda said that 175 pupils travelled past the front door every day. I imagine that some of them are going to Newtownbreda and some of them are going to other schools. However, there is something essentially wrong when parents travel by bus or whatever and take pupils past a school door when they should be going into the school that is closest to them.

Given the circumstances we are in and where we are with the planning process or lack of planning process, there are concerns that the parents immediately have for their pupils as they sit their examinations this year to determine which class they go into next year. There is a plea. There is a plea for extra help, given the circumstances that we are in.

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

Mr Newton: There is chaos in the system at the moment. There are unsettling circumstances, real concerns and real tensions with the pupils in the lead-up to the examination period.

Mr Storey: I thank the Member for securing the debate this evening. As has been mentioned by a number of Members, it really follows on from the debate that we had just a few weeks ago about East Belfast. Just a few moments before coming to the House, I, along with the vice-chair of the Education Committee, attended a meeting with the senior management team and board of governors of Orangefield. If ever there was an example of how not to plan, it is in Orangefield. Clearly, that school has made a decision. The board of governors is waiting, and I know that the

Minister has corresponded with some Members about that. However, it does again raise an issue.

I appreciate that the Minister is here. I suppose that we run the risk of giving him too much praise and that he will take all the praise that he is getting in the House this evening. However, the Minister knows that I genuinely appreciate the fact that he is accessible and that he makes his office available on many of these issues and has done over the past number of days when we have specifically raised issues with him. I appreciate the fact that he spoke in the previous debate on this issue in a way that, I think, has been helpful in trying to find a way to a point where we really have an education plan for the Belfast east/south corridor. There is an interconnection and a connectivity between what is going on in east and south Belfast for a variety of reasons. Therefore, I concur with the comments made by Mr McGimpsey in securing the debate and with other colleagues who have made a contribution.

There are a couple of things that I want to say about the situation. The first is to do with capital alignment, and the Minister knows that we have spoken to him about that in Committee and at other locations. When you put a plan together, there needs to be not only commitment to the plan but a capital investment that aligns with the plan. The difficulty is that we have some examples, which we have referred to in the past in the House, of where there was a plan and a capital alignment but the school was never produced. There are other places where there are proposals but there is no capital alignment. All of that feeds into the uncertainty. That uncertainty is the very reason why the point that my colleague Mr Newton referred to about the pupils going past some schools is the case. The one thing that parents want to have is certainty about how and where their child's education will be provided. Therefore, if there is any degree of uncertainty, whether that is in relation to enrolment, capital, sustainability, educational outcome or whatever, parents will make choices. We have seen that cascading effect, particularly in east and south Belfast, for a time. The Minister has a golden opportunity. Even as I was in the House when others were speaking — my apologies to them — I have been in contact with the two boards to try to finalise a date between now and the end of this week to have the two boards sit down and have that discussion. Clearly, there is an issue that needs to be addressed around the way in which we carry out our area planning.

The other issue, which has to be first and foremost, is educational need. There are a

variety of educational needs, and they are not all going to be suited in one particular school. Members know that I do not concur with the view that one size fits all in educational provision. We need to have a provision that is broad enough and diverse enough to meet the needs of the young people who have varying degrees of need, aptitude and ability. That is why, Minister, again I place on record in the House our call to you to look at this not only in terms of the Department of Education but in terms of further education with the Department for Employment and Learning that Minister Farry is responsible for. We have the Castlereagh campus, we have Belfast Met and we have a network of schools in the area. They need to be part and parcel of an educational plan that will drive the needs of the pupils. That then will be an area plan that, I think, we will all be able to subscribe to, because it will deliver for the young people who ultimately need to be kept at the centre of all these discussions.

Mr O'Dowd (The Minister of Education): Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas le Michael McGimpsey as an ábhar díospóireachta seo a ardú. I thank Mr McGimpsey for bringing forward the debate this evening. Nothing can be more important in education terms than ensuring that we have the right provision in place to meet the needs of our young people. The issues raised today, as several Members have said, are very similar and, indeed, connected to those raised in the Adjournment debate on post-primary education in east Belfast and to the Belfast Board's plans there as well.

I believe that we need to widen the debate to discuss all of the provision in Belfast, rather than looking at it in a fragmented fashion only when a development proposal is published for a particular school or schools. Not wishing to sour the tone of the debate, I think that we also have to include the grammar schools in that area to see where they fit into the future provision in planning for all the citizens in south and east Belfast.

The citizens of south and east Belfast pay for all the education provision in their area through their taxes, so in my view, this should be accessible to all citizens, but in the absence of agreement around academic selection, we have to include them in the discussions as to how we provide sustainable education going forward in those parts of the city.

We must ensure that we equip all schools and our pupils with the knowledge and skills that they need to be active contributors to our society and economy in the future. We have

high-performing, all-ability schools across the city and further afield. I do not wish Mr Storey to withdraw his praise for me today, but I disagree with him on this point. I believe that we can provide excellent education across a range of subject areas and have vocational and academic education on one site. However, we have not reached agreement on that, and I do not think that we should sour the discussions on this issue but instead look at all the options available to us.

Today's focus is on Knockbreda High School and Newtownbreda High School in the south of the city. I have been very encouraged by the commitment of the parents in those schools to secure the very best for their children. They have an energy that I would like to see supporting all schools. However, they are also realistic enough to know that things cannot continue as they are. They are not opposed to change, but they want proof that the changes being proposed will result in better education for their children.

As I said, the current set of development proposals that have been brought forward for the south and east of the city are trying to deal with a complex issue. However, I will repeat what I said during the Adjournment debate on post-primary education in east Belfast. I have not reached a decision on any of the proposals that are affecting those areas. Indeed, I take on board Mr McGimpsey's comments as to how the process should have been handled. We should be looking at the closure of one school and an amalgamation with the other, rather than the closure of both and the adoption of a new school. I suspect that the proposal as formatted is on the basis that there are no losers or winners and that we start off afresh, but I take on board the comments that have been expressed here today. Those will form part of my deliberations when I come to make a decision.

The development proposals published on 16 April 2013 by the South Eastern Education and Library Board propose that Knockbreda High School and Newtownbreda High School amalgamate with effect from 31 August 2014 or as soon as possible thereafter. The proposal is that both schools will close at that time, and a new amalgamated school will open. As I said, I will investigate whether there is a different way to do that or whether the status quo should remain. Members will appreciate that I am not in a position to comment on any of the detail associated with the proposals as the two-month consultation period does not close until 16 June.

Mr Storey: I appreciate the Minister giving way. I know that he takes an interest, but will he give an assurance to the House that he will take a proactive approach in having discussions with the two boards on these issues? Although we have necessary and important debate here, there are ongoing discussions, and the boards need to be made aware of the concerns that are being expressed in the House this evening.

Mr O'Dowd: I took note of Mr Spratt's comments about Departments working in silos, and I will not argue against that concept at all. However, I am encouraged by the close working between the chief executives of the Belfast Board and the South Eastern Board on these matters. I am encouraged by the details that my Department has brought together on what is now referred to as the Knock dual carriageway corridor and the debate among my departmental officials as to how best we should proceed.

I have brought all the boards and the CCMS together in one room to discuss area planning to ensure that we are approaching the issue in a uniform way. I am not going to suggest that everything is perfect, but I believe that it is much better than it was previously, and those discussions continue. I will re-emphasise to both boards the need for them to work closely together for a successful outcome for all the pupils involved.

During my deliberations, I will welcome the views of all interested parties, including the views that have been expressed by Members. That will build on the engagement that has already taken place. Over the past few weeks, I have held meetings with parents, schools' boards of governors and teachers across the south and east of the city. I was impressed with their openness and willingness to engage in dialogue about issues that are obviously important to them and their community. They also listened to what I had to say and took away for further consideration points that I raised.

5.15 pm

I am visiting Dundonald High School on Thursday to engage with the pupils, parents, staff and local representatives. I want to hear their views at first hand. The following week, I am meeting representatives from Newtownbreda High School and will be visiting the school in and around 12 June. Only when I have completed those visits will I look at the information to assess the best way in which to provide for all the young people, not only in

south and east Belfast but in Dundonald and Holywood.

We cannot shy away from the fact that some of the schools in question have not been providing the level of quality education that any of us would expect. Some are in formal intervention, and one has been there more than once.

You highlighted, in various ways, the need for high-quality provision to serve the young people in those areas. You highlighted the problems that some of them face in their daily life. I will take all of that into account when reaching my decisions.

I have often said that the provision that met the needs of pupils in the past may not be appropriate to meet the needs of pupils in the future. We need to ask ourselves what we want in 10 or 15 years' time. We need to build that vision with the local community and ensure that pupils are our concerns, not the institutions.

Therefore, what can be done to improve outcomes for young people in south Belfast and beyond? The answer lies in two areas. One is area planning to move towards a network of sustainable schools. I take on board the comments that a number of Members made that decisions need to be backed by capital investment. Communities have been let down in the past there. I have been careful not to make any capital announcement that I am not confident can be backed with money and planning.

We have prioritised amalgamations in our capital development programme. I have set aside a fund from which schools can access up to £4 million to make a significant enhancement to the premises. Again, that is aimed at allowing amalgamations and area planning to move forward.

The other area that we have to ensure is right is that of policies aimed at raising standards and mitigating the effects of social disadvantage. Those, Members, are the way forward. I accept fully that when policies and area planning are interpreted on to the ground, there is no one package that fits all. We have to listen to the views of those in the community.

I welcome the tone and manner in which this and the previous debate in on these matters took place. I found them informative. I assure Members that the Hansard report and my reflections on those debates will form part of the evidence-gathering in preparing my response to area plans. Difficult decisions lie ahead. There are decisions that need to be made. I can only

assure Members that I will make them based on all the evidence before me. Go raibh míle maith agat.

Adjourned at 5.18 pm.



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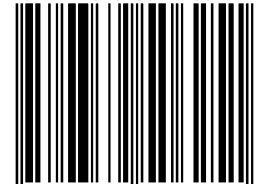
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